

Main Street Ranchlands Plat No. 1

Final Plat

From: Noah Fossick, Planner II

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

Manager

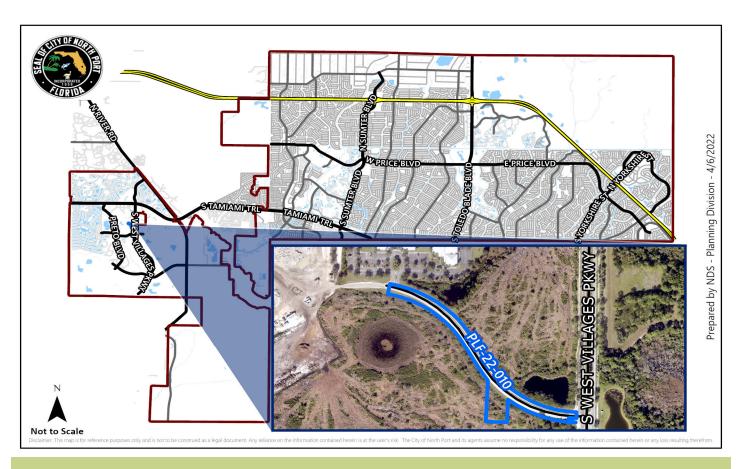
Thru: Alaina Ray, AICP, Neighborhood Development

Services Director

Thru: Jason Yarborough, ICMA-CM, Assistant City Manager

Thru: A. Jerome Fletcher II, ICMA-CM, City Manager

Date: March 31, 2022



PROJECT: PLF-22-010, Main Street Ranchlands Plat No. 1 (QUASI-JUDICIAL)

REQUEST: Approval of Final Plat for Main Street Ranchlands Plat No. 1

APPLICANT: John Luczynski, Sr. Vice President of Land Development, Main Street

Ranchlands LLLP

OWNER: Main Street Ranchlands LLLP

LOCATION: Within Village D; West of S West Villages Pkwy approximately 4,000 feet south

of US-41

PROPERTY SIZE: ± 2.2423 Acres **ZONING:** Village (V)

I. BACKGROUND

In January 2022, John Luczynski of Main Street Ranchlands LLLP submitted a Final Plat application to plat an existing drive aisle as a roadway and add one future development tract. This project provides for a public right-of-way including an ingress/egress easement, a drainage easement, and a utility easement. The total site contains approximately ± 2.243 acres.

No surety bond is required for this project as the proposed roadway will be dedicated to the West Villages Improvement District (WVID) and the utilities are existing.

II. STAFF ANALYSIS & FINDINGS

2021 FLORIDA STATUTES

Title XII MUNICIPALITIES, Chapter 177 LAND BOUNDARIES, Part I: PLATTING, Section 177.081 Dedication and approval.

(1) Prior to approval by the appropriate governing body, the plat shall be reviewed for conformity to this chapter by a professional surveyor and mapper either employed by or under contract to the local governing body, the costs of which shall be borne by the legal entity offering the plat for recordation, and evidence of such review must be placed on such plat.

<u>Findings</u>: The City's contracted professional surveyor, Alan Fish, reviewed and approved the plat.

<u>Conclusion</u>: PLF-22-010 meets the State's requirements for City review and approval of plats.

COMPLIANCE WITH ULDC

Chapter 37-Subdivision Regulations, Article II-Procedures for Securing Approvals, Section 37-8 Plat Submission Requirements.

B. Conformity with approved subdivision plans. The plat shall incorporate all stipulations, easements, changes and modifications required to make the approved subdivision plan and infrastructure plan conform to these regulations.

<u>Findings</u>: The final plat was reviewed for conformance with the approved subdivision plan.

<u>Conclusion</u>: PLF-22-010 conforms with the approved subdivision plan and the ULDC.

