

## Heron Creek Place, Phase 2

(Petition No. PLF-23-214)



### STAFF REPORT

**From:** David Brown, Planner I

**Thru:** Hank Flores, AICP, CFM, Planning & Zoning Manager

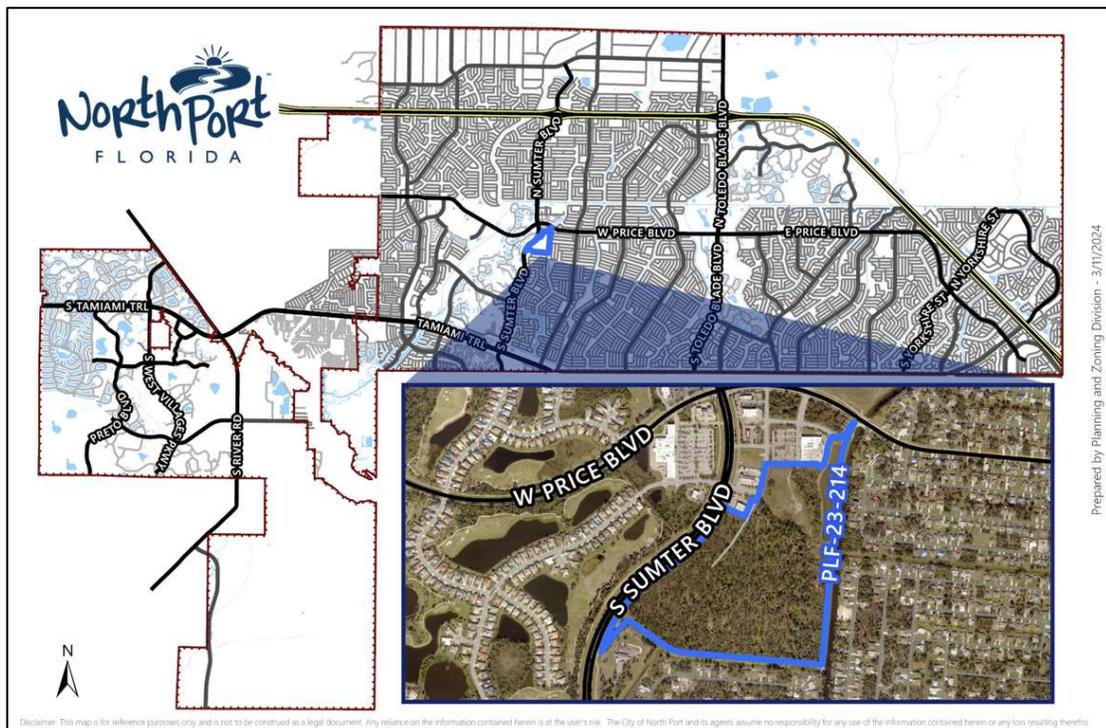
**Thru:** Lori Barnes, AICP, CPM, Development Services Assistant Director

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

**Thru:** Jason Yarborough, ICMA-CM, Deputy City Manager

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

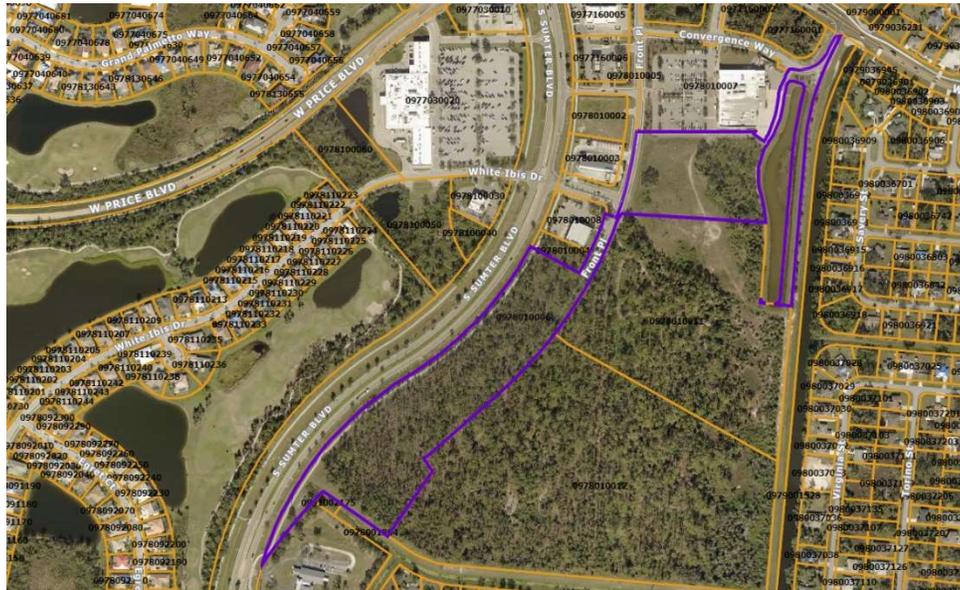
**Date:** April 18, 2024



Prepared by Planning and Zoning Division - 3/11/2024

<b>PROJECT:</b>	Heron Creek Place, Phase 2 (QUASI-JUDICIAL)
<b>REQUEST:</b>	Consideration of Heron Creek Place, Phase 2 final plat consisting of 10 commercial lots and their associated roadways and stormwater improvements, as well as utility, drainage and access easements.
<b>APPLICANT:</b>	Matthew J. Morris, P.E., Morris Engineering & Consulting, LLC ( <b>Exhibit B, Affidavit</b> )
<b>OWNERS:</b>	Marsh Creek Holdings, LTD. ( <b>Exhibit C, Warranty Deed</b> )
<b>LOCATION:</b>	East side of South Sumter Boulevard, approximately 0.25 mile south of West Price Boulevard. (PID#: 0978-01-0006)
<b>PROPERTY SIZE:</b>	± 64.44 acres
<b>ZONING:</b>	Planned Community Development (PCD)





