



**FOURTH AMENDMENT TO  
AGREEMENT FOR PURCHASE AND SALE**

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*Murdock Village Community Redevelopment Agency  
Lost Lagoon Development, LLLP  
Charlotte County*

This **FOURTH AMENDMENT TO AGREEMENT FOR PURCHASE AND SALE** (the "Fourth Amendment") is dated the 10<sup>th</sup> day of November, 2020 and is entered into by and between: the **Murdock Village Community Redevelopment Agency**, a public body corporate and politic under the laws of the State of Florida, established pursuant to Part III of Chapter 163, Florida Statutes, (the "**MVCRA**" or "**Seller**"); and, **Lost Lagoon Development, LLLP**, a Florida limited liability limited partnership, ("**Lost Lagoon**" or "**Buyer**"); and, **Charlotte County**, a political subdivision of the State of Florida ("**County**"); and, collectively, the parties to this agreement shall be referred to as the "parties."

**RECITALS**

A. MVCRA, Lost Lagoon and County entered into that certain AGREEMENT FOR PURCHASE AND SALE dated October 24, 2017, (the "Agreement"), as amended by that certain FIRST ADDENDUM AND AMENDMENT TO PURCHASE AND SALE dated March 24, 2020, that certain SECOND AMENDMENT TO AGREEMENT FOR PURCHASE AND SALE dated April 14, 2020, and that THIRD AMENDMENT TO AGREEMENT FOR PURCHASE AND SALE dated July 23, 2020 (collectively, the "Agreement"); and

B. The Phase I Closing was completed on September 18, 2020; and

C. The Phase II Closing is scheduled to be completed on or before October 25, 2021, the Phase III Closing is scheduled to be completed on or before April 24, 2023, and the Phase IV Closing is scheduled to be completed on or before April 24, 2024; and,

D. During the Phase I closing, a review by the title insurer noted that the description of the portions of Lot 2 to be included in the Phase III and Phase IV Closings was not sufficiently described; and

E. The parties desire to identify the portions of Lot 2 that will be allocated to the Phase III and Phase IV Closings by creating Lots 2A and 2B; and

F. The parties hereby allocate Lot 2B to the Phase III Closing and Lot 2A to the Phase IV Closing;

G. The County has prepared surveys of Lots 2A and 2B (a copy of which is attached as composite Exhibit "A" to this Amendment and is made a part hereof), which will be recorded in the Public Records of Charlotte County, Florida pursuant to Chapter VII of the Code of Laws and Ordinances of Charlotte County, Florida.

**NOW THEREFORE**, in consideration of the mutual covenants and agreements set forth in the Agreement and this Fourth Amendment, and other good and valuable consideration, the receipt of which are hereby acknowledged, the parties agree as follows:

1. **Recitals**. The Recitals above are incorporated into this Fourth Amendment by this reference.

2. **Phase III and IV Closings Amended**. Paragraphs 13, 14 and 15 on page 4 of the First Addendum and Amendment to Agreement for Purchase and Sale is amended as follows:

13. Notwithstanding any provision to the contrary contained in the Agreement, the Phase III closing under the Agreement shall occur on or before April 24, 2023. The Phase III closing shall include the following: Lot 2B, as described in Exhibit "A" to this Fourth Amendment to Agreement for Purchase and Sale, and, the 41 Gateway Lots and the Seymour Gateway Lots, as described in Exhibit "F" to the First Addendum and Amendment to Agreement for Purchase and Sale. Lot 2B contains approximately 11.89 acres @ \$47,500/acre for a total value of \$564,775.00. Also included in the Phase III closing are the 41 Gateway Lots (8 lots @ \$30,000/lot for a subtotal price of \$240,000.00) and, the Seymour Gateway Lots (5 lots @ \$18,000/lot for a subtotal price of \$90,000.00). The total Phase III closing sales price is \$894,775.00.

14. Notwithstanding any provision to the contrary contained in the Agreement, the Phase IV closing under the Agreement shall occur on or before April 24, 2024. The Phase IV closing shall include Lot 2A as described in Exhibit "A" to this Fourth Amendment to Agreement for Purchase and Sale. The total Phase IV closing sales price is \$1,742,365.00.