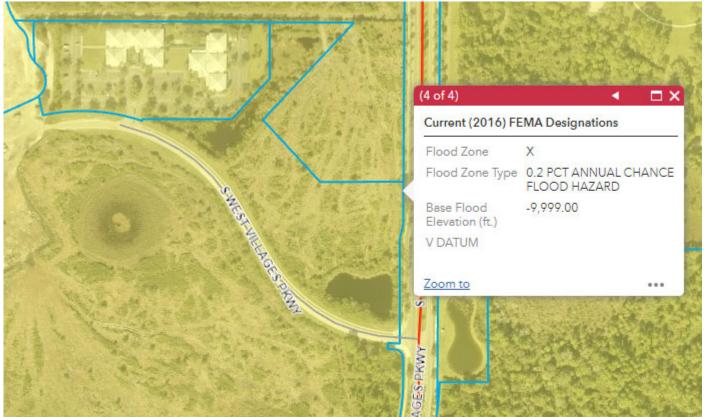
ENVIRONMENTAL

A formal environmental survey has been completed on the site. All permits will be issued in accordance to State and Federal standards.

FLOOD ZONE

Flood Zone X (Areas of minimal flood hazard), According to Flood Insurance Rate Map No. 12115C0365F for Sarasota County, Community No. 120279, City of North Port, FL effective November 4, 2016.





III. RECOMMENDED MOTION

Staff recommends APPROVAL of Petition No. PLF-22-010, Main Street Ranchlands Plat No. 1:

I move to recommend approval of Petition No. PLF-22-010 as presented and find that based on the competent substantial evidence, the Plat complies with all regulations set forth in the Unified Land Development Code (ULDC) and Florida Statutes Chapter 177.

IV. ALTERNATIVE MOTIONS

Petition PLF-22-010 could be DENIED. If that were the case, new findings would need to be written to support that recommendation. The motion would be as follows:

I move to recommend denial of Petition No. PLF-22-010 and find that, based on the competent substantial evidence shows that the proposed Plat does not comply with the Unified Land Development Code (ULDC) and Florida Statutes Chapter 177.

V. PUBLIC HEARING SCHEDULE

Planning & Zoning Advisory Board Public Hearing	April 21, 2022 9:00 AM or as soon thereafter
City Commission Public Hearing	May 10, 2022 10:00 AM or as soon thereafter

