

By Senator Carlton

24-1121-00

See HB

1                                   A bill to be entitled  
2           An act relating to Lee and Charlotte Counties;  
3           providing legislative findings; providing  
4           legislative purpose; authorizing the operation  
5           of golf carts upon certain public roads or  
6           streets and upon certain golf cart/bike paths  
7           described in the act; providing for minimum age  
8           requirements; providing penalties pursuant to  
9           state law; providing an effective date.

10

11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Legislative findings.--It is declared as a  
14 matter of legislative determination that the residents of  
15 Gasparilla Island have a vital interest in the operation of  
16 golf carts upon the public roads and certain golf cart/bike  
17 paths within Lee and Charlotte Counties, all of which are  
18 described as follows:

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20                   Parcel I

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22                   The westerly ten feet (10') of the following  
23 described property:

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25                   That real property described in the Final  
26 Judgement entered in Condemnation Suit, Case  
27 #1048 entitled Florida Bridge Company,  
28 Plaintiff, vs. Sunset Realty Corporation,  
29 Defendant, Circuit Court, Charlotte County,  
30 Florida, said judgment being dated June 18,  
31 1958, recorded June 13, 1958, in O.R. Book 39

1       at Page 178, et. seq., of the Public Records of  
2       Charlotte County, Florida, which property is  
3       more particularly described as follows;  
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5       A parcel containing 3.4937 acres of land, lying  
6       and being in Charlotte County, Florida, lying  
7       15' on either side of the following described  
8       centerline:  
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10       Commencing at the intersection of Sections 26,  
11       27, 34 and 35, Township 42 South, Range 20  
12       East; thence North 89°47'36" West, 292.84 feet;  
13       thence North 22°39'51" West 147.19 feet; thence  
14       North 16°28'24" East, 1,105.2 feet to the South  
15       end of the South relief bridge as constructed  
16       by the Florida Bridge Corp. under its  
17       franchise, to point of beginning; thence from  
18       said point of beginning South 16°28'24" West  
19       286.85 feet to a point of curvature; thence  
20       Southeasterly along a curve whose radius is  
21       2,864.79 feet, an arc distance of 1,956.88 feet  
22       to a point; thence South 21°56'21" East 800  
23       feet to the center of the County road pavement  
24       as exists at present, crossing the R/W line of  
25       said County road 157.6 feet North of the point  
26       as established in the center of said County  
27       road, all lying and being in Sections 26, 27,  
28       34 and 35, Township 42 South, Range 20 East,  
29       Charlotte County, Florida.  
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31       Parcel II

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2       All those certain three tracts or parcels of  
3       land, with all improvements thereon and  
4       appurtenances thereunto belonging, lying and  
5       being in Sections 14, 11, and 2, Township 43  
6       South, Range 20 East, and Section 35, Township  
7       42 South, Range 20 East, in Lee and Charlotte  
8       Counties on Gasparilla Island, Florida,  
9       containing approximately 35.33 acres, according  
10       to a plat of survey prepared by Johnson  
11       Engineering, Inc., dated March 23, 1983, last  
12       revised April 18, 1983, entitled "Centerline  
13       Survey Remaining Seaboard Air Line Railroad  
14       Right-of-Way," and more particularly described  
15       as follows:

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17       Parcel 1 - All that certain tract or parcel of  
18       land lying between the south line of First  
19       Street and the south line of Fourth Street,  
20       being 87.5 feet wide, of which 50 feet is on  
21       the west side and 37.5 feet is on the east side  
22       of the hereinafter described centerline, and  
23       containing approximately 136,914.75 square feet  
24       or 3.14 acres, more or less:

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26       Parcel 2 - All that certain tract or parcel of  
27       land lying between the south line of Fourth  
28       Street and the south line of Fifth Street,  
29       being 56 feet wide, of which 18.5 feet is on  
30       the west side and 37.5 feet on the east side of  
31       the hereinafter described centerline, and

1           containing approximately 29,437.52 square feet  
2           or 0.68 acres, more or less:  
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4           Parcel 3 - All that certain tract or parcel of  
5           land lying between the south line of Fifth  
6           Street and the south line of that certain  
7           parcel of land conveyed by Seaboard Coast Line  
8           Railroad Company to Charlotte County, Florida,  
9           by deed dated February 8, 1982, and recorded in  
10           the Clerk's Office of Charlotte County in  
11           Official Record Book 694, Page 107, being 75  
12           feet wide of which 37.5 feet is on the west  
13           side and 37.5 feet is on the east side of the  
14           following described centerline, and containing  
15           1,372,696.50 square feet or 31.51 acres, more  
16           or less:  
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18           The Centerline - from the southeast corner of  
19           Government Lot 5 of said Section 14 run  
20           S89°22'31"W along the south line of said Lot  
21           and said Section for 147.94 feet to the former  
22           centerline of the main track of said Railroad  
23           and the Point of Beginning. From said Point of  
24           Beginning run N14°24'15"W along said centerline  
25           for 1564.91 feet to the south line of Fourth  
26           Street as shown on Revised Plat of Boca Grande  
27           recorded in Plat Book 7 at page 1, Lee County  
28           Records; thence continue N14°24'15" W along  
29           said centerline for 61.78 feet to the north  
30           line of said Fourth Street and the south line  
31           of the parcel occupied by the former passenger