15. The revised total purchase price is \$6,679,200.00.

3. **Conflict**. The parties intend this Fourth Amendment to supplement the Agreement. Where one or more provisions of this Fourth Amendment or the Agreement may be read to fulfill the intent of both documents, the parties intend that this Fourth Amendment and the Agreement be interpreted to give each document its fullest meaning. Where the provisions of this Fourth Amendment and those of the Agreement directly conflict, the parties intend that this Fourth Amendment prevail. The parties intend that all

other provisions of the Agreement not in conflict with this Fourth Amendment remain undisturbed.

4. **Counterparts**. This Fourth Amendment may be executed in several counterparts, each of which shall be deemed an original, and all such counterparts together shall constitute one and the same instrument. Any party may execute this Amendment by signing any one counterpart.

[SIGNATURES FOLLOW ON NEXT PAGE]

**IN WITNESS WHEREOF**, the parties have caused this instrument to be executed on the respective dates set forth below.

**WITNESSES:**

N. Kelly

Printed Name: Nake Kelly

Jenise Duncan

Printed Name: Jenise Duncan

**LOST LAGOON/BUYER:**

Lost Lagoon Development, LLLP, a Florida limited liability limited partnership

By: Lost Lagoon Management, LLC, its general partner

By: J-Tek Entertainment, Inc., its manager

By: Lyndell Mims  
Lyndell Mims, its President

Date: Nov 4, 2020

**[ADDITIONAL SIGNATURES ON NEXT PAGE]**

Signed, Sealed and Delivered in the  
Presence of:

**COUNTY:**

Board of County Commissioners of  
Charlotte County, Florida

By: 

Printed Name: William G. Trues

Its: Chairman

Date: November 10, 2020

Attest:

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

By:   
Deputy Clerk HC 2017-098

**MVCRA/SELLER:**

Board of County Commissioners of  
Charlotte County, Florida, a Political  
Subdivision of the State of Florida,  
as Ex-Officio of Murdock Village  
Community Redevelopment Agency

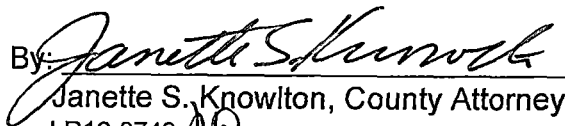
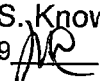
By: 

