

# Consent to Acquisition of Real Property

## West Villages Improvement District (WVID)

CTA-22-152



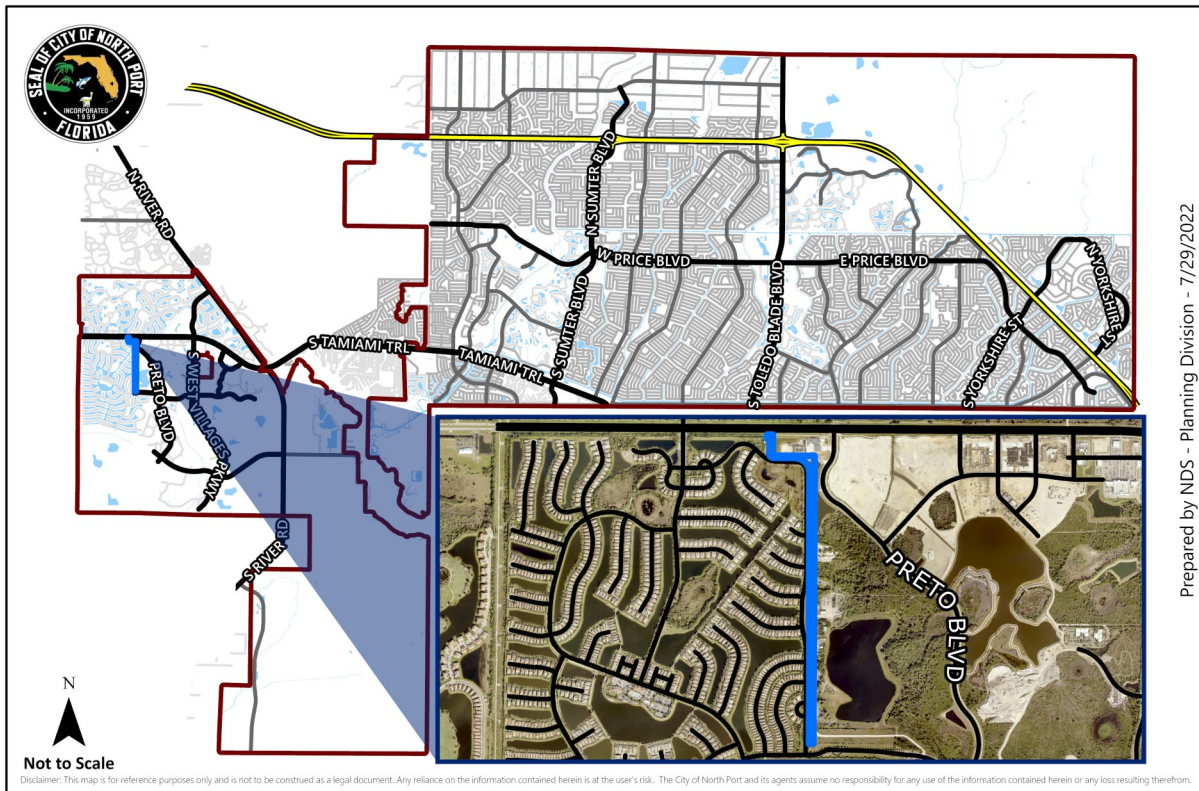
### STAFF REPORT

**From:** Noah Fossick, AICP-Candidate, Planner II

**Thru:** Lori Barnes, AICP, CPM, Planning & Zoning Division Manager

**Thru:** Alaina Ray, AICP, Neighborhood Development Services Director

**Date:** September 13, 2022



<b>PROJECT:</b>	CTA-22-152
<b>REQUEST:</b>	Approval of Conveyance of Real Property to the West Village Improvement District for property located within its jurisdictional boundary
<b>APPLICANT:</b>	West Villages Improvement District
<b>OWNERS:</b>	Islandwalk at the West Villages Homeowners' Association
<b>LOCATION:</b>	Along the eastern boundary of the Islandwalk community; portion of Parcel 0781-01-1921
<b>PROPERTY SIZE:</b>	±8.7168 acres

## I. BACKGROUND

A requisite step in the process to acquire real property by the West Villages Improvement District is to receive consent from the North Port City Commission. The requested consent is for a part of: Tract 107, Islandwalk at the West Villages, Phase 1A Replat, Tract 129, Islandwalk at the West Villages, Phase 1B Plat, and Tract 148, Islandwalk at the West Villages, Phase 1C (EXHIBIT A). The request constitutes approximately 8.7168 acres.

## II. STAFF ANALYSIS

### COMPLIANCE WITH LEGISLATION

Chapter 2004-456, House Bill No. 1567 is the enacting legislation for the West Villages Improvement District within the City of North Port, providing for the amendment process, the powers and duties, a governing board process, and general obligation bonds. It is also specific to the district boundaries as shown below:

(d) To acquire by grant, loan, purchase, gift, transfer, exchange, dedication, lease, devise, or, when reasonably necessary for the implementation of district-authorized public infrastructure works, facilities, or services by means of the exercise of the right of eminent domain pursuant to the laws of the state and in accordance with section 12 of this act, all property, real or personal, or any easement, license, estate, or interest therein necessary, desirable, or convenient for the purposes of this act, and to sell, convey, transfer, gift lease, rent, dedicate, forfeit, abandon, exchange, or assign all or any part thereof to or with other entities, including governmental entities and agencies, and to exercise all of its powers and authority with respect thereto. The district shall not have the right of eminent domain outside of the boundaries of the district. Notwithstanding anything contained herein, the district shall not obtain fee simple title to any real property within the district except by dedication on an approved plat, with the approval of the City of North Port Commission or its designee, or if otherwise required by another governmental entity or agency. Any property interests owned by the district which are used for nonpublic or private commercial purposes shall be subject to all ad valorem taxes, intangible personal property taxes, or non-ad valorem assessments, as would be applicable if said property were privately owned.

### CITY SERVICES & ENVIRONMENTAL

#### **Water and Sewer Services**

Water and sewer services are provided by the City of North Port Utilities.

#### **Conservation**

The site is not located within the Conservation Restricted Overlay.

#### **Flood Zone**

X, Firm Panels 12115C0365F , Community 120279.