**Figure 2. General Location of Proposed Plat, Heron Creek Place, Phase 2.**

## I. BACKGROUND

### 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.

Findings: The final plat was reviewed and approved by the contracted City Surveyor for conformance with the Florida Statutes Chapter 177 Part I.

Conclusion: PLF-23-214 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.

Findings: The final plat was reviewed for conformance with the approved subdivision plan.

Conclusion: PLF-23-214 conforms with the approved Subdivision Concept Plan as revised (SCP-23-152) and the ULDC.

**ENVIRONMENTAL**

An Environmental Study was completed for the site. All permits will be issued in accordance with State and Federal standards.

**FLOOD ZONE**

The site is within Flood Zone X (Areas of minimal flood hazard). According to Flood Insurance Rate Map No. 12115C0379F for Sarasota County, Community No. 120279, City of North Port, Florida effective March 27, 2024.



### III. RECOMMENDED MOTIONS

#### **PLANNING and ZONING ADVISORY BOARD—**

Staff recommends **approval** of Petition No. PLF-23-214, Heron Creek Place, Phase 2 Final Plat, as stated:

I move to recommend approval of Petition No. PLF-23-214 as presented and find that based on the competent substantial evidence, the Plat complies with all regulations set forth in the City of North Port Comprehensive Plan.

#### **CITY COMMISSION—**

The City Commission **approve** Petition No. PLF-23-214 Heron Creek Place, Phase 2 Final Plat, as stated:

I move to approve Petition No. PLF-23-214 as presented and find that based on the competent substantial evidence, the Plat complies with all regulations set forth in the City of North Port Comprehensive Plan, Unified Land Development Code (ULDC), and Florida Statutes Chapter 177.

### IV. ALTERNATIVE MOTIONS

Petition PLF-23-214 may be DENIED. If that were the case, new findings would need to be written to support that recommendation. The motion would be as follows:

#### **PLANNING and ZONING ADVISORY BOARD—**

Petition PLF-23-214 may be denied. If that were the case, new findings would need to be written to support that recommendation. The motion would be as follows:

MOTION TO DENY: I move to recommend denial of the Heron Creek Place, Phase 2 Plat, Petition No. PLF 23-251, and that the City Commission find that, based on the competent and substantial evidence, the Plat:

[include all applicable factors below]

1. Is NOT consistent with Florida Statutes Section 177.081 because \_\_\_\_\_ [include explanation of how the plat fails to meet each specific regulation];
2. Is NOT consistent with the Unified Land Development Code because \_\_\_\_\_ [include explanation of how the plat fails to meet each specific regulation];
3. Is NOT consistent with the North Port Comprehensive Plan because \_\_\_\_\_ [include explanation of how the plat fails to meet each specific regulation]

## CITY COMMISSION—

MOTION TO DENY: I move to deny the Heron Creek Place, Phase 2 Plat, Petition No. PLF 23-214, and find that, based on the competent and substantial evidence, the Plat:

[include all applicable factors below]

1. Is NOT consistent with Florida Statutes Section 177.081 because \_\_\_\_\_ [include explanation of how the plat fails to meet each specific regulation];

2. Is NOT consistent with the Unified Land Development Code because \_\_\_\_\_ [include explanation of how the plat fails to meet each specific regulation];

3. Is NOT consistent with the North Port Comprehensive Plan because \_\_\_\_\_ [include explanation of how the plat fails to meet each specific regulation].

## V. PUBLIC HEARING SCHEDULE

<b>Planning &amp; Zoning Advisory Board Public Hearing</b>	<b>April 18, 2024</b> 9:00 AM or as soon thereafter
<b>City Commission Public Hearing</b>	<b>May 14, 2024</b> 10:00 AM or as soon thereafter

## VI. EXHIBITS

<b>A.</b>	Map set
<b>B.</b>	Affidavit
<b>C.</b>	Title Assurance
<b>D.</b>	City Surveyor's Approval

# Aerial Location

## PLF-23-214 Heron Creek Place Phase 2



Prepared on 3/11/2024  
by Planning & Zoning  
Development Services

- Petition Boundary
- Streets

Disclaimer: This map is for reference purposes only and is not to be construed as a legal document. Any reliance on the information contained herein is at the user's risk. The City of North Port and its agents assume no responsibility for any use of the information contained herein or any loss resulting therefrom.