Printed Name: William G. Trues

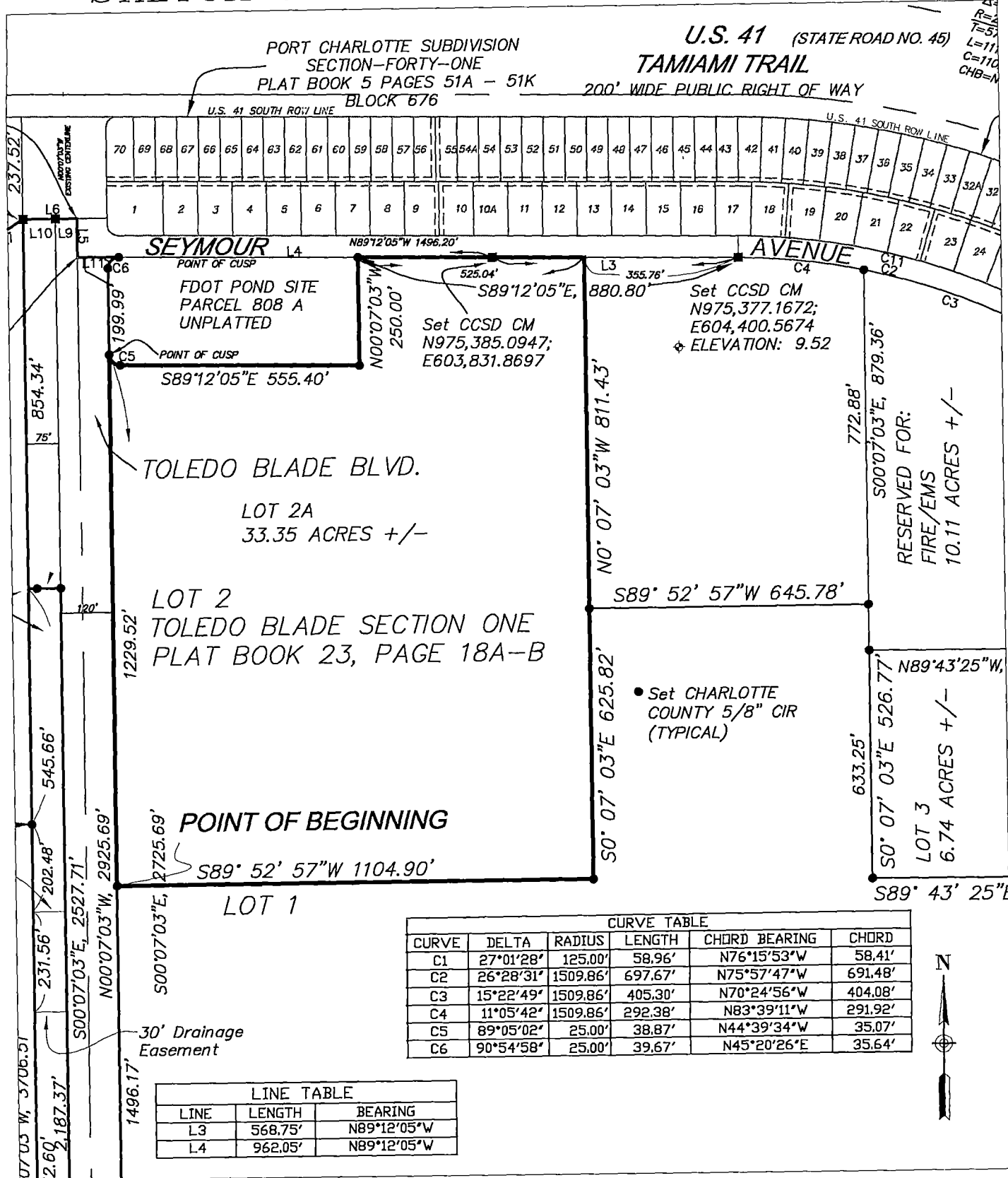
Its: Chairman

Date: November 10, 2020

Approved as to form and legal sufficiency:

By:   
Janette S. Knowlton, County Attorney  
LR16-0749 

# SKETCH TO ACCOMPANY DESCRIPTION



## LOT 2A DESCRIPTION

TOLEDO BLADE SECTION 1

Parcel No. 402112106002

## CHARLOTTE COUNTY SURVEYING AND MAPPING DEPT.

410 Taylor St., Suite 104  
PUNTA GORDA, FL 33950  
(941) 575-3616

Designed \*\*\*  
Drawn SLF

Checked  
Scale 1"=300'  
Date 9/24/20  
Prj. No. 9/24/20

REVISIONS

APPROVED

SHEET 1 OF 2

DWG. No. Lot 2 Descriptions.dwg

COMPOSITE EXHIBIT "A"

# SKETCH TO ACCOMPANY DESCRIPTION

## DESCRIPTION

A TRACT OR PARCEL OF LAND LOCATED IN SECTION 12, TOWNSHIP 40 SOUTH, RANGE 21 EAST, CHARLOTTE COUNTY, FLORIDA LYING WITHIN LOT 2, TOLEDO BLADE-SECTION ONE SUBDIVISION AS RECORDED IN PLAT BOOK 23, PAGES 18A AND 18B OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF SAID LOT 2, THENCE N00 °07'03"W FOR A DISTANCE OF 1229.52 FEET TO A POINT OF CUSP; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT OF RADIUS 25.00 FEET (DELTA/CENTRAL ANGLE 89 °05'02") (CHORD BEARING S44 °33'34"E) (CHORD LENGTH 35.07 FEET) FOR AN ARC DISTANCE OF 38.87 FEET TO A POINT OF TANGENCY; THENCE S89 °12'05"E FOR A DISTANCE OF 555.40 FEET; THENCE N00 °07'03"W FOR A DISTANCE OF 250.00 FEET TO THE SOUTH RIGHT OF WAY (ROW) LINE OF SEYMOUR AVENUE (50' PUBLIC ROW); THENCE S89 °12'05"E ALONG SAID SOUTH ROW LINE FOR A DISTANCE OF 525.04 FEET; THENCE S00 °07'03"E FOR A DISTANCE OF 1437.25 FEET; THENCE S89 °52'57"W FOR A DISTANCE OF 1104.90 FEET TO THE POINT OF BEGINNING.

CONTAINS 33.35 ACRES, MORE OR LESS.

BEARINGS SHOWN ARE BASED ON 1983 STATE PLANE COORDINATE FLORIDA WEST ZONE (1990 ADJUSTMENT) WHEREIN THE NORTH ROW LINE OF STATE ROAD 776 BEARS N69 °10'05"E.