### III. REVIEW PROCESS

The City Attorney reviewed and approved a template for the approval of consent documents as to their form and correctness. This Consent to Acquisition of Real Property was prepared with the approved template.

### IV. PUBLIC NOTICE & HEARING SCHEDULE

#### PUBLIC HEARING SCHEDULE

<b>City Commission Public Hearing</b>	September 13, 2022 10:00 AM or soon thereafter
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### V. RECOMMENDED ACTION

Staff recommends that the City Commission approve/consent to the acquisition of real property by the West Villages Improvement District.

### VI. EXHIBITS

A	Consent to Acquisition and Legal Description
B	West Villages Index Map

# Exhibit A

## CONSENT BY THE CITY OF NORTH PORT, FLORIDA TO THE ACQUISITION OF REAL PROPERTY BY THE WEST VILLAGES IMPROVEMENT DISTRICT

The City of North Port, a Florida municipal corporation, acknowledges and consents to the following:

1. The West Villages Improvement District (“WVID”) is an independent special district of the State of Florida, organized and operating in accordance with the provisions of Chapter 2004-456, Laws of Florida, as amended and supplemented (together the “Act”).
2. WVID’s jurisdiction encompasses real property, a substantial portion of which is located within the jurisdictional boundaries of the City of North Port, Florida (the “City”). The Act provides that WVID shall not obtain fee simple title to any real property located within the City without first obtaining the approval of the City Commission for such acquisition.
3. The WVID has informed the City that it plans to purchase real property within the City, bearing Sarasota County Property Appraiser Parcel Identification Numbers 0781011921, and further described in the legal description attached as Exhibit “A” (the “Property”). The Property contains a portion of Tract 107 of the Islandwalk at the West Villages, Phase 1A Replat, Tract 129 of the Islandwalk at the West Villages, Phase 1B Plat, and Tract 148 of the Islandwalk at the West Villages, Phase 1C Plat.
4. WVID will record this instrument in the public records of Sarasota County, Florida, at its expense.

NOW, THEREFORE, the City of North Port, Florida, hereby consents to West Villages Improvement District’s acquisition of the Property.

Approved by the City Commission of the City of North Port, Florida on \_\_\_\_\_, 20\_\_.