# Current Zoning

## PLF-23-214 Heron Creek Place Phase 2

(PCD) Planned Community Development

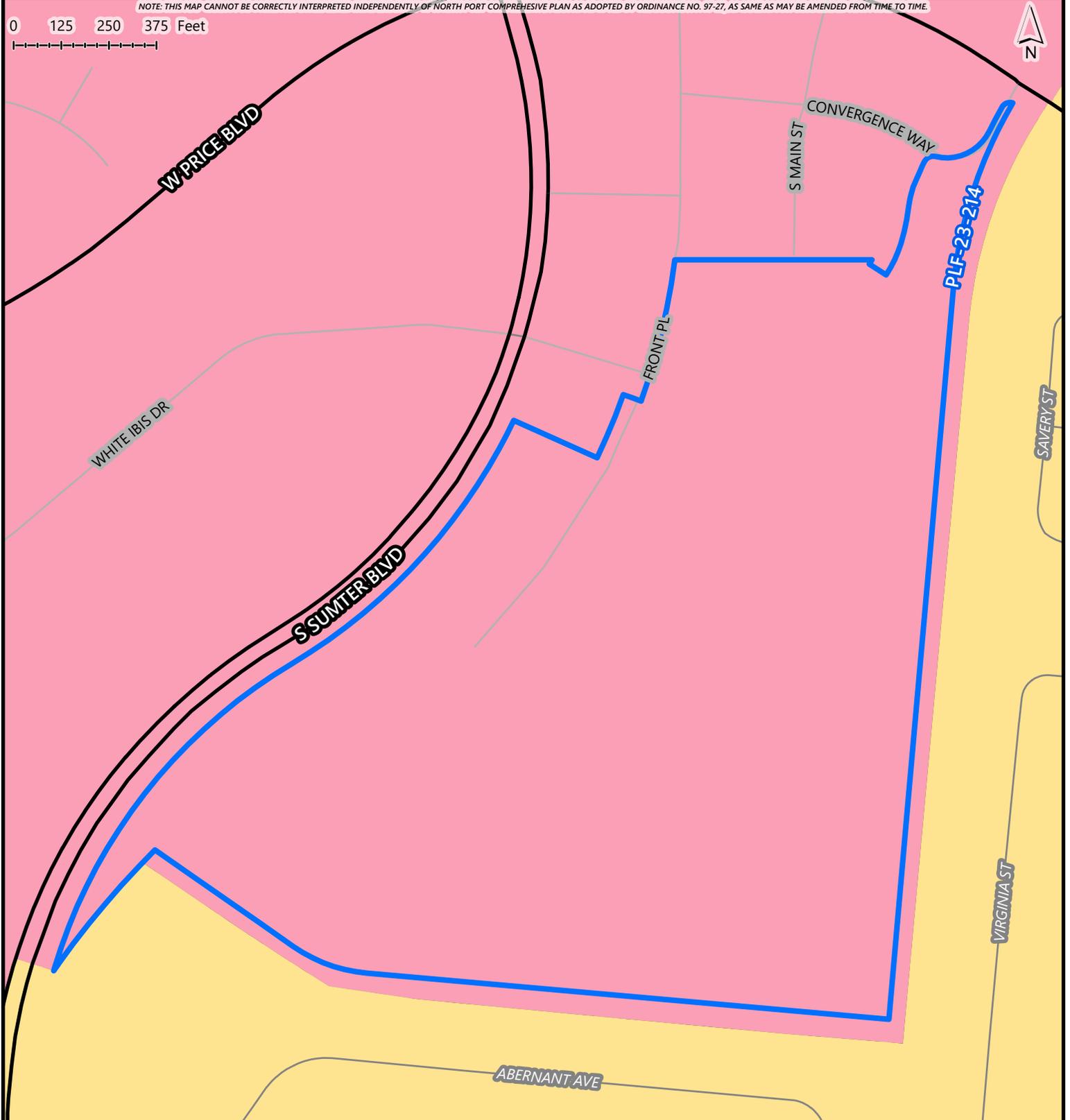


Prepared on 3/11/2024  
by Planning & Zoning  
Development Services

- Petition Boundary
- (PCD) Planned Community Development
- (RSF-2) Residential Single Family 2

Disclaimer: This map is for reference purposes only and is not to be construed as a legal document. Any reliance on the information contained herein is at the user's risk. The City of North Port and its agents assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

NOTE: THIS MAP CANNOT BE CORRECTLY INTERPRETED INDEPENDENTLY OF NORTH PORT COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 97-27, AS SAME AS MAY BE AMENDED FROM TIME TO TIME.