THIS SKETCH MAKES NO REPRESENTATIONS AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THIS PARCEL.  
THIS SKETCH IS SUBJECT TO ALL THE FACTS THAT MIGHT BE DISCLOSED BY A FULL AND ACCURATE TITLE REPORT.  
NOT VALID WITHOUT BOTH SHEETS.

LEGEND:  
CIR = CAPPED IRON ROD  
CM = CONCRETE MONUMENT  
CCSD=CHARLOTTE COUNTY SURVEY DEPT.

FOR THE EXCLUSIVE USE OF: L. FORD  
CHARLOTTE COUNTY BOARD OF  
COUNTY COMMISSIONERS  
STEVEN L. FORD  
PROFESSIONAL SURVEYOR & MAPPER, No. 4992  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

THIS IS NOT A SURVEY

### LOT 2A DESCRIPTION

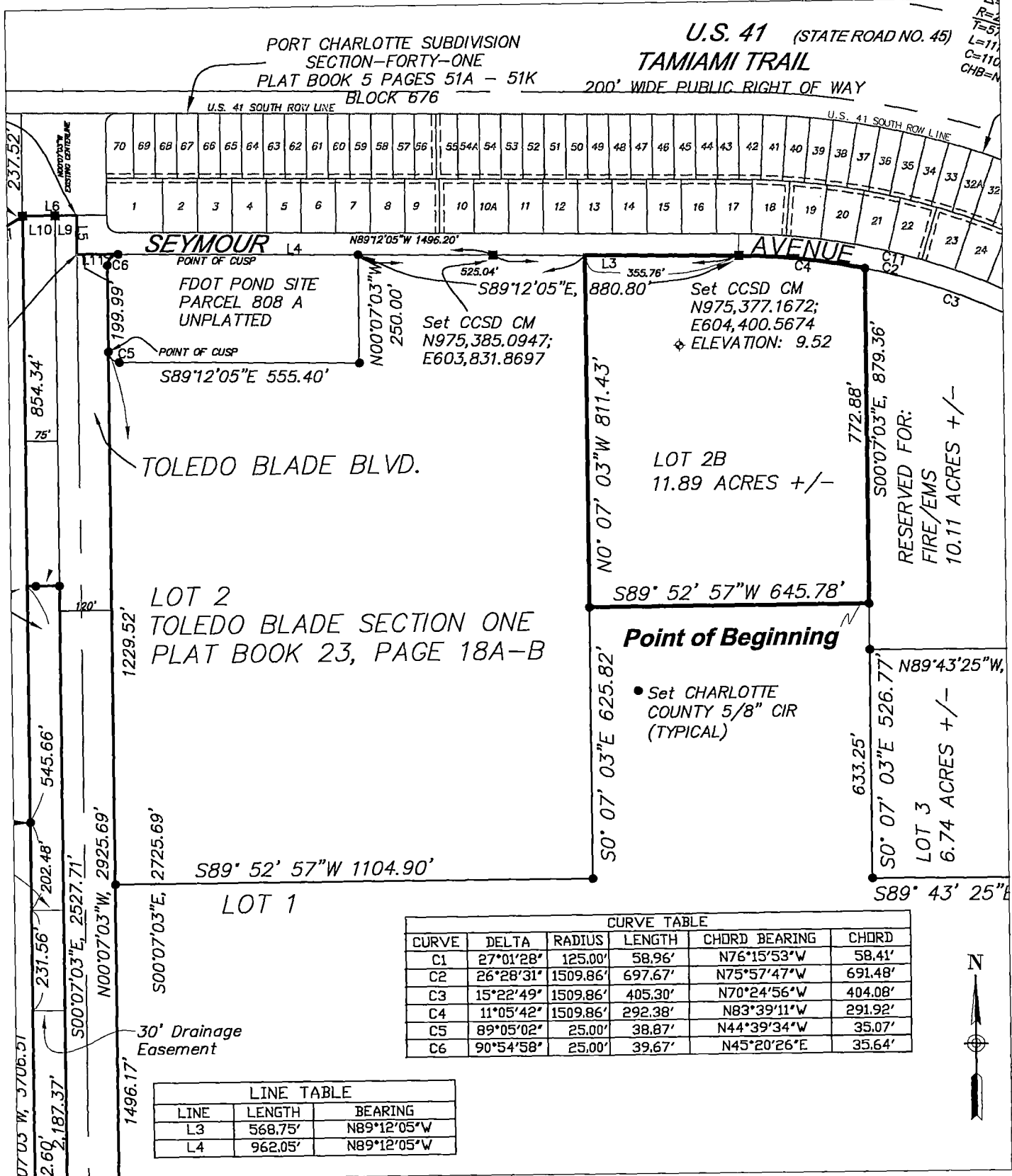
TOLEDO BLADE SECTION 1

Parcel No. 402112106002

### CHARLOTTE COUNTY SURVEYING AND MAPPING DEPT.

410 Taylor St., Suite 104 PUNTA GORDA, FL 33950 (941) 575-3818	Checked Scale 1"=300'	REVISIONS	APPROVED
Designed ***	Date 9/24/20		SHEET 2 OF 2
Drawn SLF	Prj. No. 9/24/20		DWG. No. Lot 2 Descriptions.dwg

# SKETCH TO ACCOMPANY DESCRIPTION



THIS IS NOT A SURVEY

## LOT 2B DESCRIPTION

TOLEDO BLADE SECTION 1

Parcel No. 402112106002

## CHARLOTTE COUNTY SURVEYING AND MAPPING DEPT.

410 Taylor St., Suite 104  
PUNTA GORDA, FL 33950  
(941) 575-3616

Designed \*\*\*  
Drawn SLF

Checked  
Scale 1"=300'  
Date 9/24/20  
Prj. No. 9/24/20

### REVISIONS

### APPROVED

SHEET 1 OF 2

Dwg. No. Lot 2 Descriptions.dwg



# SKETCH TO ACCOMPANY DESCRIPTION

## DESCRIPTION

A TRACT OR PARCEL OF LAND LOCATED IN SECTION 12, TOWNSHIP 40 SOUTH, RANGE 21 EAST, CHARLOTTE COUNTY, FLORIDA LYING WITHIN LOT 2, TOLEDO BLADE-SECTION ONE SUBDIVISION AS RECORDED IN PLAT BOOK 23, PAGES 18A AND 18B OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHEASTERLY CORNER OF SAID LOT 2, THENCE S89°52'57"W