CITY OF NORTH PORT, FLORIDA

\_\_\_\_\_  
PETE EMRICH  
MAYOR

ATTEST

\_\_\_\_\_  
HEATHER FAUST, MMC  
CITY CLERK

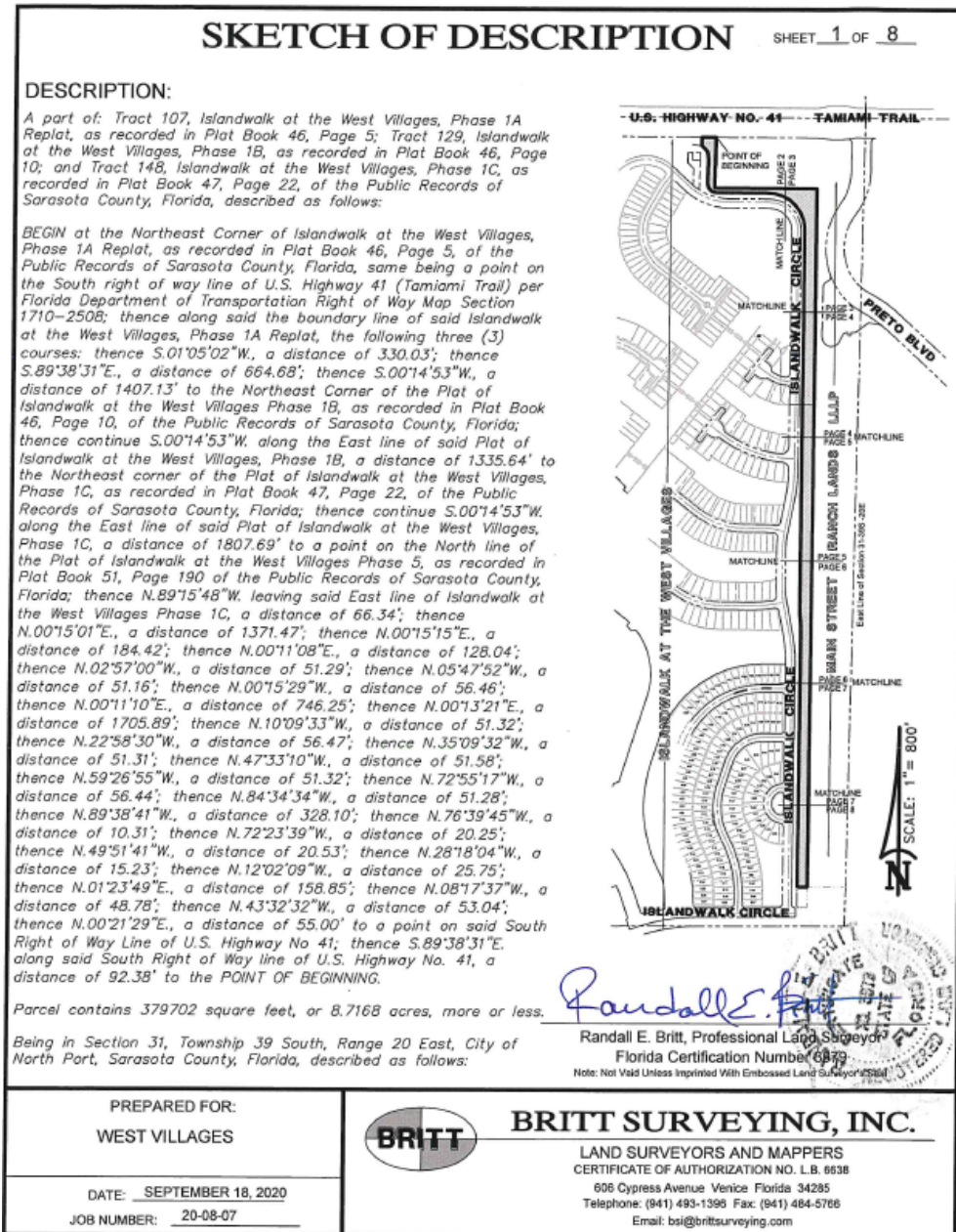
APPROVED AS TO FORM AND CORRECTNESS

\_\_\_\_\_  
AMBER L. SLAYTON  
CITY ATTORNEY

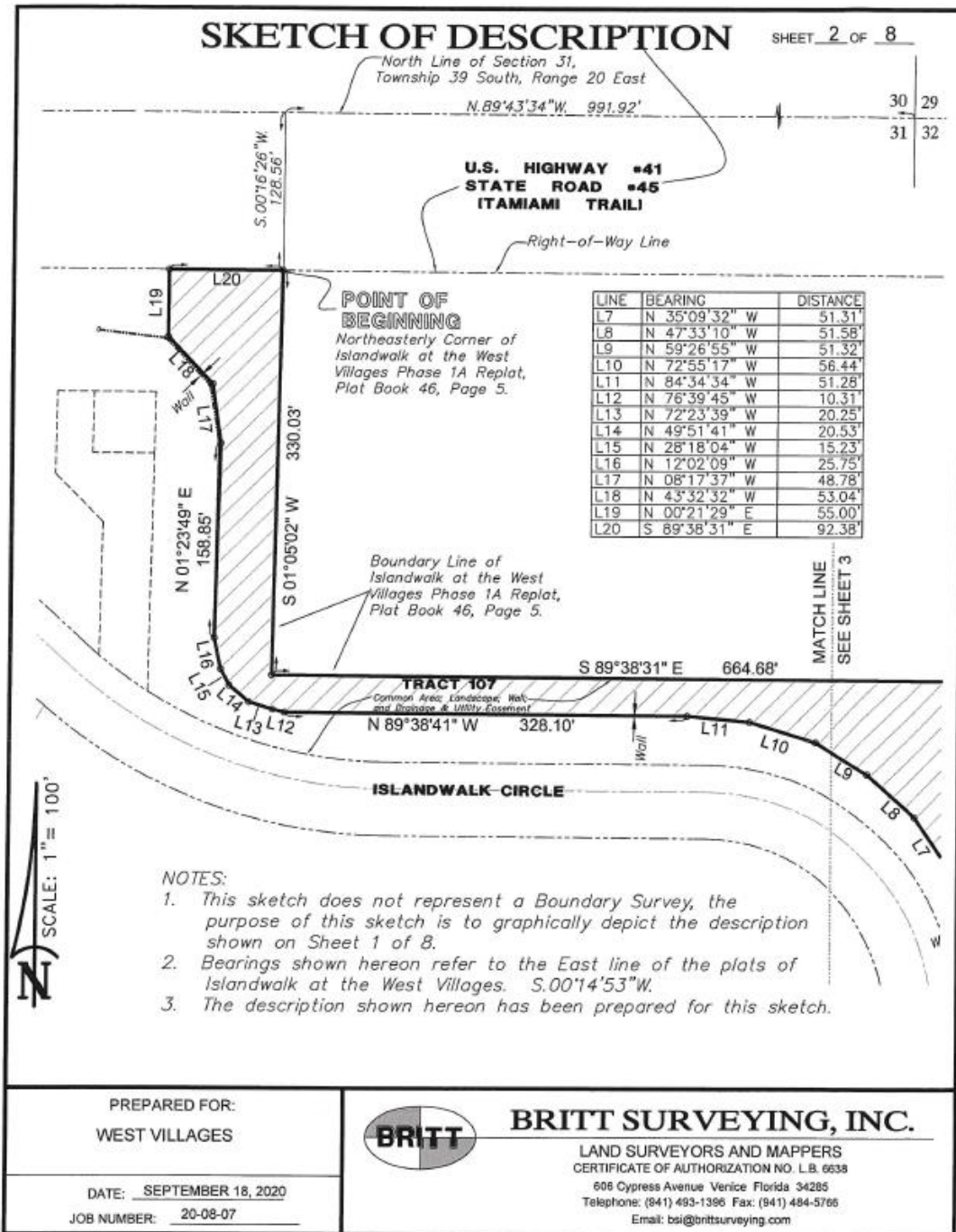
Exhibit A

Tract 129 as identified on that certain plat of *Islandwalk at the West Villages, Phase 1B*, recorded in the Official Records of Sarasota County, Florida at Plat Book 46, Page 10; and