VI. EXHIBITS

A.	Map Gallery
В.	Affidavit
C.	Title Assurance
D.	City Surveyor's Approval

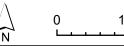


City of North Port

Prepared on 4/6/2022 by NDS / Planning Division

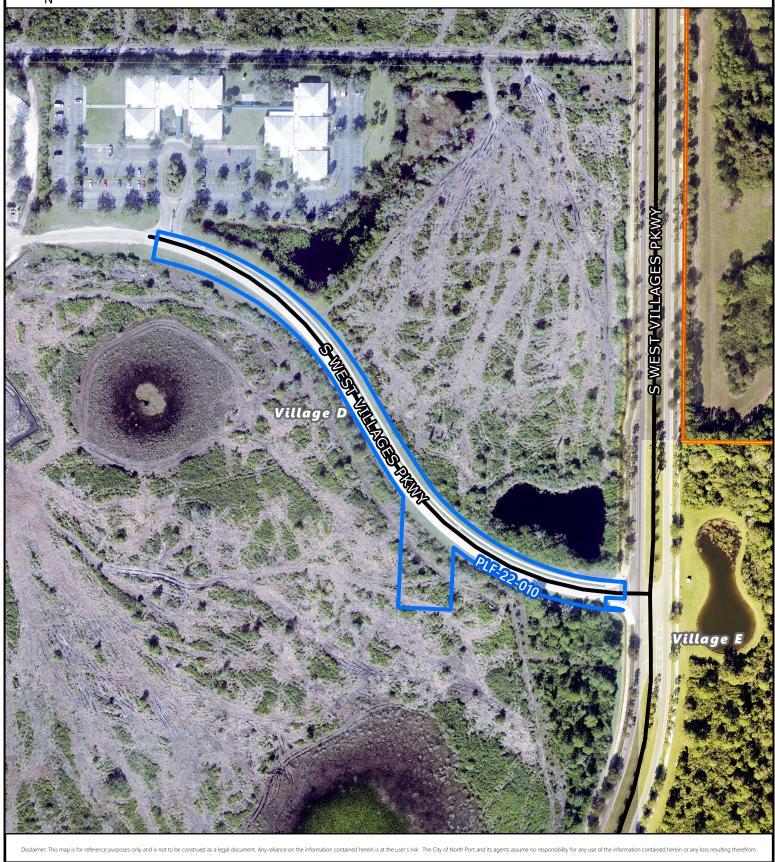
Aerial Location Map

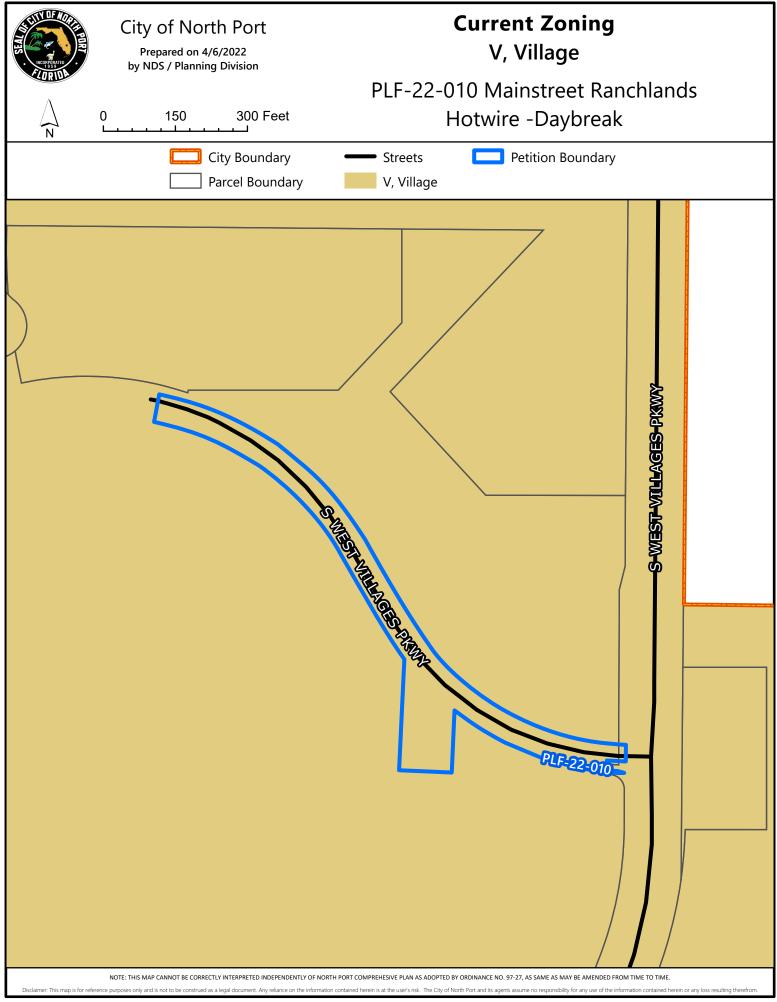
PLF-22-010 Mainstreet Ranchlands Hotwire -Daybreak