FOR A DISTANCE OF 645.78 FEET; THENCE N00°07'03"W FOR A DISTANCE OF 811.43 FEET TO THE SOUTH RIGHT OF WAY (ROW) LINE OF SEYMOUR AVENUE (50' PUBLIC ROW); THENCE S89°12'05"E ALONG SAID SOUTH ROW LINE FOR A DISTANCE OF 355.76 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT OF RADIUS 1509.86 FEET (DELTA/CENTRAL ANGLE 11°05'42") (CHORD BEARING S83°39'11"E) (CHORD LENGTH 291.92 FEET) FOR AN ARC DISTANCE OF 292.38 FEET TO THE MOST NORTHEASTERLY CORNER OF SAID LOT 2; THENCE S00°07'03"E FOR A DISTANCE OF 772.88 FEET TO THE POINT OF BEGINNING.

CONTAINS 11.89 ACRES, MORE OR LESS.

BEARINGS SHOWN ARE BASED ON 1983 STATE PLANE COORDINATE FLORIDA WEST ZONE (1990 ADJUSTMENT) WHEREIN THE NORTH ROW LINE OF STATE ROAD 776 BEARS N69°10'05"E.

THIS SKETCH MAKES NO REPRESENTATIONS AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THIS PARCEL.  
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NOT VALID WITHOUT BOTH SHEETS.

LEGEND:  
CIR = CAPPED IRON ROD  
CM = CONCRETE MONUMENT  
CCSD=CHARLOTTE COUNTY SURVEY DEPT.

FOR THE EXCLUSIVE USE OF:  
CHARLOTTE COUNTY BOARD OF  
COUNTY COMMISSIONERS

*Steven L. Ford* 10-6-20  
STEVEN L. FORD - COUNTY SURVEYOR  
PROFESSIONAL SURVEYOR & MAPPER, NO. 4992

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, No. 4992

THIS IS NOT A SURVEY

### LOT 2B DESCRIPTION

TOLEDO BLADE SECTION 1

Parcel No. 402112106002

### CHARLOTTE COUNTY SURVEYING AND MAPPING DEPT.

410 Taylor St., Suite 104 PUNTA GORDA, FL 33950 (941) 575-3616	Checked	REVISIONS	APPROVED
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	Date 9/24/20		SHEET 2 OF 2
Designed ***	Prj. No. 9/24/20		DWG. Lot 2 Descriptions.dwg
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