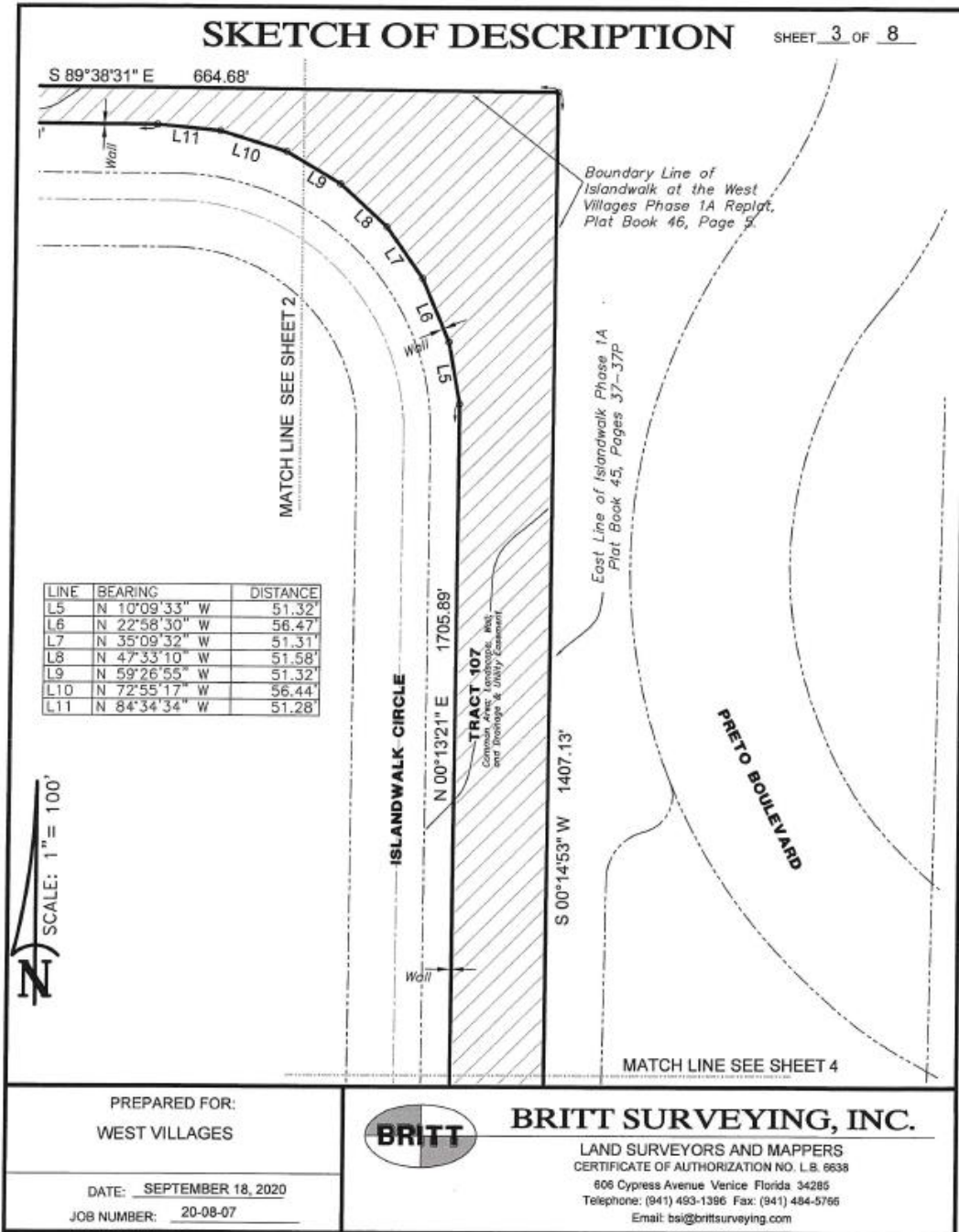
Tract 148 as identified on that certain plat of *Islandwalk at the West Villages, Phase 1C*, recorded in the Official Records of Sarasota County, Florida at Plat Book 47, Page 22; and



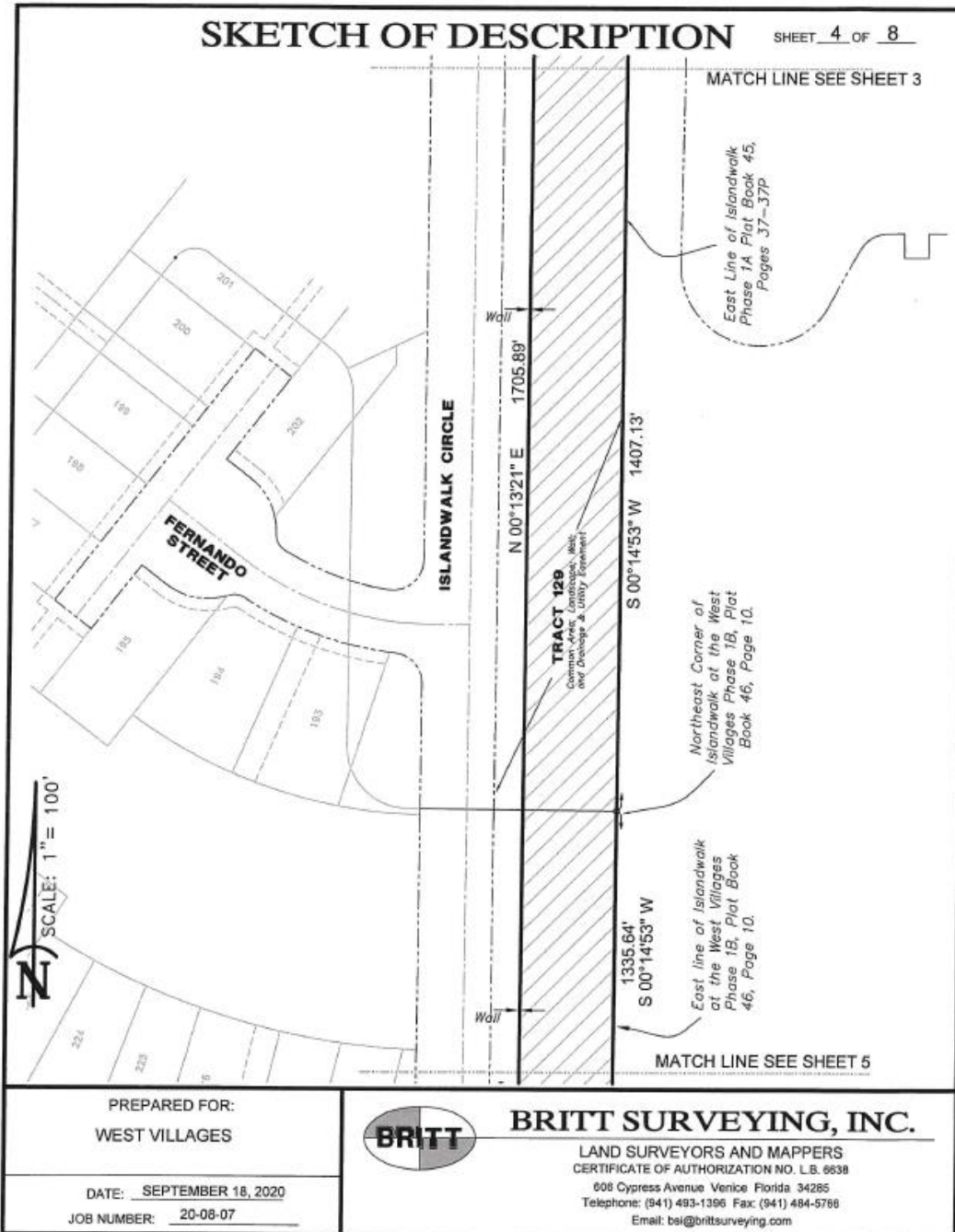
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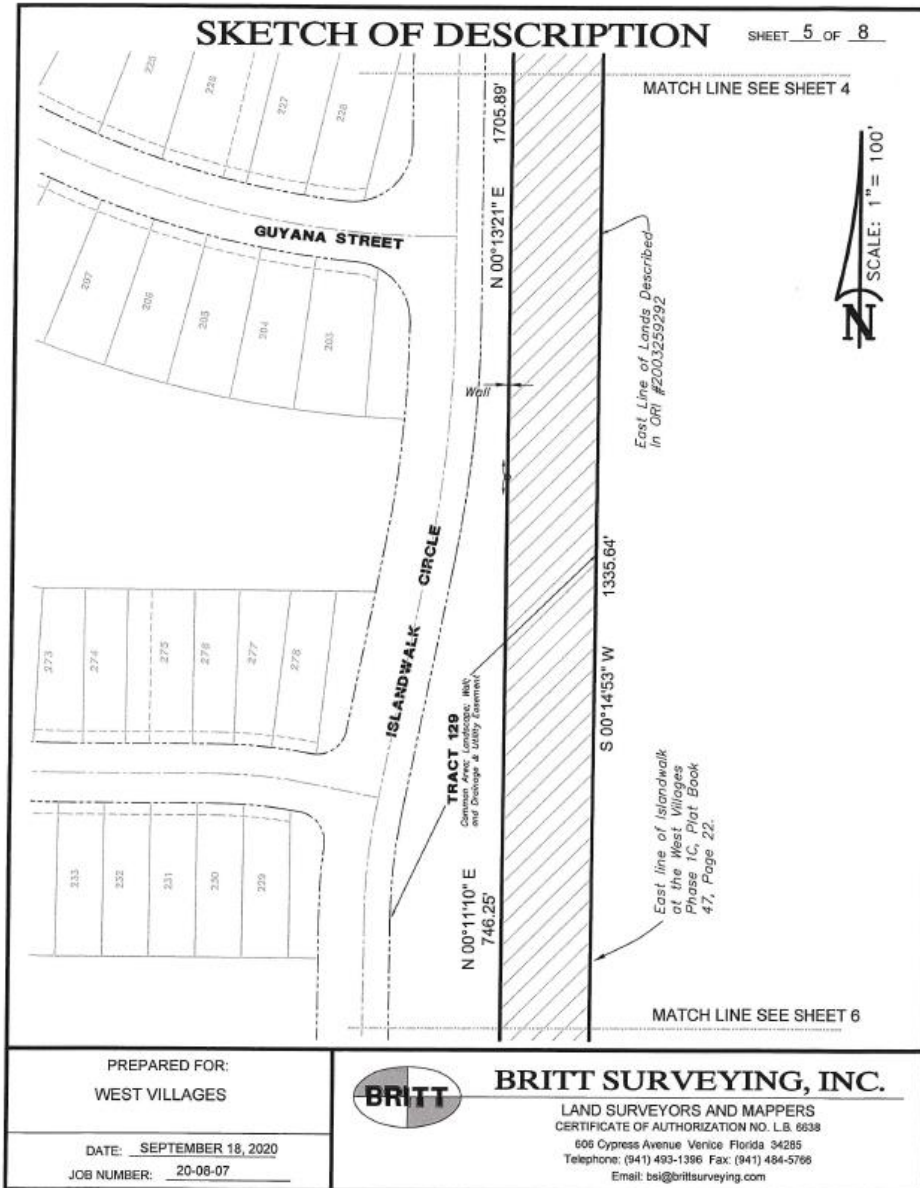


