



City of North Port

RESOLUTION NO. 2024-R-03

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, VACATING A PORTION OF THE REAR MAINTENANCE EASEMENT FOR LOT 32, BLOCK 814, NINETEENTH ADDITION TO PORT CHARLOTTE 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 December 21, 2023, 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-23-237, as well as testimony and other evidence presented at the quasi-judicial hearing, the City Commission makes the following findings of fact:
 - (a) Randy Lynn Allison and Johnna Geralyn Allison own fee simple title to Lot 32, Block 814, 19th Addition to Port Charlotte Subdivision;
 - (b) The plat of the Nineteenth Addition to Port Charlotte Subdivision as recorded in Plat Book 14, page(s) 7, 7A through 7P, inclusive, of the official records of Sarasota County, Florida grants to the City of North Port, Florida, twenty (20) feet for the purpose of maintenance easements at the rear of Lot 32, Block 814 of the plat (“Easement”);

- (c) The petition requests that the City vacate a portion of the platted twenty-foot (20') maintenance easement;
- (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-23-237 to the extent provided in this resolution.

2.02 The City Commission vacates a ± 2.08 square foot portion of its existing platted twenty-foot (20') wide maintenance easement, as described below and depicted in the survey attached as Exhibit A:

“A portion of a twenty- (20) foot wide Maintenance Easement lying over and across the Northly 20' of Lot 32, Block 814, 19th Addition to Port Charlotte Subdivision, as per plat thereof, recorded in Plat Book 14, Page 7, 7A through 7P, of the Public Records of Sarasota County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of said Lot 32; thence, South 22°57'08" West, along the Easterly line of said Lot 32, a distance of 21.06' to the intersection with the Southerly line of said 20' Maintenance Easement; thence, North 48°47'58"W., along the Southerly line of said easement, a distance of 52.38' to the Point of Beginning; thence, continue North 48°47'58" West, along the Southerly line of said easement, a distance of 4.59' to a point of curvature; thence, along the arc of said curve to the left having a radius of 80.00', a Delta Angle of 02°01'05", a Chord Distance of 2.82' and a Chord Bearing of North 49°42'17" West, an Arc length of 2.82' ; thence, North 89°46'05" East, a distance of 0.91'; thence, South 44°04'51" East, a distance of 6.77' to the Point Beginning, and containing 2.08 Square Feet, 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 January 9, 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-03
 VACATING MAINTENANCE EASEMENTS FOR LOT 32, BLOCK 814 19TH ADDITION TO PORT CHARLOTTE SUBDIVISION