# Future Land Use

## PLF-23-214 Heron Creek Place Phase 2

### ACTIVITY CENTER



Prepared on 3/11/2024  
by Planning & Zoning  
Development Services

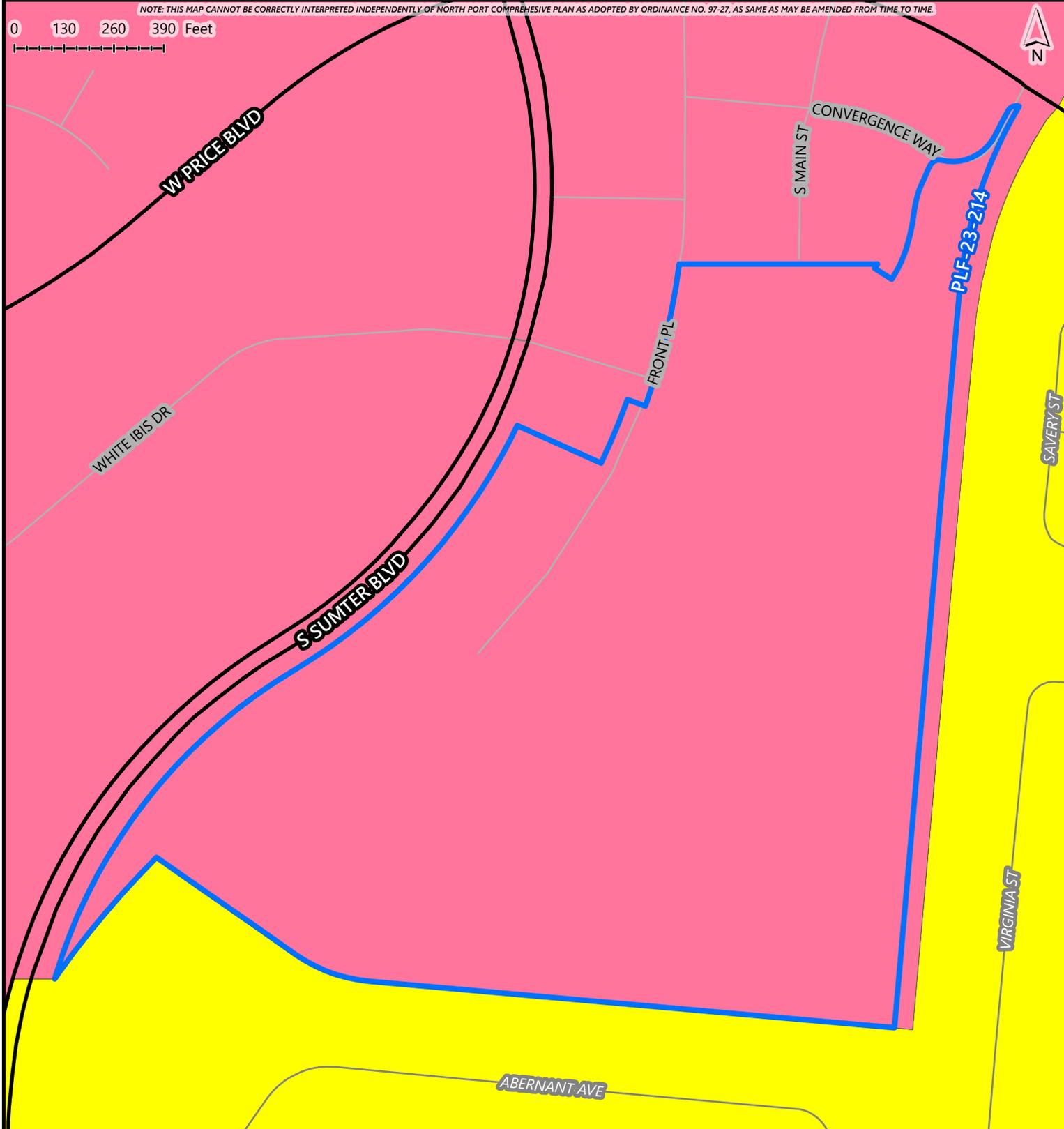
- Petition Boundary
- LOW DENSITY RESIDENTIAL

ACTIVITY CENTER (TDR RECEIVING ZONE - EXCEPT AC-3)

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NOTE: THIS MAP CANNOT BE CORRECTLY INTERPRETED INDEPENDENTLY OF NORTH PORT COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 97-27, AS SAME AS MAY BE AMENDED FROM TIME TO TIME.

0 130 260 390 Feet



**AFFIDAVIT**

I (the undersigned), Matthew J. Morris being first duly sworn, depose and say that I am the owner, attorney, attorney-in-fact, agent, lessee or representative of the owner of the property described and which is the subject matter of the proposed application; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and accurate to the best of my knowledge and belief. I understand this application must be complete and accurate before the application can be processed or hearing can be advertised, and that I am authorized to sign the application by the owner or owners. I authorize City of North Port staff and agents to visit the site as necessary for proper review of this application. *If there are any special conditions such as locked gates, restricted hours, guard dogs, etc., please provide the name and telephone number of the individual who can allow access.*

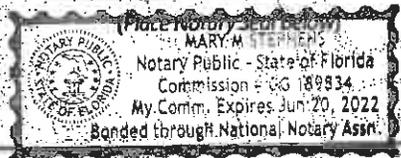
Sworn and subscribed before me this 15th day of March, 2022

[Signature] Matthew J. Morris, President, Morris Engineering & Consulting, LLC  
Signature of Applicant or Authorized Agent Print Name and Title

STATE OF FLORIDA COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this 15th day of March, 2022 by Matthew J. Morris who is personally known to me or has produced XXXXX as identification.

[Signature]  
Signature - Notary Public



**AFFIDAVIT  
AUTHORIZATION FOR AGENT/APPLICANT**

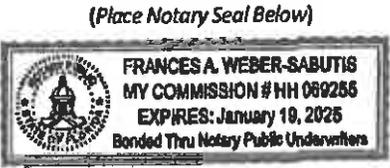
I, Ronald A. York of Marsh Creek Holdings Ltd. property owner, hereby authorize Morris Engineering & Consulting, LLC to act as Agent on our behalf to apply for this application on the property described as (legal description) See attached

[Signature] Date March 8th, 2022  
Owner Ronald A. York as the Vice President of Marsh Creek Properties, Inc., as the General Partner of Marsh Creek Holdings Ltd.