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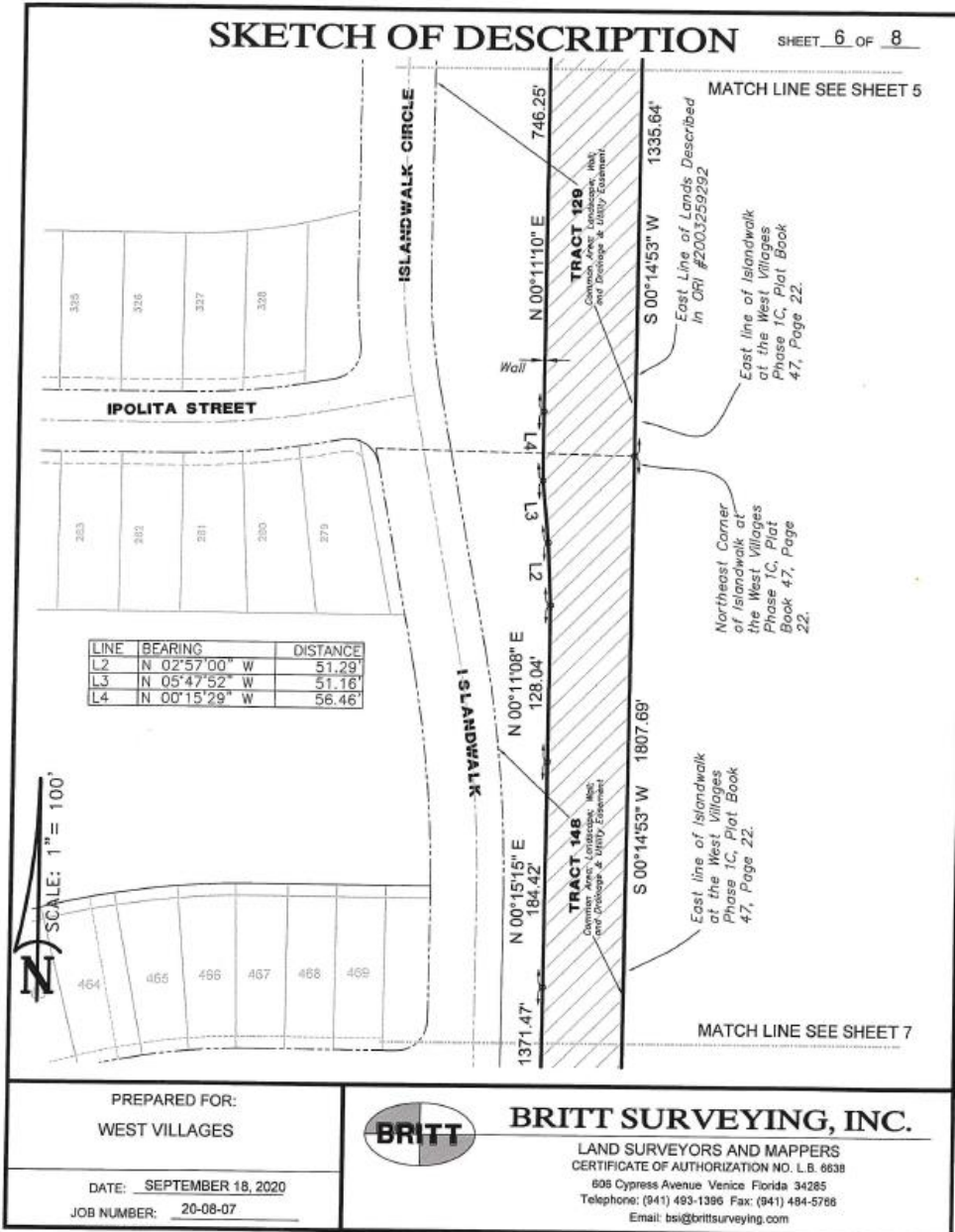




