

MEMORANDUM

May 4, 1995

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (SAGER) *ES*
RE: DOCKET NO. 941044-WS - RESOLUTION OF BOARD OF
COMMISSIONERS OF CHARLOTTE COUNTY DECLARING CHARLOTTE
COUNTY SUBJECT TO PROVISIONS OF CHAPTER 367, F.S. -
REQUEST FOR EXEMPTION FOR PROVISION OF WATER WASTEWATER
SERVICE BY PARADISE PARK CONDO.

Please file the attached document in the above referenced docket.

ELS/dp

Attachment

cc: Division of Water and Wastewater (Coker)

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DOCUMENT NUMBER-DATE
04428 MAY-5 1995
FPSC-RECORDS/REPORTING

EXHIBIT "E"

TOTAL BOUNDARY

DESCRIPTION

FROM THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 40 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 88° 00' 42" WEST ALONG THE SOUTH LINE OF SAID SECTION 35 FOR 1,319.91 FEET; THENCE NORTH 0° 02' 52" WEST ALONG THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF SAID SECTION 35 FOR 250.76 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED LAND; THENCE SOUTH 89° 04' 57" WEST ALONG THE NORTH RIGHT OF WAY (50 FT. FROM CENTERLINE) OF STATE ROAD NO. 5-74 FOR 1,319.26 FEET; THENCE NORTH 0° 03' 30" WEST ALONG THE 1/4 SECTION LINE OF SAID SECTION 35 FOR 3,953.34 FEET; THENCE SOUTH 89° 58' 08" EAST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTH 1/2 OF SAID SECTION 35 FOR 1,319.83 FEET; THENCE SOUTH 0° 02' 52" EAST ALONG SAID EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 FOR 3,931.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 119.42 ACRES MORE OR LESS.

Note: This description includes all lands shown on page 1 of exhibit "B", including the commercial parcels A & B which are not part of the condominium; the areas reserved to developer which are not submitted to condominium ownership at this time, and proposed phases 2 and 3 which are not submitted to condominium ownership at this time. Detailed descriptions of the respective parcels are given later on in this exhibit "E". This parcel, after all of the following parcels are deleted constitutes the portions of the land reserved to the Developer.

COMMERCIAL

DESCRIPTION

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Not a

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LEGAL DIVISION

COMMERCIAL PARCEL "A"

DESCRIPTION

FROM THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 40 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 88° 00' 42" WEST ALONG THE SOUTH LINE OF SAID SECTION 35 FOR 1,319.91 FEET; THENCE NORTH 0° 02' 52" WEST ALONG THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF SAID SECTION 35 FOR 250.76 FEET; THENCE SOUTH 89° 04' 57" WEST ALONG THE NORTH RIGHT-OF-WAY (50 FEET FROM CENTERLINE) OF STATE ROAD NO. S-74 FOR 555.07 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED LAND; THENCE CONTINUE SOUTH 89° 04' 57" WEST ALONG SAID NORTH RIGHT-OF-WAY FOR 764.19 FEET; THENCE NORTH 0° 03' 30" WEST ALONG THE 1/4 SECTION LINE OF SAID SECTION 35 FOR 200.02 FEET; THENCE NORTH 89° 04' 57" EAST FOR 764.23 FEET; THENCE SOUTH 0° 02' 52" EAST FOR 200.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.51 ACRES MORE OR LESS.

Not a part of the Condominium

COMMERCIAL PARCEL "B"

DESCRIPTION

FROM THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 40 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 88° 00' 42" WEST ALONG THE SOUTH LINE OF SAID SECTION 35 FOR 1,319.91 FEET; THENCE NORTH 0° 02' 52" WEST ALONG THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF SAID SECTION 35 FOR 250.76 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED LAND; THENCE SOUTH 89° 04' 57" WEST ALONG THE NORTH RIGHT OF WAY (50 FEET FROM CENTERLINE) OF STATE ROAD NO. S-74 FOR 480.06 FEET; THENCE NORTH 0° 02' 52" WEST FOR 200.02 FEET; THENCE NORTH 89° 04' 57" EAST FOR 480.06 FEET; THENCE SOUTH 0° 02' 52" EAST ALONG SAID EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 FOR 200.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.20 ACRES MORE OR LESS.

Not a part of the Condominium

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DESCRIPTION

FROM THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 40 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE NORTH $88^{\circ} 00' 42''$ WEST ALONG THE SOUTH LINE OF SAID SECTION 35 FOR 1,319.91 FEET; THENCE NORTH $0^{\circ} 02' 52''$ WEST ALONG THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF SAID SECTION 35 FOR 250.76 FEET TO THE NORTH RIGHT-OF-WAY (50 FEET FROM CENTERLINE) OF STATE ROAD NO. 5-74; THENCE CONTINUE NORTH $0^{\circ} 02' 52''$ WEST FOR 200.02 FEET; THENCE SOUTH $89^{\circ} 04' 57''$ WEST FOR 70.01 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED LAND; THENCE CONTINUE SOUTH $89^{\circ} 04' 57''$ WEST FOR 410.05 FEET; THENCE NORTH $0^{\circ} 02' 52''$ WEST FOR 50.0 FEET; THENCE NORTH $89^{\circ} 04' 57''$ EAST FOR 90.0 FEET; THENCE NORTH $0^{\circ} 02' 52''$ WEST FOR 220.0 FEET; THENCE SOUTH $89^{\circ} 57' 08''$ WEST FOR 90.0 FEET; THENCE NORTH $0^{\circ} 02' 52''$ WEST FOR 888.77 FEET; THENCE NORTH $89^{\circ} 57' 08''$ EAST FOR 90.0 FEET; THENCE NORTH $0^{\circ} 02' 52''$ WEST FOR 30.0 FEET; THENCE NORTH $89^{\circ} 57' 08''$ EAST FOR 120.0 FEET; THENCE NORTH $0^{\circ} 02' 52''$ WEST FOR 145.80 FEET; THENCE NORTH $89^{\circ} 57' 08''$ EAST FOR 200.0 FEET; THENCE SOUTH $0^{\circ} 02' 52''$ EAST FOR 1,329.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.32 ACRES MORE OR LESS.