SITE SKETCH AND SURVEY

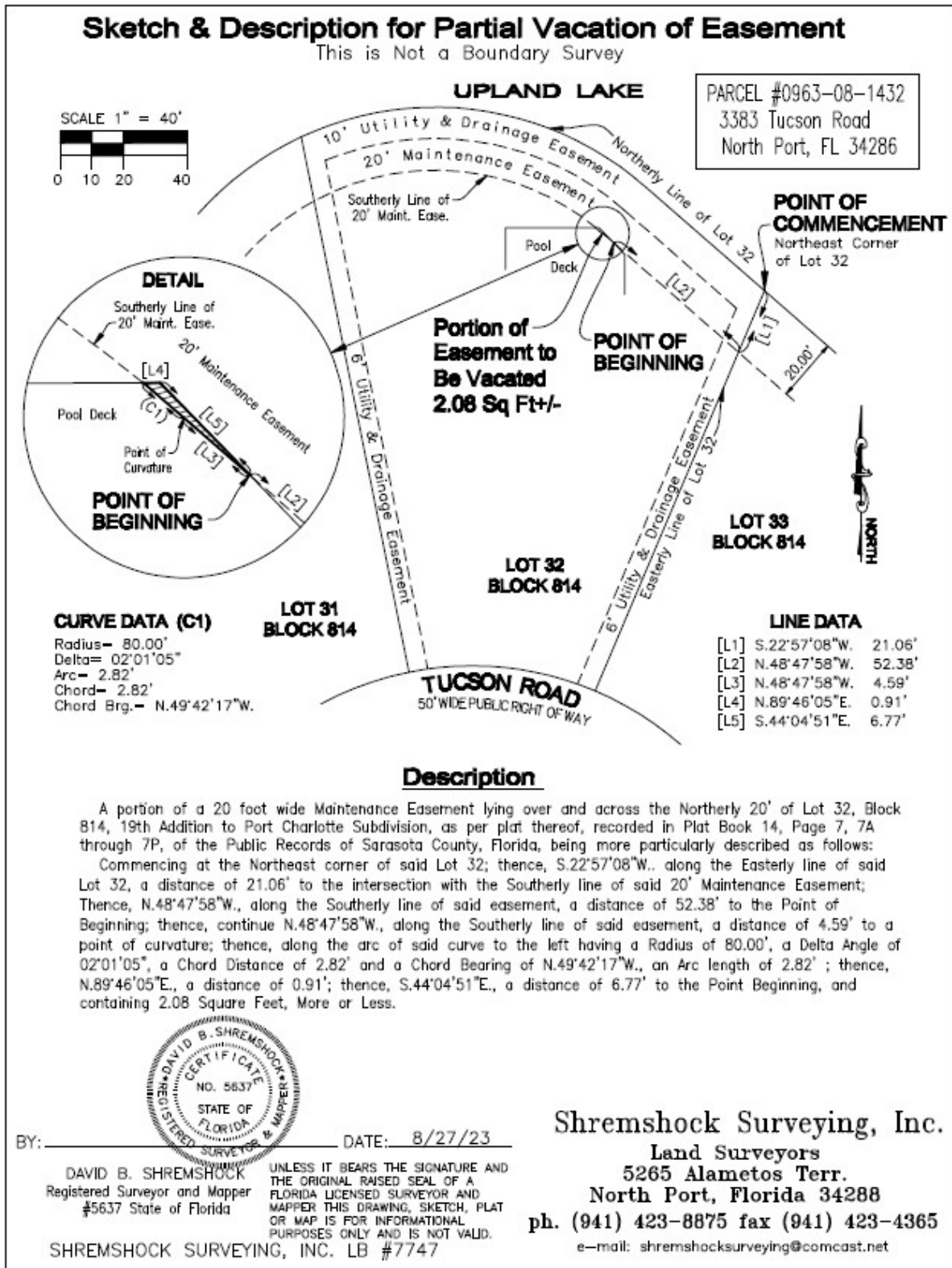
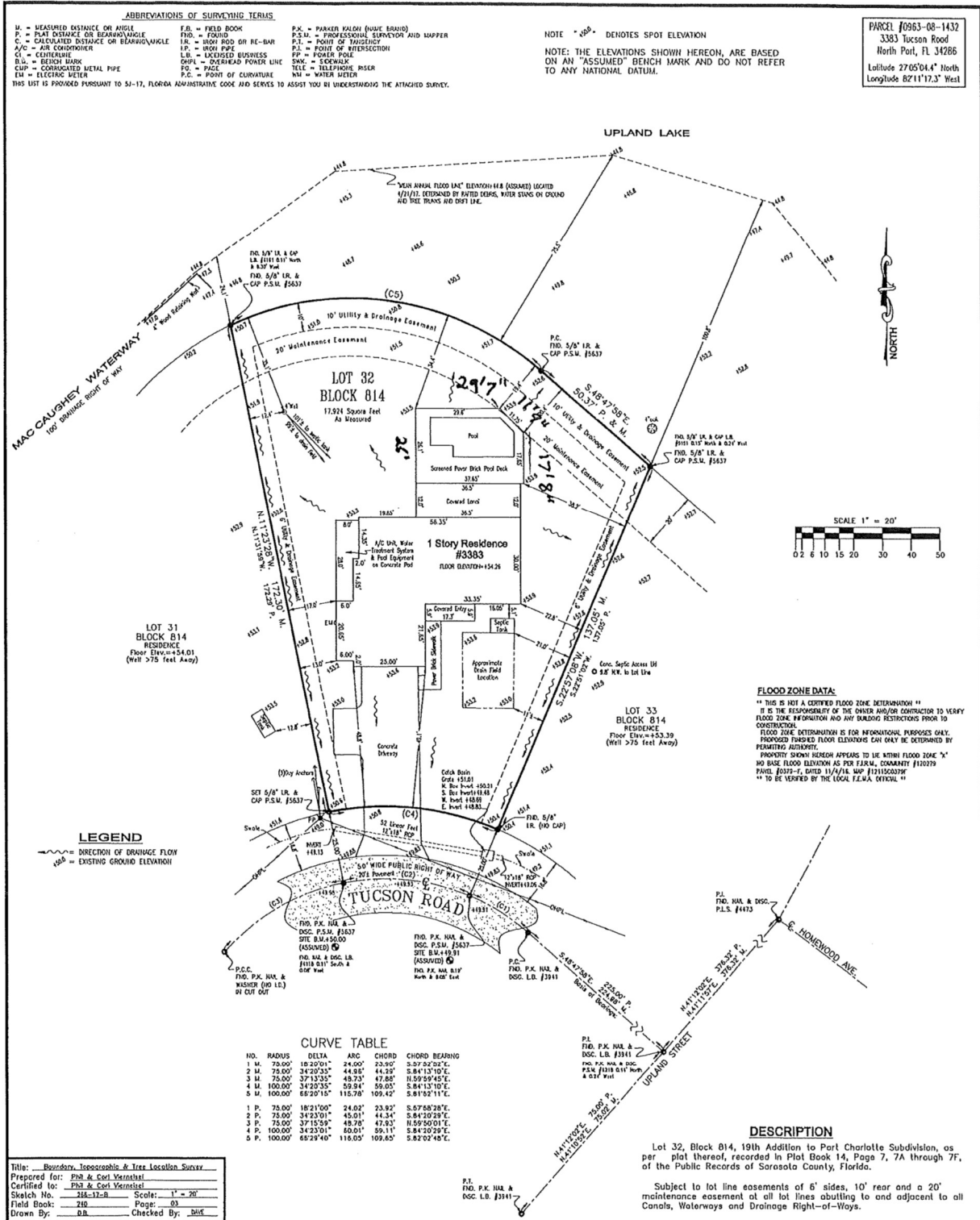