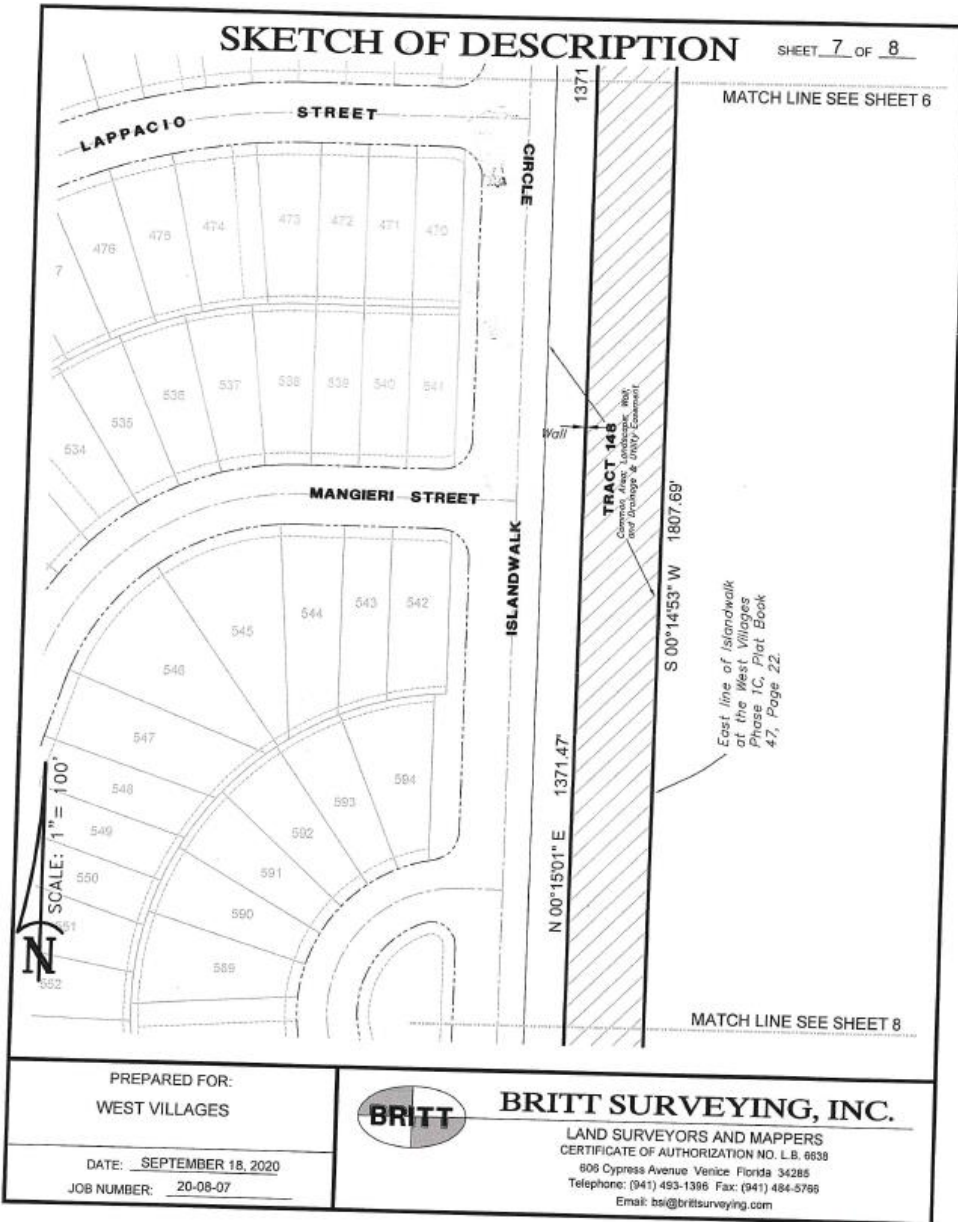
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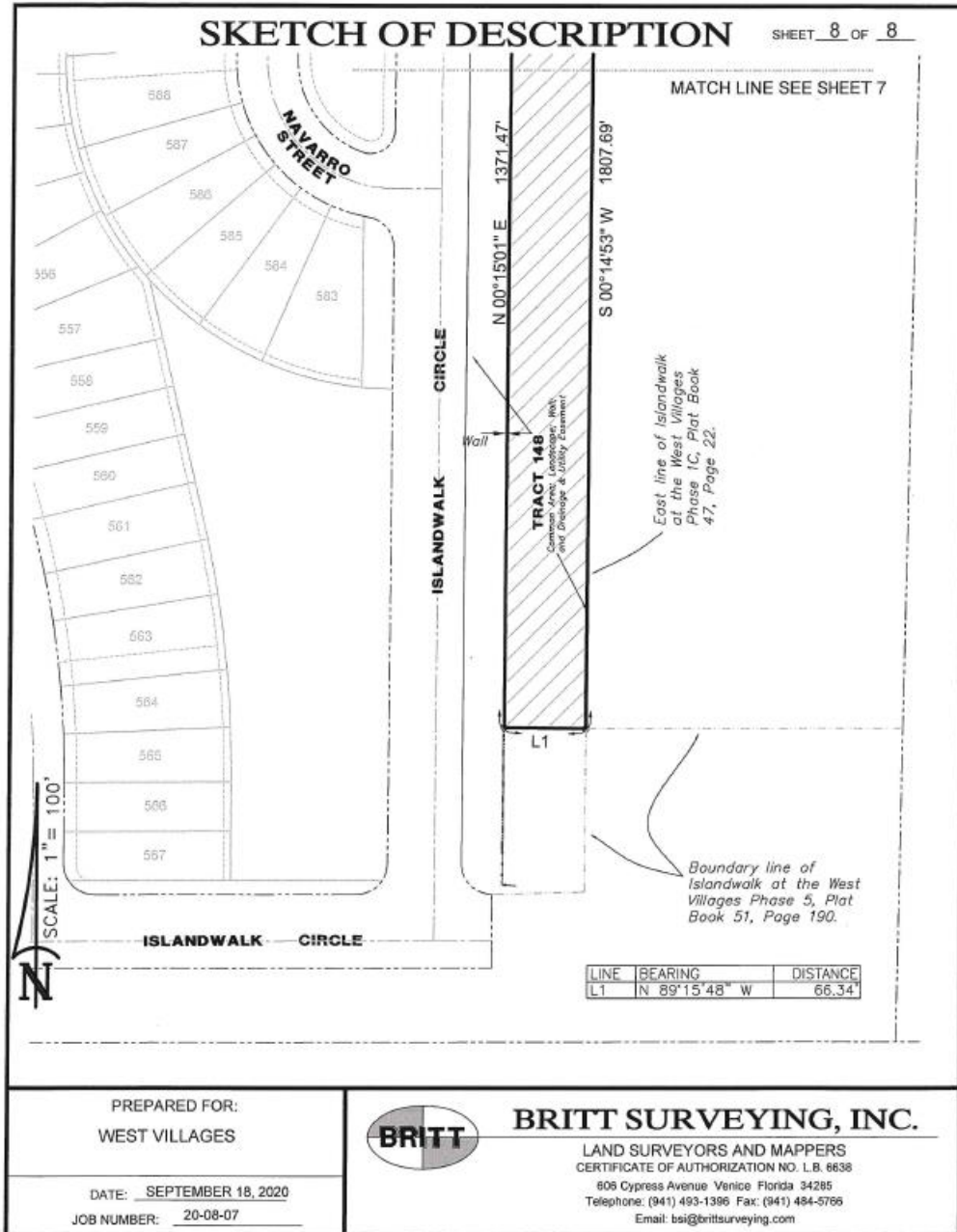