STATE OF Florida COUNTY OF Lee

The foregoing instrument was acknowledged by me this 8th day of March, 2022 by Ronald A. York as the Vice President of Marsh Creek Properties, Inc. as the General Partner of Marsh Creek Holdings Ltd. who is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
Signature - Notary Public  
Frances A. Weber-Sabutis  
Revised 8-30-19 (Reviewed by CAO)



**AFFIDAVIT**

I (the undersigned), Matthew J. Morris being first duly sworn, depose and say that I am the owner, attorney, attorney-in-fact, agent, lessee or representative of the owner of the property described and which is the subject matter of the proposed application; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and accurate to the best of my knowledge and belief. I understand this application must be complete and accurate before the application can be processed or hearing can be advertised, and that I am authorized to sign the application by the owner or owners. I authorize City of North Port staff and agents to visit the site as necessary for proper review of this application. *If there are any special conditions such as locked gates, restricted hours, guard dogs, etc., please provide the name and telephone number of the individual who can allow access.*

Sworn and subscribed before me this 10<sup>th</sup> day of March, 2023

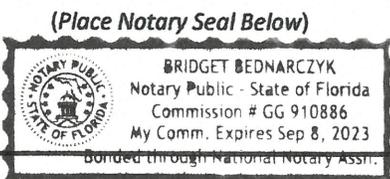
[Signature]  
Signature of Applicant or Authorized Agent

Matthew J. Morris, President, Morris Engineering & Consulting, LLC  
Print Name and Title

STATE OF FLORIDA COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this 10<sup>th</sup> day of March, 2023, by Matthew J. Morris who is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
Signature - Notary Public



**AFFIDAVIT  
AUTHORIZATION FOR AGENT/APPLICANT**

I, Robert E. McConnell, Jr. Managing Member of Ventures Development Group, LLC, Manager of North Port MF South, LLC, property owner, hereby authorize Morris Engineering & Consulting, LLC to act as Agent on our behalf to apply for this application on the property described as (legal description) See attached

[Signature] 3-10-23  
Owner Date

STATE OF Texas COUNTY OF Tarrant

The foregoing instrument was acknowledged by me this 10 day of March, 2023, by Robert McConnell who is personally known to me or has produced Drivers License as identification.

[Signature]  
Signature - Notary Public

(Place Notary Seal Below)



95140230

File No: 17807

Recording 228.50  
Doc. Stamps: \$14,873.30

OFFICIAL RECORDS  
BOOK 2805  
PAGE 2043

This Instrument Prepared by and Return To:  
James L. Cottrell  
Cottrell, Warhol, Merchant & Hekreth  
Post Office Box 787  
Cape Coral, Florida 33910  
RECORDERS BOX #95

Receipt #: 000004000001 01  
Doc. Stamp-fee: 24873.30  
Faron L. Gushing, Sarasota Co  
by: *[Signature]*

Grantee S.S. No.:  
Name: Marsh Creek Holdings, Ltd.

Strap #: 0977-00-1000  
0979-00-1000

[Space Above This Line for Recording Data]

### WARRANTY DEED

This indenture made this 21st day of December, 1995 BETWEEN DENNIS J. FULLENKAMP, individually and as Trustee, of the County of Lee, State of Florida, grantor, and MARSH CREEK HOLDINGS, LTD., a Florida Limited Partnership, whose post office address is c/o Dieter Gebhard, Kerkerling, Barberio & Company, 1858 Ringling Blvd., Sarasota, Florida 34236 of the County of Sarasota, State of Florida, grantees.

WITNESSETH, That said grantor, for and in consideration of the sum of TEN AND NO/100'S (\$10.00) Dollars and other good and valuable considerations to said grantor in hand paid by said grantees, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantee and grantees's heirs and assigns forever the following described land situate, lying and being in SARASOTA County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject to the matters set forth on Exhibit "D" attached hereto and made a part hereof and taxes for the current year and all subsequent years. This property is not now, nor has it ever been, the homestead property of the grantor, nor has it ever been contiguous to the homestead property of the grantor.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whatsoever.

\*Grantor and "grantees" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

*[Signature]*  
\_\_\_\_\_

*[Signature: Dennis J. Fullenkamp]*  
DENNIS J. FULLENKAMP, individually and as Trustee

Print name: \_\_\_\_\_  
*[Signature]*

Print name: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF LEE

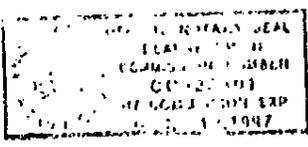
This foregoing instrument was acknowledged before me by DENNIS J. FULLENKAMP, individually and as Trustee, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did/did not take an oath

WITNESS my hand and official seal in the County and State last aforesaid this 21st day of December, 1995  
*[Signature]*

Notary Public  
Print Name \_\_\_\_\_

Commission Expires \_\_\_\_\_

(NOTARY SEAL)