150 300 Feet

Petition Boundary





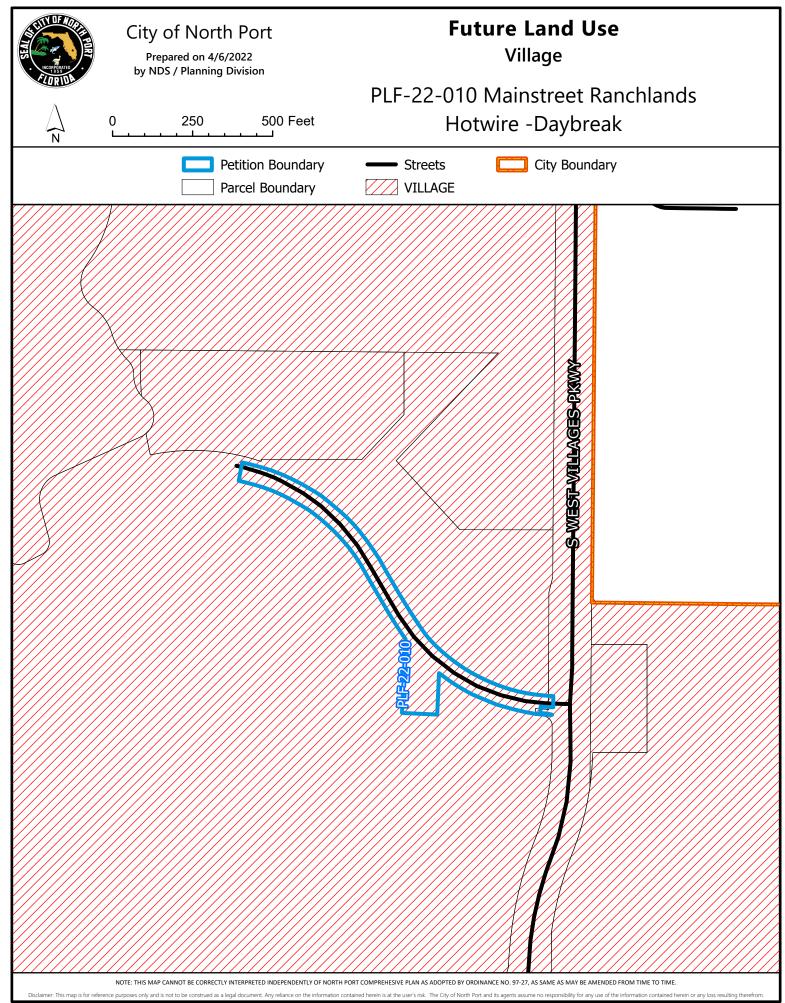


Exhibit B AFFIDAVIT

I (the undersigned), John E. Luczyns I am the owner, attorney, attorney-in-fact, agent, lessee or rep	, , , , , , , , , , , , , , , , , , , ,
is the subject matter of the proposed application; that all answ and other supplementary matter attached to and made a part knowledge and belief. I understand this application must be co or hearing can be advertised, and that I am authorized to sign North Port staff and agents to visit the site as necessary for conditions such as locked gates, restricted hours, guard dogs, individual who can allow access.	vers to the questions in this application, and all sketches, data of the application are honest and accurate to the best of my amplete and accurate before the application can be processed in the application by the owner or owners. I authorize City of a proper review of this application. If there are any special
Sworn and subscribed before me this day of	
	Jame and Title
	tyof Sarasola
The foregoing instrument was acknowledged by me this	day of April 20 2Z by
John Luczynski	who is personally known to me or has produced
	as identification.
	(Place Notary Seal Below)
Cebra Thenerman	DEBRAZIMMERMAN
Signature - Notary Public	MY COMMISSION # GG 307446 EXPIRES: June 29, 2023
AFFID	Bonded Thru Notary Public Underwriters
ALITHODIZATION FOR	
AUTHORIZATION FOR	AGENT/APPLICANT
l,	property owner, hereby
authorize	to act as Agent on our behalf to apply
for this application on the property described as (legal description)	on)
Owner	Date
STATE OF COUN	TY OF
The foregoing instrument was acknowledged by me this	
	who is personally known to me or has produced
	as identification.
	(Place Notary Seal Below)
	(, sea. se. , ,
Signature - Notary Public	_

Revised 8-30-19 (Reviewed by CAO)

Exhibit C

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2021205095 6 PG(S)

11/12/2021 1:55 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
SIMPLIFILE Receipt # 2769404

After recording return to: Lindsay C. Whelan Hopping Green & Sams. P.A. 119 S. Monroe Street. Suite 300 Tallahassee, Florida 32308

FIRST AMENDMENT TO IRRIGATION WATER SUPPLY AGREEMENT

THIS FIRST AMENDMENT TO IRRIGATION WATER SUPPLY AGREEMENT ("Amendment") is made and entered into by and between the WEST VILLAGES IMPROVE-MENT DISTRICT, an independent special district created pursuant to Chapter 189, Florida Statutes ("F.S."), hereinafter referred to as the "DISTRICT"; THE RANCH LAND OPERATIONS, LLLP, a Florida limited liability limited partnership, hereinafter referred to as the "RANCH," whose address is 4901 Vineland Road, Suite 450, Orlando, Florida 32811; and THOMAS RANCH INTANGIBLES, LLLP, a Florida limited liability limited partnership, as Trustee under the Water Rights Trust Agreement dated December 12, 2017, hereinafter referred to as "TRUS TEE," whose address is 4901 Vineland Road, Suite 450, Orlando, Florida 32811 (each may be referred to individually as a "Party" or collectively as the "Parties").