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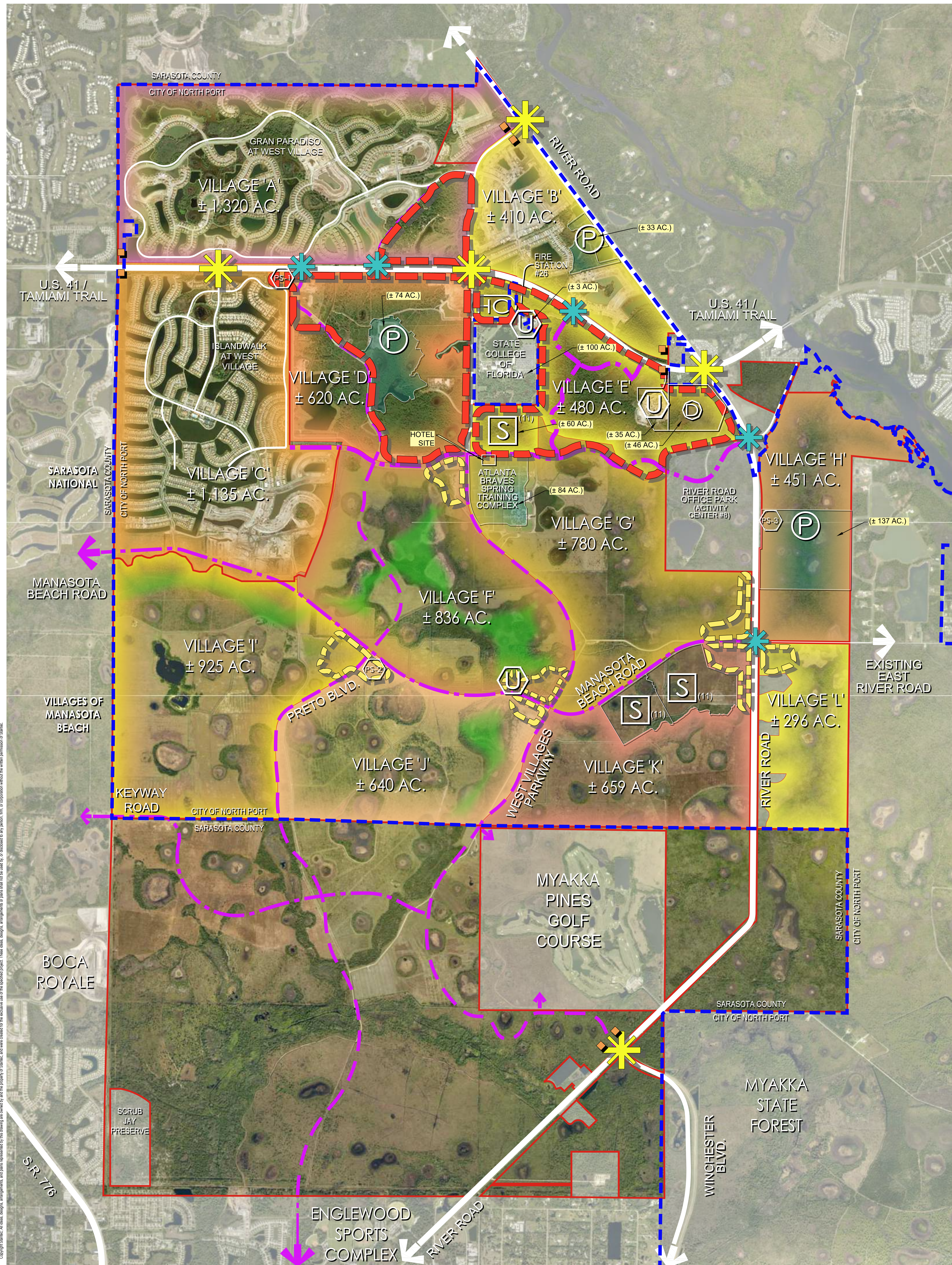
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# WEST VILLAGES INDEX MAP