1           station as shown on said Plat; thence continue  
2           N 14°24'15" W along said centerline for 463.72  
3           feet to the north line of said parcel and the  
4           south line of Fifth Street as shown on said  
5           Plat; thence continue N14°24'15" along said  
6           centerline for 61.78 feet to the north line of  
7           said street as shown on said Plat; thence  
8           continue N14°24'15"W along said centerline for  
9           598.84 feet to the south line of Seventh Street  
10           as shown on said Plat; thence continue  
11           N14°24'15"W along said centerline for 51.62  
12           feet to the north line of said street; thence  
13           continue N14°24'15"W along said centerline for  
14           885.17 feet to a point of curvature; thence  
15           northerly along said centerline along the arc  
16           of a curve to the right of radius 3819.83 feet  
17           (chord bearing N14°11'23"W) (chord = 28.60  
18           feet) for 28.60 feet to the south line of Tenth  
19           Street as shown on said Plat; thence continue  
20           northerly along said centerline and said arc  
21           (chord bearing N13°35'49"W) (chord = 50.42  
22           feet) for 50.42 feet to the north line of said  
23           street; thence continue northerly along said  
24           centerline and said arc (chord bearing  
25           N09°41'11"W) (chord = 470.69 feet) for 470.99  
26           feet to a point of tangency; thence run  
27           N06°09'15"W along said centerline for 378.21  
28           feet to the south line of Thirteenth Street as  
29           shown on said Plat; thence continue N06°09'15"W  
30           along said centerline for 49.97 feet to the  
31           north line of said street; thence continue

1           N06°09'15"W along said centerline for 849.92  
2           feet to the south line of Sixteenth Street as  
3           shown on said Plat; thence continue N06°09'15"  
4           W along said centerline for 49.93 feet to the  
5           north line of said street; thence continue  
6           N06°09'15" W along said centerline for 850.01  
7           feet to south line of Nineteenth Street as  
8           shown on said Plat; thence continue N06°09'15"  
9           W along said centerline for 49.92 feet to the  
10           north line of said street; thence continue  
11           N06°09'15" W along said centerline for 6029.54  
12           feet to a point of curvature; thence  
13           northwesterly along said centerline along the  
14           arc of a curve to the left of radius 3819.72  
15           feet (chord bearing N14°23'45"W) (chord =  
16           1095.10 feet) for 1098.89 feet to a point of  
17           tangency; thence run N 22°38'15"W along said  
18           centerline for 6601.81 feet to a point of  
19           curvature; thence continue northwesterly along  
20           said centerline along the arc of a curve to the  
21           right of radius 1637.28 feet (chord bearing  
22           N19°08'17"W) (chord = 199.98 feet) for 200 feet  
23           to the south line of that certain parcel of  
24           land conveyed by Seaboard Coast Line Railroad  
25           Company to Charlotte County, Florida, by deed  
26           dated February 8, 1982, and recorded in the  
27           Clerk's Office of Charlotte County in Official  
28           Records Book 694, page 107, being the end of  
29           the herein described centerline.

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31           Parcel III

1  
2       Such public roads, streets, alleyways and  
3       publicly owned lands as are designated by  
4       Charlotte County and/or Lee County for golf  
5       cart use pursuant to Florida Statutes Section  
6       316.212, as amended from time to time.

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8       Parcel IV

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10       The easterly ten feet (10') of Tract O, Gulf  
11       Shores North No. 4, a subdivision according to  
12       the plat thereof recorded at Plat Book 16,  
13       Pages 26A through 26E, Public Records of  
14       Charlotte County, Florida.

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16       Parcels I-IV, both inclusive, are referred to herein as the  
17       "Gasparilla Island Cart Path."

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19       Section 2. Purpose.--The Legislature finds and  
20       declares that regulation of the operation of golf carts on  
21       Gasparilla Island, Florida, is for the benefit of the people  
22       of this state and the people of Lee and Charlotte Counties.

23       Section 3. Operation of golf carts upon the Gasparilla  
24       Island cart path.--The operation of a golf cart upon the  
25       Gasparilla Island Cart Path is permitted except that:

26               (1) A golf cart may be operated only upon a public  
27       road, street, alleyway, or other publicly owned land or  
28       portion thereof that has been designated by Lee or Charlotte  
29       County or other agency of the State of Florida for use by golf  
30       carts pursuant to section 316.22, Florida Statutes, as  
31       amended. The provisions of Florida Statutes, section 316.212

1 (1), (2), (3), (4), (5), and (6), shall apply to operation of  
2 golf carts upon the Gasparilla Island Cart Path.  
3 (2) The minimum age for operating golf carts upon the  
4 Gasparilla Island Cart Path shall be sixteen (16) years.  
5 (3) A violation of this law is a noncriminal traffic  
6 infraction punishable pursuant to chapter 318, Florida  
7 Statutes, as either a moving violation for infractions of  
8 subsection (1), subsection (2), or subsection (3) of Florida  
9 Statutes, section 316.212, as amended, or a nonmoving  
10 violation for infractions of subsections (4) or (5) of Florida  
11 Statutes, section 316.212, as amended.  
12 Section 4. This act shall take effect upon becoming a  
13 law.  
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