RECITALS

WHEREAS, the District is a local unit of special-purpose government created and existing pursuant to Chapter 2004-456. *Laws of Florida*, as amended (the "Act") for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure and providing certain public services: and

WHEREAS, the District has established its "Unit of Development No. 6" (hereinafter referred to as "Unit No. 6") relative to its provision of irrigation services to the lands within the

1

District;1 and

WHEREAS, the majority of the lands within Unit No. 6 are subject to restrictive covenants recorded as Instruments #2017156389 and #2018128694 in the Official Records of Sarasota County, Florida (the "Original Restrictive Covenants"): and

WHEREAS, pursuant to the Restrictive Covenants, Trustee has the following exclusive rights within the lands subject to the Original Restrictive Covenants: (1) the right to seek, directly or indirectly, a groundwater well construction permit or water or consumptive use permit; (2) the right to install a groundwater well; (3) the right to withdraw water from a surface water body; (4) the right to divert fresh or saline water; and (5) the right to construct, install, maintain, repair, and replace the irrigation system (collectively the "Contract Rights"); and

WHEREAS, pursuant to that certain *Irrigation Water Supply Agreement*, recorded as Instrument No. 2018159052 in the Official Records of Sarasota County, Florida (the "Water Supply Agreement"), Trustee has assigned the Contract Rights to the District, on a non-exclusive basis, such that the Trustee will accordingly be the exclusive provider of groundwater from the lands subject to the Original Restrictive Covenants to the District for irrigation, and the District will be the exclusive provider of irrigation water to its users; and

WHEREAS, due to an ongoing land sale transaction that was underway at the time of negotiation and execution of the Water Supply Agreement, the lands within the "Tortuga" residential project, which is located within Unit No. 6 within the District, were not included within the scope of the Original Restrictive Covenants; and

WHEREAS, as a result, at the conclusion of the land sale transaction but subsequent to the execution of the Water Supply Agreement, an additional restrictive covenant was recorded as

¹ Note that the IslandWalk residential community is the only property within the District that is not also included within Unit No. 6.

Instrument No. 2020069015 in the Official Records of Sarasota County, Florida relative to the lands within Tortuga (the "Tortuga Restrictive Covenant"); and

WHEREAS, there is accordingly a need to amend the Water Supply Agreement to add the Tortuga Restrictive Covenant to the scope thereof in order for the Contract Rights set forth in such covenant to be assigned to the District such that it shall be the exclusive provider of irrigation water to the properties within Tortuga.

NOW, THEREFORE, IT IS MUTUALLY AGREED as follows:

- Recitals and Exhibits. The Parties agree that the recitals and exhibits attached hereto are adopted and incorporated herein by reference as if restated in their entirety.
- 2. **Amendment of Agreement.** The third WHEREAS clause in the Water Supply Agreement is hereby deleted in its entirety and replaced with the following:

WHEREAS. Unit No. 6 includes lands (the "Restricted Lands") described in, and subject to, Restrictive Covenants recorded in the Official Records as Instruments #2017156389, #2018128694 and #2020069015. Public Records of Sarasota County. Florida (the "Restrictive Covenants");

3. Affirmation of Agreement. The Water Supply Agreement is hereby affirmed, and the Parties hereto acknowledge and agree that it continues to constitute a valid and binding agreement between the Parties. Except as described in Section 2 of this Amendment, nothing herein shall modify the rights and obligations of the Parties under the Water Supply Agreement. All of the remaining provisions remain in full effect and fully enforceable.

IN WITNESS WHEREOF, the authorized representatives of the Parties have duly executed this Amendment as of the date(s) set forth below.

Witnesses:

Print Name: Mike Smith

Print Name: Was Crosley

West Villages Improvement District, an independent special district created pursuant to Chapter 189, Florida Statutes

John Luczynski, Chairman

STATE OF FLORIDA COUNTY OF SARASOTA

I HEREBY CERTIFY that on this day, before me by means of ⋒ physical presence or □ online notarization, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared John Luczynski, to me known to be the person described in and who executed the foregoing instrument as Chairman of West Villages Improvement District, an independent special district created pursuant to Chapter 189, Florida Statutes, on behalf of the District and acknowledged before me that he executed same as a free act and deed for the uses and purposes therein stated.

WITNESS my hand and official seal in the County and State last aforesaid this November 2021.