Exhibit A



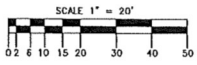
ABBREVIATIONS OF SURVEYING TERMS

M. = MEASURED DISTANCE OR ANGLE	F.B. = FIELD BOOK	P.K. = PARKER KALON (NAME BRANCH)
P. = PLAT DISTANCE OR BEARING/ANGLE	F.O.D. = FOUNDED	P.S.M. = PROFESSIONAL SURVEYOR AND MAPPING
V.C. = AIR COMPENSATION	I.R. = IRON ROD ON RE-BAR	P.T. = POINT OF TANGENCY
C.I. = CENTERLINE	L.P. = IRON PIPE	P.I. = POINT OF INTERSECTION
B.M. = BENCH MARK	L.B. = UNDEFINED BURNISH	PP. = POWER POLE
C.M.P. = CORRUGATED METAL PIPE	C.M.P.L. = OVERHEAD POWER LINE	S.M.C. = SMOCKMAY
E.M. = ELECTRIC METER	P.O. = PACE	T.E. = TELEPHONE RISER
	P.C. = POINT OF CURVATURE	W.L. = WATER LINED

THIS LIST IS PROVIDED PURSUANT TO 51-17, FLORIDA ADMINISTRATIVE CODE AND SERVES TO ASSIST YOU IN UNDERSTANDING THE ATTACHED SURVEY.

NOTE - "S.D." DENOTES SPOT ELEVATION
 NOTE: THE ELEVATIONS SHOWN HEREON, ARE BASED ON AN "ASSUMED" BENCH MARK AND DO NOT REFER TO ANY NATIONAL DATUM.

PARCEL 0963-08-1432
 3383 Tucson Road
 North Port, FL 34286
 Latitude 27°05'04.4" North
 Longitude 82°11'17.3" West



MAC CAULSHY WATERWAY
 100' DRAINAGE RIGHT OF WAY

LOT 32 BLOCK 814
 17,924 Square Feet
 As Measured

1 Story Residence #3383
 FLOOR ELEVATION=154.26

LOT 31 BLOCK 814
 RESIDENCE
 Floor Elev.=154.01
 (Well >75 Feet Away)

LOT 33 BLOCK 814
 RESIDENCE
 Floor Elev.=153.29
 (Well >75 Feet Away)

LEGEND
 --- DIRECTION OF DRAINAGE FLOW
 --- EXISTING GROUND ELEVATION

FLOOD ZONE DATA:
 * THIS IS NOT A CERTIFIED FLOOD ZONE DETERMINATION *
 * IT IS THE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO VERIFY FLOOD ZONE INFORMATION AND ANY HAZARDOUS RESTRICTIONS PRIOR TO CONSTRUCTION.
 FLOOD ZONE DETERMINATION IS FOR INFORMATIONAL PURPOSES ONLY. PROPOSED FINISHED FLOOR ELEVATIONS CAN ONLY BE DETERMINED BY PERMITS AUTHORITY.
 PROPERTY SHOWN HEREON APPEARS TO BE WITHIN FLOOD ZONE "X" NO BASE FLOOD ELEVATION AS PER FIRM, COMMUNITY #17079 FIRM, FIRM-F, DATED 11/4/16, MAP #131500290F * TO BE VERIFIED BY THE LOCAL E.V.A. OFFICE *"