## EXHIBIT "A"

## DESCRIPTION OF REAL ESTATE:

TRACT "A": A portion of Section 21, Township 39 South, Range 21 East, Sarasota County, Florida, more particularly described as follows:

Commencing at the Northwest corner of the Fifty-Sixth Addition to Port Charlotte Subdivision, per plat thereof, recorded in Plat Book 28, Pages 50 and 50-A, Public Records of Sarasota County, Florida, said corner also being on the centerline of the Snover Waterway (200' wide), as shown on the Plat of the Eighteenth Addition to Port Charlotte Subdivision, per plat thereof recorded in Plat Book 14, Pages 6, 6-A through 6-V, Public Records of Sarasota County, Florida; thence S.00' 43'08"W., along the Westerly Boundary Line of said Fifty-Sixth Addition to Port Charlotte Subdivision also being the Westerly Right-of-Way Line of Sumter Boulevard (200' wide) a distance of 100.00 feet to the POINT OF BEGINNING; at the intersection of said Right-of-Way Line with the South Line of said Snover Waterway; thence along said Westerly Right-of-Way Line of Sumter Boulevard the following two courses; S.00' 43'08"W., a distance of 1346.71 feet to the point of curvature of a 2100.00 foot radius curve to the left, with the center point bearing S.89'16'52"E.; thence Southerly along the arc of said curve, through a central angle of 15'16'04", a distance of 559.59 feet to an intersection with the Northerly Right-of-Way Line of Price Boulevard, with said point also being a point of reverse curvature of a 25.00 radius curve to the right, with the center point bearing S.75'27'04"W.; thence along the said Northerly Right-of-Way Line of Price Boulevard (100' wide) the following four courses; Southwesterly along the arc of said curve, through a central angle of 85'42'32", a distance of 37.40 feet to a point of reverse curvature of a 1650.00 foot radius curve to the left, with the center point bearing S.18'30'24"E.; thence Southwesterly along the arc of said curve, through a central angle of 22'20'06", a distance of 643.20 feet to a point of tangency; thence S.48'49'30"W., a distance of 408.56 feet to the point of curvature of a 1950.00 foot radius curve to the right, with the center point bearing N.41'10'30"W.; thence Westerly along the arc of said curve, through a central angle of 71'11'22", a distance of 2422.85 feet; thence leaving said Northerly Right-of-Way Line of Price Boulevard N.29'59'32"E., a distance of 1198.77 feet; thence N.15'00'00"W., a distance of 1800.00 feet to the South line of the aforesaid Snover Waterway (O.R. Book 1941, Page 6); thence along said South Line, S.89'16'51"E., a distance of 2953.00 feet to the Point of Beginning.

Containing 170.30 Acres, more or less.

## DESCRIPTION OF REAL ESTATE:

TRACT "B": A portion of Sections 21 and 22, Township 39 South, Range 21 East, Sarasota County, Florida, more particularly described as follows:

Commencing at the Northeast corner of the Fifty-Sixth Addition to Port Charlotte Subdivision, per plat thereof, recorded in Plat Book 28, Pages 50 and 50-A, Public Records of Sarasota County, Florida, said corner also being on the centerline of the Snover Waterway as shown on the Plat of the Eighteenth Addition to Port Charlotte Subdivision, per plat thereof, recorded in Plat Book 14, Pages 6, 6-A through 6-V, Public Records of Sarasota County, Florida; thence S.00°43'08"W., along the Easterly Boundary Line of said Fifty-Sixth Addition to Port Charlotte Subdivision, also being the Easterly Right-of-Way Line of Sumter Boulevard (200' wide) a distance of 700.00 feet to the POINT OF BEGINNING; thence leaving the said Westerly Right-of-Way Line, S.89°16'51"E., a distance of 506.00 feet, thence N.00°43'09"E., a distance of 600.00 feet to the Southerly Right-of-Way Line of the Snover Waterway (O.R. Book 1941, Page 6); thence S.89°16'51"E. along said Southerly Right-of-Way Line, a distance of 880.95 feet to the Northwesterly corner of North Port Water Control District property (O.R. Book 2357, Page 382), thence leaving said Southerly Right-of-Way Line, and along the Westerly Boundary Line of the said North Port Water Control District Property, S.00°43'09"W., a measured distance of 1052.76 feet (Deed 1050.00') to the Southwest corner of said North Port Water Control District property; thence along the Southerly Boundary of said North Port Water Control District property S.89°16'51"E., a distance of 1028.67 feet to the Westerly Boundary Line of the Blueidge Waterway (100 feet wide) (C.R. Book 1941, Page 6), said point also being a point on the arc of a 1900.00 foot radius curve with the center point of said curve bearing N.77°26'14"W.; thence along the Westerly Right-of-Way Line of said Blueidge Waterway the following two courses; Southwesterly along the arc of said curve, through a central angle of 55°49'01", a distance of 974.19 feet to a point of reverse curvature of a 1150.00 foot radius curve to the left, with the center point bearing S.21°37'14"E.; thence Southwesterly along the arc of said curve, through a central angle of 32°16'11", a distance of 647.69 feet to the intersection of said Westerly Right-of-Way Line with the Northerly Right-of-Way Line of Price Boulevard (100' wide); thence along the Northerly Right-of-Way Line of said Price Boulevard the following three courses; N.56°24'18"W., a distance of 131.21 feet to the point of curvature of a 1650.00 foot radius curve to the left, with the center point bearing S.33°35'42"W., thence along the arc of said curve, through a central angle of 43°52'31", a distance of 1263.51 feet to a point of reverse curvature of a 25.00 foot radius curve to the right with the center point bearing N.10°16'49"W.; thence along the arc of said curve through a central angle of 85°43'55", a distance of 57.41 feet to a point in the aforesaid Easterly Right-of-Way Line of Sumter Boulevard and the Easterly Boundary Line of the aforesaid Fifty-Sixth Addition to Port Charlotte Subdivision, said point is also the point of compound curvature of a 1900.00 foot radius curve to the right, with the center point bearing N.73°27'06"E.; thence along the said Easterly Right-of-Way Line for the following two courses; Northerly along the arc of said curve through a central angle of 15°16'02", a distance of 506.28 feet to the point of tangency; thence N.00°43'08"E. a distance of 746.71 feet to the Point of Beginning.

