



City of North Port

RESOLUTION NO. 2024-R-63

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, VACATING A PORTION OF THE STREET, TREE & LANDSCAPE EASEMENT FOR LOT 29, GRAN PLACE SUBDIVISION; PROVIDING FOR FINDINGS; PROVIDING FOR RECORDING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the plat for this property reserves certain easements to the City of North Port; and

WHEREAS, this petition requests the vacation of all or a portion of the Easements; and

WHEREAS, the Planning and Zoning Advisory Board considered the petition at a public hearing on October 3rd, 2024, and made its recommendation to the City Commission; and

WHEREAS, Florida Statutes Section 177.101(3) authorizes the City Commission to adopt a resolution vacating plats in whole or in part.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

1.01 The above recitals are true and correct and are incorporated in this resolution.

1.02 In reliance upon Petition VAC-24-104, as well as testimony and other evidence presented at the quasi-judicial hearing, the City Commission makes the following findings of fact:

(a) Gran Place, LLC. owns fee simple title to Lot 29, of the Gran Place Subdivision;

(b) The plat of Gran Place Subdivision as recorded in Plat Book 55, pages 326 through 331, inclusive, of the official records of Sarasota County, Florida grants to the City of North Port, Florida, 15 feet (15') for the purpose of street, tree & landscaping easements at the front of Lot 29, of the plat ("Easements");

(c) The petition requests that the City vacate the platted fifteen-foot (15') street, tree & landscape easements;

- (d) The Easements are not needed to provide City service to any property;
- (e) Other than as identified in this resolution, no public utilities or City facilities are located or planned to be located in the area;
- (f) The Easements are not necessary to any logical extension of public utility service, sanitary sewer service, drainage, or other City services to any property in the future, or an alternate and equally acceptable easement of such extension has been dedicated to the City; and
- (g) The vacation requested will not affect the ownership or right of convenient access of persons owning other parts of the subdivision; and
- (h) The City notified affected utilities, and the utilities have provided written responses recommending approval of the petition; and
- (i) The petition included evidence of the publication of a Notice of Intent, documentation of ownership, and certification that all taxes due have been paid by the current property owners.

1.03 All exhibits attached to this resolution are incorporated by reference.

SECTION 2 – VACATION OF EASEMENTS

2.01 The City Commission approves Petition VAC-24-104 to the extent provided in this resolution.

2.02 The City Commission vacates a ±115.00 square foot portion of its existing platted fifteen-foot (15') wide landscape easements, as described below and depicted in the survey attached as Exhibit A:

A portion of a 15' Wide Street Tree & Landscaping Easement over Lot 29, Gran Place, as shown on Plat Book 55, Page 326 of the Public Records of Sarasota County, Florida described as follows:

COMMENCE at the most southerly Corner of Lot 29, GRAN PLACE, as recorded in Plat Book 55, Page 326, of the Public Records of Sarasota County, Florida; thence N.46°44'12"W., along the Southwest line of said Lot 29, a distance of 10.00 feet to a point on a non-tangent curve to the left having a radius of 562.00 feet, a central angle of 01°29'53", a chord bearing of N.42°30'51"E., and a chord length of 14.69 feet; thence along the arc of said curve, an arc length of 14.69 feet to the POINT OF BEGINNING, same being a point on a curve to the left having a radius of 562.00 feet, a central angle of 02°20'47", a chord bearing of N.40°35'31"E., and chord length of 23.01 feet; thence along the arc of said curve, an arc length of 23.01 feet; thence N.51°18'58"W., a distance of 5.00 feet to a point on a non-tangent curve to the right having a radius of 557.00 feet, a central angle of 02°22'03", a chord bearing of S.40°36'33"W., and a chord length of 23.01 feet; thence along the arc of said curve, an arc length of 23.01 feet; thence S.51°18'58"E., a distance of 5.01 feet to the POINT OF BEGINNING.

All Being in Section 4, Township 40 South, Range 20 East, City of North Port, Sarasota County, Florida.

Parcel contains 115 square feet, or 0.0026 acres more or less.

SECTION 3 – RECORDING

3.01 The City Clerk is directed to file a certified copy of this resolution with the Sarasota County Clerk of the Circuit Court to be duly recorded in the official records of the county.

SECTION 4 – CONFLICTS

4.01 In the event of any conflict between the provisions of this resolution and any other resolution, in whole or in part, the provisions of this resolution will prevail to the extent of the conflict.

SECTION 5 – SEVERABILITY

5.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this resolution is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the resolution.

SECTION 6 – EFFECTIVE DATE

6.01 This resolution takes effect immediately.

ADOPTED by the City Commission of the City of North Port, Florida, in public session on October 22nd, 2024.

CITY OF NORTH PORT, FLORIDA

ALICE WHITE
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON, B.C.S.
CITY ATTORNEY

EXHIBIT A TO RESOLUTION NO. 2024-R-63
VACATING A PORTION OF THE STREET, TREE & LANDSCAPE EASEMENT FOR LOT 29, GRAN PLACE SUBDIVISION