Submitted to Condominium form of ownership

PHASE 2

DESCRIPTION

FROM THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 40 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 88° 00' 42" WEST ALONG THE SOUTH LINE OF SAID SECTION 35 FOR 1,319.91 FEET; THENCE NORTH 0° 02' 52" WEST ALONG THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF SAID SECTION 35 FOR 250.76 FEET; THENCE SOUTH 89° 04' 57" WEST ALONG THE NORTH RIGHT-OF-WAY (50 FEET FROM CENTERLINE) OF STATE ROAD NO. S-74 FOR 555.07 FEET; THENCE NORTH 0° 02' 52" WEST FOR 200.02 FEET; THENCE SOUTH 89° 04' 57" WEST FOR 410.05 FEET; THENCE NORTH 0° 02' 52" WEST FOR 278.74 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED LAND; THENCE CONTINUE NORTH 0° 02' 52" WEST FOR 1,064.57 FEET; THENCE NORTH 89° 57' 08" EAST FOR 200.0 FEET; THENCE SOUTH 0° 02' 52" EAST FOR 145.80 FEET; THENCE NORTH 89° 57' 08" EAST FOR 120.0 FEET; THENCE SOUTH 0° 02' 52" EAST FOR 30.0 FEET; THENCE NORTH 89° 57' 08" EAST FOR 90.0 FEET; THENCE SOUTH 0° 02' 52" EAST FOR 888.77 FEET; THENCE SOUTH 89° 57' 08" WEST FOR 410.0 FEET TO THE POINT OF BEGINNING

CONTAINING 9.26 ACRES MORE OR LESS.

Not submitted at this time to Condominium form of ownership.

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DESCRIPTION

FROM THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 40 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 88° 00' 42" WEST ALONG THE SOUTH LINE OF SAID SECTION 35 FOR 1,319.91 FEET; THENCE NORTH 0° 02' 52" WEST ALONG THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF SAID SECTION 35 FOR 250.76 FEET; THENCE SOUTH 89° 04' 57" WEST ALONG THE NORTH RIGHT-OF-WAY (50 FEET FROM CENTERLINE) OF STATE ROAD NO. S-74 FOR 1,319.26 FEET; THENCE NORTH 0° 03' 30" WEST ALONG THE 1/4 SECTION LINE OF SAID SECTION 35 FOR 200.02 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED LAND; THENCE CONTINUE NORTH 0° 03' 30" WEST FOR 1,149.45 FEET; THENCE NORTH 89° 57' 08" EAST FOR 354.35 FEET; THENCE SOUTH 0° 02' 52" EAST FOR 1,144.08 FEET; THENCE SOUTH 89° 04' 57" WEST FOR 354.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.33 ACRES MORE OR LESS.

Not submitted at this time to Condominium form of ownership.

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR CHARLOTTE COUNTY, FLORIDA
CIVIL ACTION.

PARADISE PARK CONDOMINIUM ASSOCIATION, INC., a Florida non-profit corporation,

Plaintiff,

vs.

CASE NO. 87-483-BOF

PARADISE PARK DEVELOPMENT COMPANY, a Florida corporation; PARADISE PARK LTD., a Florida limited partnership; FIRST NATIONAL BANK IN FT. MYERS; and INK ENGINEERING, INC.,

Defendants.

RECORDED IN OFFICIAL RECORDS
S:16/m
FEB 22 1988

BARBARA T. SCOTT
CLERK OF CIRCUIT COURT
CHARLOTTE COUNTY FLORIDA

OR 961 PG 856

FILE 88-876715

FINAL JUDGMENT

This matter came before the Court for its consideration, a valid default having been entered against Paradise Park Development Company and a valid default having been entered against Paradise Park Ltd. and the Court being aware of the Stipulation between the Plaintiff and The Citizens Southern National Bank, and being fully advised of the premises. It is

ORDERED AND ADJUDGED that Paradise Park Condominium Association, Inc. is entitled to a declaration of its rights under the Declaration of Condominium recorded at O. R. Book 649, Pages 241-296, and the Exhibits thereto and Exhibit "B" to the Declaration which is recorded at Condominium Plat Book 2, Pages 41A and 41B, all of the Official Records of Charlotte County, Florida. The Court hereby orders and declares the rights of the Plaintiff here to the property described in the Declaration and shown on Condominium Plat Book 2, Pages 41A-41B as "reserved to the developer" are now and hereinafter shall be common elements of the condominium, Paradise Park Condominium, recorded at O. R. Book 649, Pages 241-296 as said term is used and defined in Florida Statutes Chapter 718.

DONE AND ORDERED in Chambers at Punta Gorda, Florida this _____ day of _____, 1987.

RECORDED BY: _____
By: _____
Clerk

Circuit Judge

cc: Gordon R. Duncan, Esq.
Stephen H. Kurvin, Esq.

PO. N. G. SPRAY AVE
Sarasota, FL 34231

REC'D FEB 22 1988

CERTIFIED A TRUE COPY OF THE ORIGINAL
BARBARA T. SCOTT, CLERK

[Handwritten signature]