## LEGEND

	EXISTING ROADWAY		APPROXIMATE SCHOOL LOCATION (K-12) (11)		RECREATIONAL / OPEN SPACE / RECREATIONAL TRAIL SYSTEM		APPROXIMATE TOWN CENTER LOCATION (2)
	4 LANE W/ NEV & 8' SIDEWALKS		SARASOTA MEMORIAL HOSPITAL - HEALTH CARE SERVICES ± 28 AC.		POTENTIAL ROADWAY CONNECTION TO ADJACENT COMMUNITY		EXISTING TRAFFIC SIGNAL
	2 LANE W/ NEV, 8' SIDEWALK, & 5' SIDEWALK		APPROXIMATE UTILITIES / PUBLIC FACILITIES LOCATION (10)		STATE COLLEGE OF FLORIDA		APPROXIMATE FUTURE FULL MEDIAN OPENINGS; TRAFFIC CONTROL T.B.D.
	2 LANE W/ NEV, & 5' SIDEWALKS		APPROXIMATE PARK LOCATION (10)		APPROXIMATE VILLAGE CENTER LOCATION (2)		CITY OF NORTH PORT - CITY LIMITS
	POTENTIAL WEST VILLAGES GATEWAY LOCATIONS		DIOCESE OF VENICE LOCATION		FIRE/ POLICE STATION LOCATIONS		

## NOTES

- ACREAGES ARE APPROXIMATE. FINAL ACREAGE LOCATIONS SUBJECT TO REFINEMENT BASED UPON EXISTING SITE CONDITIONS AND FINAL VILLAGE DISTRICT PATTERN PLANS.
- AREAS DEFINED WITHIN THIS DESIGNATION WILL INCLUDE 300-1,000 ACRES OF TOWN CENTER AND MAY INCLUDE VILLAGE DEVELOPMENT AT THE DENSITY / INTENSITY ESTABLISHED IN THE V.D.P.B., CONSISTENT WITH SECTION 53-212 U.L.D.C. FINAL LOCATIONS WILL BE DETERMINED DURING THE V.D.P.P. PROCESS.
- THE INDEX MAP DEPICTS THE GREENBELT FRAMEWORK BY IDENTIFYING VILLAGE EDGES ADJACENT TO MAJOR ENVIRONMENTAL FEATURES OR ROADWAYS AND MULTI-USE PATHWAYS. ADDITIONALLY, THIS FRAMEWORK CONNECTS VILLAGE CENTERS AND TOWN CENTERS, CONSISTENT WITH COMPREHENSIVE PLAN POLICY 13.8 AND SEC. 53-216 OF THE U.L.D.C. COMPLIANCE WITH THESE POLICIES WILL BE FURTHER DEMONSTRATED WITH FUTURE VILLAGE DISTRICT PATTERN PLANS.
- LOCATION AND CONFIGURATION OF PARKS SHALL BE DETERMINED BY AGREEMENT BETWEEN THE PROPERTY OWNER AND THE CITY OF NORTH PORT, FLORIDA, IN ACCORDANCE WITH THE WEST VILLAGES DEVELOPER AGREEMENT (POST ANNEXATION).
- MULTI-MODAL TRAILS MAY BE SATISFIED BY AN 8' SIDEWALK AND 4' BIKE LANES, AND SHALL BE FURTHER REFINED WITH FUTURE VILLAGE DISTRICT PATTERN PLANS.
- 8' - 12' TRAILS WILL BE DELINEATED ON V.D.P.P., AND MAY BE COMBINED WITH INTERNAL ROADWAYS.
- THE WEST VILLAGES IMPROVEMENT DISTRICT WILL COORDINATE WITH THE APPLICABLE GOVERNING AUTHORITY TO ESTABLISH ACCESS MANAGEMENT CRITERIA.
- FINAL LOCATIONS OF TOWN CENTERS, PUBLIC FACILITY SITES, SCHOOL SITES, VILLAGE BOUNDARIES AND ROADWAY CORRIDORS SHALL BE DETERMINED DURING THE V.D.P.P. PROCESS AND/OR DEVELOPERS AGREEMENT.
- FINAL ALIGNMENT OF CORRIDORS / ROADWAYS IS SUBJECT TO FINAL APPROVAL OF JURISDICTIONAL AGENCIES.
- FINAL SIZE, LOCATION, AND CONFIGURATION OF UTILITIES/PUBLIC FACILITIES SHALL BE DETERMINED BY AGREEMENT BETWEEN THE PROPERTY OWNER AND THE CITY OF NORTH PORT, FLORIDA.
- SCHOOL SITE SHOWN IN VILLAGE E WILL BE REMOVED IN FAVOR OF SCHOOL SITES SHOWN IN VILLAGE K (130+/- AC.) UPON APPROVAL OF AN AGREEMENT WITH SARASOTA COUNTY SCHOOL BOARD. THE TRANSACTION TO CONVEY LAND IN VILLAGE K AND ACQUIRE LAND IN VILLAGE E WILL BE A CONCURRENT TRANSACTION.
- THE PROPERTY WITHIN VILLAGE "C" IS OUTSIDE OF THE OWNERSHIP OF WEST VILLAGES LLP OR ITS AFFILIATES. THEREFORE, THAT PORTION OF MANASOTA BEACH ROAD SHALL BE CONSTRUCTED BY OTHERS. THE WVVD AND CITY OF NORTH PORT ARE NOT REQUIRED TO CONSTRUCT THIS SEGMENT OF ROAD.

Adopted on March 2, 2021  
 ORDINANCE 2021-13  
 PETITION NUMBER VIA-20-222

# West Villages Index Map