



City of North Port

RESOLUTION NO. 2022-R-XX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AS THE GOVERNING BODY OF THE NORTH PORT ROAD AND DRAINAGE DISTRICT, AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED ON WINDY CIRCLE, MATTOX CIRCLE, NOTCH COURT, WINTERVILLE CIRCLE, PILGRIM ROAD, CASCO CIRCLE, FIREGLOW CIRCLE, BLUELEAF DRIVE, FARVIEW DRIVE, DUNE COURT, FIVELEAF ROAD, BLUELEAF DRIVE, DUNE COURT, LONGBOW AVENUE, SPRING HAVEN DRIVE, ABBOTSFORD STREET, SHENANDOAH STREET AND DESCRIBED LOTS 32 AND 42, BLOCK 1985; LOTS 19 AND 37, BLOCK 1999; LOTS 25, 37 AND 38, BLOCK 2014; LOTS 2, 3, 17 AND 18, BLOCK 2024; LOT 24, BLOCK 2036; 44th ADDITION TO PORT CHARLOTTE SUBDIVISION, LOT 16, BLOCK 2181; LOT 2, BLOCK 2213; LOT 10, BLOCK 2237; AND LOTS 7 AND 18, BLOCK 2264; 46th ADDITION TO PORT CHARLOTTE SUBDIVISION, LOT 29, BLOCK 2548, 51st ADDITION TO PORT CHARLOTTE SUBDIVISION, LOT 32, BLOCK 2689; LOT 21, BLOCK 2642; 52nd ADDITION TO PORT CHARLOTTE SUBDIVISION, SARASOTA COUNTY PROPERTY APPRAISER PARCEL IDENTIFICATION NUMBER 1146198532, 1146198542, 1147199919, 1147199937, 1134201425, 1134201437, 1134201438, 1147202402, 1147202403, 1149202417, 1147202418, 1147203624, 1130218116, 1129221302, 1131222710, 1128226407, 1128226418, 1008254829, 0975262446, 0991268932 and 0976264221; INCORPORATING RECITALS; PROVIDING FOR FILING OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the North Port Road and Drainage District (the "District") seeks to acquire real property identified as Parcel Identification No. 1146198532, 1146198542, 1147199919, 1147199937, 1134201425, 1134201437, 1134201438, 1147202402, 1147202403, 1149202417, 1147202418, 1147203624, 1130218116, 1129221302, 1131222710, 1128226407, 1128226418, 1008254829, 0975262446, 0991268932 and 0976264221 (the "Parcels") in support of the City's stormwater conveyance system infrastructure; and

WHEREAS, these Parcels are surrounded by properties that were sold by General Development Corporation as residential parcels although they were permitted as pond parcels and were not eligible for residential development; and

WHEREAS, the acquisition of the Parcels will allow permanent access to all pond parcels for future maintenance and repairs to ensure the City's stormwater drainage system functions as designed; and

WHEREAS, Section 66-52 of the Code of the City of North Port, Florida authorizes the District to acquire lands and rights-of-way to maintain stormwater structures; and

WHEREAS, the owner of the identified real estate has agreed to sell the Parcels to the District; and

WHEREAS, any outstanding taxes due on the Parcels will be prorated upon purchase by the District; and

WHEREAS, the City Commission, sitting as the governing body of the District, finds that these Parcels satisfy an immediate or future need of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, SERVING AS THE GOVERNING BODY OF THE NORTH PORT ROAD AND DRAINAGE DISTRICT:

SECTION 1 – INCORPORATION OF RECITALS

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

SECTION 2 – RESOLUTION

2.01 The City Commission, sitting as the governing body of the North Port Road and Drainage District, authorizes the City Manager to take the actions identified in this resolution to purchase the real property bearing Sarasota County Property Appraiser Parcel Identification No. 1146198532, 1146198542, 1147199919, 1147199937, 1134201425, 1134201437, 1134201438, 1147202402, 1147202403, 1149202417, 1147202418, 1147203624, 1130218116, 1129221302, 1131222710, 1128226407, 1128226418, 1008254829, 0975262446, 0991268932 and 0976264221, located on Windy Circle, Mattox Circle, Notch Court, Winterville Circle, Pilgrim Road, Casco Circle, Fireglow Circle, Blueleaf Drive, Farview Drive, Dune Court , Fiveleaf Road, Blueleaf Drive, Dune Court, Longbow Avenue, Spring Haven Drive, Abbotsford Street, Shenandoah Street in the City of North Port, and legally described as:

Lots 32 and 42, Block 1985; Lots 19 and 37, Block 1999; Lots 25, 37 and 38, Block 2014; Lots 2, 3, 17 and 18, Block 2024; Lot 24, Block 2036; 44th Addition to Port Charlotte Subdivision, according to the plat recorded in Plat Book 19, Page 33; Lot 16, Block 2181; Lot 2, Block 2213; Lot 10, Block 2237; and Lots 7 and 18, Block 2264; 46th Addition to Port Charlotte Subdivision, according to the plat recorded in Plat Book 19, Page 45; Lot 29, Block 2548, 51st Addition to Port Charlotte Subdivision, according to the plat recorded in Plat Book 21, Page 8; and Lot 46, Block 2624; Lot 32, Block 2689; Lot 21, Block 2642; 52nd Addition to Port Charlotte Subdivision, according to the plat recorded in Plat Book 21, Page 13, of the Official Records of the Sarasota County Clerk of the Circuit Court.

Relevant portions of the plat are attached as Exhibit "A."

- 2.02 The City Commission approves the *Agreement for Purchase and Sale of Real Property*, attached as Exhibit B.
- 2.03 Transfer of ownership from the current property owner(s) to the North Port Road and Drainage District will be made via Warranty Deed.
- 2.04 The City Commission authorizes the City Manager or designee to execute the documents referenced in this resolution and to perform all other actions delegable by law that are necessary to negotiate, enter into, and consummate the proposed purchase for the price of \$225,750.00.
- 2.05 All identified exhibits are incorporated in this resolution by reference.

SECTION 3 – FILING OF DOCUMENTS

- 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.
- 3.02 The City Clerk is directed to record the fully executed original Warranty Deed with the Sarasota County Clerk of the Circuit Court to be duly recorded in the official records of the county, concurrent with the recording of this resolution.
- 3.03 The District will pay the applicable recording fees to the Sarasota County Clerk of the Circuit Court.

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, acting in its capacity as the governing body of the North Port Road and Drainage District in public session on October 25, 2022.

THE CITY COMMISSION OF THE CITY OF NORTH PORT,
FLORIDA AS THE GOVERNING BODY OF THE NORTH PORT
ROAD AND DRAINAGE DISTRICT

PETE EMRICH
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON
CITY ATTORNEY