Containing 72.12 Acres, more or less.

OFFICIAL RECORDS  
BOOK 2805 PAGE 2046

DESCRIPTION OF REAL ESTATE:

TRACT "C": A portion of Sections 21 and 28, Township 39 South, Range 21 East, Sarasota County, Florida, more particular described as follows:

Beginning at a concrete monument at the Northwest corner of the Right-of-Way of North Port Boulevard as shown on the Plat of the Fifty-Sixth Addition to Port Charlotte Subdivision, per plat thereof Recorded in Plat Book 28, Pages 50 and 50-A, Public Records of Sarasota County, Florida, thence S.82°01'05"W. (S.82°00'00"W. Plat bearing) along the Northerly Right-of Way of said North Port Boulevard (Myakkahatchee Boulevard) as shown on the Plat of the Fifty-Second Addition to Port Charlotte Subdivision per plat thereof recorded in Plat Book 21 Pages 13, 13-A through 13-NN, Public Records of Sarasota County, Florida, a distance of 947.20 feet (946.95 feet plat distance) to a concrete monument at the Southeast corner of Block 2653 in said Fifty-Second Addition to Port Charlotte Subdivision; thence leaving said Northerly Right-of-Way Line and along the Northeasterly Boundary Line of said Block 2653 the following four courses; N.08°00'00"W., a distance of 955.00 feet; thence S.82°00'00"W., a distance of 365.00 feet; thence N.08°00'00"W., a distance of 630.90 feet; thence S.82°00'00"W., a distance of 150.00 feet; thence leaving said Boundary Line, N.29°59'32"E., a distance of 1089.80 feet to the Southerly Right-of-Way Line of Price Boulevard (100' Wide); thence along said Southerly Right-of-Way Line the following five courses; S.59°55'11"E., a distance of 23.99 feet to the point of curvature of a 2050.00 foot radius curve to the left with the center point bearing N 30°04'49"E.; thence Easterly along the arc of said curve, through a central angle of 71°15'19", a distance of 2549.46 feet to a point of tangency; thence N.48°49'30"E., a distance of 408.68 feet to the point of curvature of a 1550 foot radius curve to the right, with the center point bearing S.41°10'30"E.; thence Northeasterly along the arc of said curve, through a central angle of 22°06'43", a distance of 598.19 feet to a point of compound curvature of a 25 foot radius curve to the right with the center point bearing S.19°03'47"E.. thence Easterly and Southerly along the arc of said curve through a central angle of 90° 27'50", a distance of 39.47 feet to a point on the Westerly Right-of-Way Line of Sumter Boulevard as shown on the aforesaid Plat of the Fifty-Sixth Addition to Port Charlotte Subdivision, said point also being a point of reverse curvature of a 2100.00 foot radius curve to the left, with the center point bearing N.71°24'03"E.; thence along said Westerly Right-of-Way Line of Sumter Boulevard the following four courses, Southerly, along the arc of said curve through a central angle of 00°13'14", a distance of 8.09 feet to a point of reverse curvature of a 1300.00 foot radius curve to the right, with the center point bearing S.71°10'49"W.; thence Southerly along the arc of said curve, through a central angle of 77°57'00", a distance of 1768.63 feet to a point of reverse curvature of a 1600.00 foot radius curve to the left, with the center point bearing S.30°52'11"E.; thence Southwesterly along the arc of said curve through a central angle of 59°57'23", a distance of 1674.30 feet to a point of reverse curvature of a 50.11 foot radius curve to the right, with the center point bearing S.89°10'26"W.; thence Southwesterly along the arc of said curve through a central angle of 86°32'36", a distance of 75.69 feet to the aforesaid Northerly Right-of-Way Line of North Port Boulevard; thence along the said Northerly Right-of-Way Line the following three courses; S.85°43'11"W., a distance of 208.42 feet to the point of curvature of a 2750.00 foot radius curve to the left, with the center point bearing S.04°16'49"E.; thence Southwesterly along the arc of said curve, through a central angle of 03°42'20", a distance of 177.85 feet to a point of tangency; thence S.82°00'51"W., a distance of 355.73 feet to the Point of Beginning.

Containing 140.58 Acres, more or less.