William Ryan Crosley
Notary Public
State of Florida
Comm# HH016312
Expires 8/30/2024

Notary Public Print Name: Work

My Commission Number:

Witnesses:

Print Name: Tohe

Print Name: (

The Ranch Land Operations, LLLP, a Flor-

ida limited liability limited partnership

By: Thomas Ranch Villages GP, LLC,

a Delaware limited liability company

As its General Partner

By: Thomas Ranch Manager, LLC,

a Delaware limited liability company

As its Manager

By: RICHARD SEV

Its: Vice President

STATE OF FLORIDA COUNTY OF SARASOTA

I HEREBY CERTIFY that on this day, before me by means of aphysical presence or online notarization, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Rechard Several to me known to be the person described in and who executed the foregoing instrument as Vice President of Thomas Ranch Manager. LLC, a Delaware limited liability company and Manager of Thomas Ranch Villages GP, LLC, a Delaware limited liability company and General Partner of The Ranch Land Operations, LLLP, a Florida limited liability limited partnership, on behalf of the companies and the partner ship and acknowledged before me that he executed same as a free act and deed for the uses and purposes therein stated.

WITNESS my hand and official seal in the County and State last aforesaid this 1 day of 2021.

William Ryan Crosley
Notary Public
State of Florida
Comm# HH016312
Expires 8/30/2024

Notary Public

My Commission Number: HHO

Witnesses:

Print Nama: Dehry Fillingerman

Print Name: WYMEL DINGT

Thomas Ranch Intangibles, LLLP, a Florida limited liability limited partnership, as Trustee aforesaid

By: Thomas Ranch Villages GP, LLC,

a Delaware limited liability company

As its General Partner

By: Thomas Ranch Manager, LLC,

a Delaware limited liability company

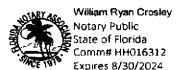
As its Manager,

Its: Vice President

STATE OF FLORIDA COUNTY OF SARASOTA

I HEREBY CERTIFY that on this day, before me by means of Dphysical presence or Online notarization, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Richard Sugraper., to me known to be the person described in and who executed the foregoing instrument as Vice President of Thomas Ranch Manager, LLC, a Delaware limited liability company and Manager of Thomas Ranch Villages GP, LLC, a Delaware limited liability company and General Partner of Thomas Ranch Intangibles, LLLP, a Florida limited liability limited partnership, as Trustee aforesaid, on behalf of the companies and the partnership and acknowledged before me that he executed same as a free act and deed for the uses and purposes therein stated.

WITNESS my hand and official scal in the County and State last aforesaid this _____day of ______2021.



Notary Public

Print Name: LOM C

My Commission Number: HH 016317

Exhibit C

PLAT PROPERTY INFORMATION REPORT

Showing Information Required by F.S. 177.041 Prior to Platting Lands

Issuer: Attorneys' Title Fund Services, LLC Recipient: Williams Parker Harrison Dietz & Getzen, PLLC

Fund File Number: 1172134 A1

Provided For: Williams Parker Harrison Dietz & Getzen, PLLC Agent's File Reference: MAIN

STREET RANCHLANDS

Effective Date of Search: December 14, 2021 at 11:00 PM

Description of Real Property Situated in Sarasota County, Florida:

See Exhibit A

Record Title Vested in:

MAIN STREET RANCHLANDS, LLLP, a Florida limited liability limited partnership, by Special Warranty Deed recorded in the Official Records as Instrument Number 2015141224, Public Records of Sarasota County, Florida.

Prepared Date: December 22, 2021 Attorneys' Title Fund Services, LLC

Prepared by: Peggy Frook, Senior Examiner

Phone Number: (800) 228-8137 x6604 Email Address: PFrook@TheFund.com

PLAT PROPERTY INFORMATION REPORT

Fund File Number: 1172134 A1

The following mortgages are all the mortgages of record that have not been satisfied or released of record nor otherwise terminated by law:

1. Nothing Found

Other encumbrances affecting the title:

- 1. Water Line Easement in favor of Sarasota County recorded in the Official Records as Instrument Number 2000059171, Public Records of Sarasota County, Florida.
- 2. City of North Port Ordinance No. 07-14 recorded in the Official Records as Instrument Number 2007085538, Public Records of Sarasota County, Florida.
- 3. Ingress/Egress Easement between Sarasota County Public Hospital Board and The City of North Port recorded in the Official Records as Instrument Number 2007158251, Public Records of Sarasota County, Florida.
- 4. City of North Port, Florida and Sarasota County Public Hospital Board Water and Wastewater System Standard Developer's Agreement recorded in the Official Records as Instrument Number 2007089003, Public Records of Sarasota County, Florida.
- Pre-Annexation Agreement between City of North Port, Florida and Sarasota County Public Hospital Board recorded in the Official Records as Instrument Number <u>2007089004</u>, Public Records of Sarasota County, Florida.
- 6. Interlocal Agreement between The City of North Port, Florida, Sarasota County, Florida and The Sarasota County Public Hospital Board recorded in the Official Records as Instrument Number 2007089005 and Instrument Number 2007104251, Public Records of Sarasota County, Florida.
- 7. Ordinance No. 07-39 of the City of North Port, Florida recorded in the Official Records as Instrument Number 2007176566, Public Records of Sarasota County, Florida.
- 8. City of North Port Resolution No. 2010-R-48 recorded in the Official Records as Instrument Number 2010135764, Public Records of Sarasota County, Florida.
- 9. City of North Port Resolution No. 2010-R-47 recorded in the Official Records as Instrument Number 2010146146, Public Records of Sarasota County, Florida.
- Resolution Designating West Villages Improvement District Unit of Development No. 6 recorded in the Official Records as Instrument Number <u>2018084717</u>, and Notice of Establishment recorded in the Official Records as Instrument Number <u>2018142894</u>, Public Records of Sarasota County, Florida.
- 11. Restrictive Covenant recorded in the Official Records as Instrument Number <u>2018128694</u>, Public Records of Sarasota County, Florida.
- 12. REVISED: Irrigation Water Supply Agreement recorded in the Official Records as Instrument Number 2018159052, as amended by First Amendment recorded in the Official Records as Instrument Number 2021205095, Public Records of Sarasota County, Florida.
- 13. 2019 Amended and Restated Utilities Agreement recorded in the Official Records as Instrument Number 2019125013, Public Records of Sarasota County, Florida.
- 14. West Villages Developer Agreement (Post Annexation) recorded in the Official Records as Instrument Number 2020042302, Public Records of Sarasota County, Florida.
- 15. Memorandum of Agreement recorded in the Official Records as Instrument Number <u>2020042654</u>, Public Records of Sarasota County, Florida.

Exhibit C

PLAT PROPERTY INFORMATION REPORT

Fund File Number: 1172134

- 16. Declaration of Restrictive Covenants and Rights recorded in the Official Records as Instrument Number 2021153734, Public Records of Sarasota County, Florida.
- 17. Any liens created or levied pursuant to the West Villages Improvement District.
- 18. Rights of the lessees under unrecorded leases.

This search is provided pursuant to the requirements of section 177.041, F.S. for the uses and purposes specifically stated therein and is not to be used as the basis for issuance of an insurance commitment and/or policy.

The information contained herein is furnished for information only.

This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

PLAT PROPERTY INFORMATION REPORT

Exhibit A

Fund File Number: 1172134 A1

A part of Section 32, Township 39 South, Range 20 East, City of North Port, Sarasota County, Florida, described as follows:

Commence at the Southeast corner of Section 32, Township 39 South, Range 20 East, City of North Port, Sarasota County, Florida; thence N.00°30'20"E., along the East line of said Section 32, a distance of 1108.07 feet; thence N.89°29'40"W., perpendicular to said East line of Section 32, a distance of 422.10 feet to the West Right of Way line of West Villages Parkway, as described in Official Records Instrument No. 2010135760 of the Public Records of Sarasota County, Florida for the POINT OF BEGINNING, same being a point on a curve to the right, having a radius of 546.49', a central angle of 17°31'34", a chord bearing of N.79°35'01"W., and a chord length of 166.51'; thence along the arc of said curve, an arc length of 167.16' to a point on a compound curve to the right having: a radius of 566.40', a central angle of 12°44'12", a chord bearing of N.64°30'22"W., and a chord length of 125.65'; thence along the arc of said curve, an arc length of 125.91' to a point on a compound curve to the right having: a radius of 613.28', a central angle of 07°26'55", a chord bearing of N.53°38'30"W., and a chord length of 79.67'; thence along the arc of said curve, an arc length of 79.73', to a point on a compound curve to the right having: a radius of 535.13', a central angle of 11°57'38", a chord bearing of N.43°47'43"W., and a chord length of 111.51'; thence along the arc of said curve, an arc length of 111.71', to a point on a compound curve to the right having: a radius of 556.31', a central angle of 07°48'59", a chord bearing of N.34°12'30"W., and a chord length of 75.83'; thence along the arc of said curve, an arc length of 75.89'; thence N.30°08'32"W., a distance of 188.12' to a point on a curve to the left having: a radius of 646.08', a central angle of 49°01'14", a chord bearing of N.54°47'38"W., and a chord length of 536.06'; thence along the arc of said curve, an arc length of 552.77'; thence S.10°41'45"W., a distance of 60.00' to a point on a curve to the right having: a radius of 586.08', a central angle of 49°01'02", a chord bearing of S.54°47'44"E., and a chord length of 486.25'; thence along the arc of said curve, an arc length of 501.40'; thence S.30°08'32"E. a distance of 188.09' to a point on a curve to the left having: a radius of 616.31', a central angle of 06°56'08", a chord bearing of S.33°45'36"E., and a chord length of 74.56'; thence along the arc of said curve, an arc length of 74.60'; thence S.02°46'46"W., a distance of 236.70'; thence S.87°13'14"E., a distance of 112.00'; thence N.02°46'46"E. a distance of 132.64' to a point on a curve to the left having: a radius of 673.28', a central angle of 05°48'33", a chord bearing of S.54°29'45"E., and a chord length of 68.23'; thence along the arc of said curve, an arc length of 68.26', to a point on a compound curve to the left having: a radius of 626.40', a central angle of 12°46'16", a chord bearing of S.64°29'11"E., and a chord length of 139.33'; thence along the arc of said curve, an arc length of 139.62', to a point on a compound curve to the left having: a radius of 606.49', a central angle of 17°19'27", a chord bearing of S.79°29'07"E., and a chord length of 182.68'; thence along the arc of said curve, an arc length of 183.38', returning to said West Right of Way line of West Villages Parkway, as described in Official Records Instrument No. 2010135760, same being a point on a curve to the left having: a radius of 30.00', a central angle of 25°29'23", a chord bearing of N.72°54'55"W., and a chord length of 13.24'; thence along said West Right of Way line, following the five (5) courses: (1) along the arc of said curve, an arc length of 13.35'; (2) thence N.85°39'36"W., a distance of 25.84'; (3) thence N.04°20'24"E., a distance of 21.35'; (4) thence S.85°55'11"E., a distance of 40.43'; (5) thence N.00°30'25"E. a distance of 35.66' to the POINT OF BEGINNING.



Van Buskirk / Fish & Associates, Inc.

Surveyors - Mappers - Development Consultants

12450 TAMIAMI TRAIL UNIT C, NORTH PORT, FLORIDA 34287 PHONE: 941.426.0681 FAX: 941.426.6101 E-MAIL: rbreedlove@ybfainc.com

March 29, 2022

Noah Fossick City of North Port Planning & Zoning Dept. 4970 City Hall Blvd. North Port, FL. 34286

E-Mail: [nfossick@cityofnorthport.com; swillette@cityofnorthport.com]

RE: Review of proposed Record Plat of "Main Street Ranchlands Plat No.1" in the city of North Port, Florida

Noah,

I have performed a Re-Review for conformance with Chapter 177, Part I, Florida Statutes of the above referenced Record Plat and found that the items noted in our original review had been corrected and that the Record Plat now meets the standards.

This review was performed to determine compliance with Chapter 177, Part I, Florida Statutes only and does not include verification of the absence of any underlying easements, installation of PRM's or checking of the mathematical data contained within the plat. The correctness of said data is the responsibility of the certifying Surveyor.

Respectfully yours,

Van Buskirk / Fish & Associates, Inc.

Robert J Breedlove, PSM

Registered Professional Surveyor & Mapper

Florida Certificate # 7040

D di OC

DN: c=US, o=Florida, dnQualifier=A01410D0 000017CEB0D7255000 07DC8, cn=Robert J Breedlove Date: 2022.03.29 14:41:57 -04'00'