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	75.00'	18°20'01"	24.00'	23.90'	S.27°52'02"E.
2	75.00'	34°20'01"	44.00'	44.25'	S.84°13'10"E.
3	75.00'	37°13'35"	48.73'	47.88'	N.59°59'45"E.
4	100.00'	34°20'35"	59.94'	59.05'	S.84°13'10"E.
5	100.00'	68°20'15"	119.78'	109.45'	S.84°13'11"E.
6	75.00'	18°21'00"	24.02'	23.82'	S.67°58'28"E.
7	75.00'	34°23'01"	45.01'	44.34'	S.84°20'29"E.
8	75.00'	37°15'38"	49.78'	47.83'	N.59°59'01"E.
9	100.00'	34°23'01"	60.01'	59.11'	S.84°20'29"E.
10	100.00'	68°24'40"	119.65'	109.65'	S.82°02'45"E.

Title: Boundary, Topographic & Tree Location Survey
 Prepared for: P.M. & Carl Ventralini
 Certified for: P.M. & Carl Ventralini
 Sketch No.: 214-32-B Scale: 1" = 20'
 Field Book: 710 Page: 03
 Drawn By: D.B. Checked By: D.B.C.

SURVEYOR'S CERTIFICATE
 I, DAVID B. SHREMSHOCK, a duly qualified Professional Surveyor and Mapper, do hereby certify that I have personally supervised the making of the above described survey and that the same was made in accordance with the provisions of Chapter 51-17, Florida Administrative Code, pursuant to Section 5120.11, Florida Statute, and in accordance with the provisions of the Florida Surveying and Mapping Act of 1998, and that the same is a true and correct copy of the original survey as shown on the attached plat. My commission expires on 4/21/17.
 DAVID B. SHREMSHOCK
 PROFESSIONAL SURVEYOR AND MAPPING
 No. 12478

Revision Number: 1 Date: 8/29/18 Revision Mode: Spot Survey F.B. 218, Pg. 73
 Revision Number: 2 Date: 8/18/20 Revision Mode: Final (24-Box) Survey F.B. 352, Pg. 292/300

SURVEYOR'S NOTES:
 1. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
 2. IMPROVEMENTS SUCH AS, BUT NOT LIMITED TO, SURFACE UTILITIES AND FOUNDATIONS, AND LANDSCAPE FEATURES, ETC., ARE NOT SHOWN UNLESS OTHERWISE NOTED.
 3. THIS SURVEY IS SUBJECT TO ANY EASEMENTS, RIGHTS OF WAY & OTHER MATTERS OF RECORD, WHICH ARE NOT SHOWN, SINCE THE SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ANY CURRENT TITLE INFORMATION.
 4. GOVERNMENTAL, JURISDICTIONAL OR LANDS OF SPECIAL ENVIRONMENTAL CONCERNS (WETLANDS, SURFACE WATER PROTECTION AREA, LIMITED USE ZONES, ETC.) ARE NOT SHOWN UNLESS OTHERWISE NOTED.
 5. THIS SURVEY IS NOT INTENDED TO BE PROOF OF OWNERSHIP AND IS NOT A GUARANTEE OR WARRANTY OF CORRECTNESS OF ANY MEASUREMENTS, AREA SURVEYS, ACCESS TO LIABILITY FOR ANY COSTS OR DAMAGES ARISING IN THE DEFENSE, PROOF OF, OR LOSS OF OWNERSHIP OF, ANY, OR ALL OF THE LANDS SHOWN AND DESCRIBED ON THIS SURVEY.

DESCRIPTION
 Lot 32, Block 814, 19th Addition to Port Charlotte Subdivision, as per plat thereof, recorded in Plat Book 14, Page 7, 7A through 7F, of the Public Records of Sarasota County, Florida.

Subject to lot line easements of 6' sides, 10' rear and a 20' maintenance easement of all lot lines abutting to and adjacent to all Canals, Waterways and Drainage Right-of-Ways.

Shremshock Surveying, Inc.
 Land Surveyors
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 e-mail: shremshocksurveying@comcast.net