## DESCRIPTION OF REAL ESTATE:

TRACT "D": A portion of Sections 21 and 22, Township 39 South, Range 21 East, Sarasota County, Florida, more particularly described as follows:

Commencing at the Northeastly corner of the Fifty-Second Addition to Port Charlotte Subdivision per plat thereof recorded in Plat Book 21, Pages 13, 13-A through 13-NN, Public Records of Sarasota County, Florida, said corner also being on the centerline of the Blueridge Waterway (100' wide)(O.R. Book 1941, Page 6); thence leaving the said centerline and along the Northerly Boundary Line of the said Fifty-Second Addition to Port Charlotte Subdivision, N.84°56'11"W., a distance of 50.00 feet to the POINT OF BEGINNING, said point also being on the Westerly Right-of-Way Line of the said Blueridge Waterway; thence leaving said Westerly Right-of-Way Line and along the Northerly Boundary Line of said Fifty-Second Addition the following three courses; N.84°56'11"W., a distance of 1375.64 feet to the point of curvature of 400 foot radius curve to the right, with the center point bearing N.05°03'49"E., thence along the arc of said curve, through a central angle of 29°49'49", a distance of 208.26 feet to a point of tangency; thence N.55°06'22"W., a distance of 442.85 feet to a corner on the Boundary Line of the Fifty-Sixth Addition to Port Charlotte Subdivision, per plat thereof recorded in Plat Book 28, Pages 50 and 50-A, Public Records of Sarasota County, Florida, said point is also on the arc of a 2350.00 foot radius nontangent curve with the center point bearing N.55°05'20"W.; thence Southwesterly along the Westerly Boundary Line of Tract "D" as platted in said Fifty-Sixth Addition and the arc of said curve, through a central angle of 10°06'22", a distance of 414.51 feet to a point on the Easterly Right-of-Way Line of Sumter Boulevard (200' wide) as platted in said Fifty-Sixth Addition with said point also being on the arc of a 1400.00 foot radius nontangent curve with the center point bearing S.73°36'02"E.; thence Northeastly along said Easterly Right-of-Way Line, the following three courses; along the arc of said curve, through a central angle of 42°43'51" a distance of 1044.11 feet to a point of reverse curvature of a 1500.00 foot radius curve to the left, with the center point bearing N.30°52'11"W.; thence along the arc of said curve through a central angle of 77°31'15", a distance of 2029.49 feet to a point of reverse curvature of a 25.00 foot radius curve to the right, with the center point bearing N.71°36'34"E., thence along the arc of said curve through a central angle of 98°45'30", a distance of 43.09 feet along the Southerly Right-of-Way Line of Price Boulevard (100' wide), to a point of compound curvature of a 1550.00 foot radius curve to the right with the center point bearing S.09°37'56"E., thence along the said Southerly Right-of-Way Line for the following two courses; along the arc of said curve through a central angle of 43°13'39", a distance of 1169.42 feet to a point of tangency; thence S.56°24'18"E., a distance of 131.17 feet to a point on the aforesaid Westerly Right-of-Way Line of the Blueridge Waterway, said point also being on the arc of a 1150.00 foot radius curve, with the center point bearing S.58°52'26"E.; thence along said Westerly Right-of-Way Line the following two courses; Southwesterly along the arc of said curve through a central angle of 26°04'14", a distance of 523.27 feet to a point of tangency; thence S.05°03'20"W., a distance of 1932.28 feet to the Point of Beginning.

Containing 83.90 Acres, more or less.

EXHIBIT "D"

1. Grant of Temporary Easement to Atlantic Gulf Communities Corporation recorded in Official Record Book 2542, page 1611, Public Records of Sarasota County, Florida.
2. Easements and Dedications to the North Port Water Control District in Official Records Book 1886, page 1823, Official Records Book 1886, page 1825, Official Records Book 1941, page 6 and Official Records Book 1941, page 16 and Legislative Enactments dissolving this District and transferring the assets to the North Port Road and Drainage District recorded in Official Records Book 2666, page 606, and Official Records Book 2666, page 612, Public Records of Sarasota County, Florida.
3. Grant of Easement to Church Extension Investors Fund, Inc., recorded in Official Records Book 1988, page 2394, Public Records of Sarasota County, Florida.
4. Mortgage in favor of Atlantic Gulf Communities Corporation recorded in Official Records Book 2542, page 1588, as modified by Agreement recorded in Official Records Book 2586, page 1022, and assigned to Chemical Bank by instruments recorded in Official Records Book 2542, page 1599, Official Records Book 2542, page 1603, and Official Records Book 2542, page 1607, Public Records of Sarasota County, Florida.

JMH:lb-143190-3

\*\* OFFICIAL RECORDS \*\*  
BOOK 2805 PAGE 2049



**CITY OF NORTH PORT  
PLAT REVIEW COMMENTS**

Discipline: Surveying  
Reviewed by: Steven M. Watts, PSM  
Review Date: 03/06/2024  
Phone: (954)266-6482  
Email: swatts@cgasolutions.com

Plat Name: **PLF-23-214 HERON CREEK PLACE PHASE 2**  
CGA Project Number: 23-7758

Comments Based on Plan Submittal Date: 03/01/2024

No comments  
 Comments as follows or attached

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Plat Review Comments:

Approved

Steven M. Watts, PSM 4588  
City of North Port – Review Surveyor