



# STAFF REPORT

## North Port Gateway West, Replat

### (North Port Commercial)

(Petition No. PLF-24-044)

**From:** David Brown, Planner I

**Thru:** Gabriel Quintas, AICP, CFM, Development Services Assistant Director

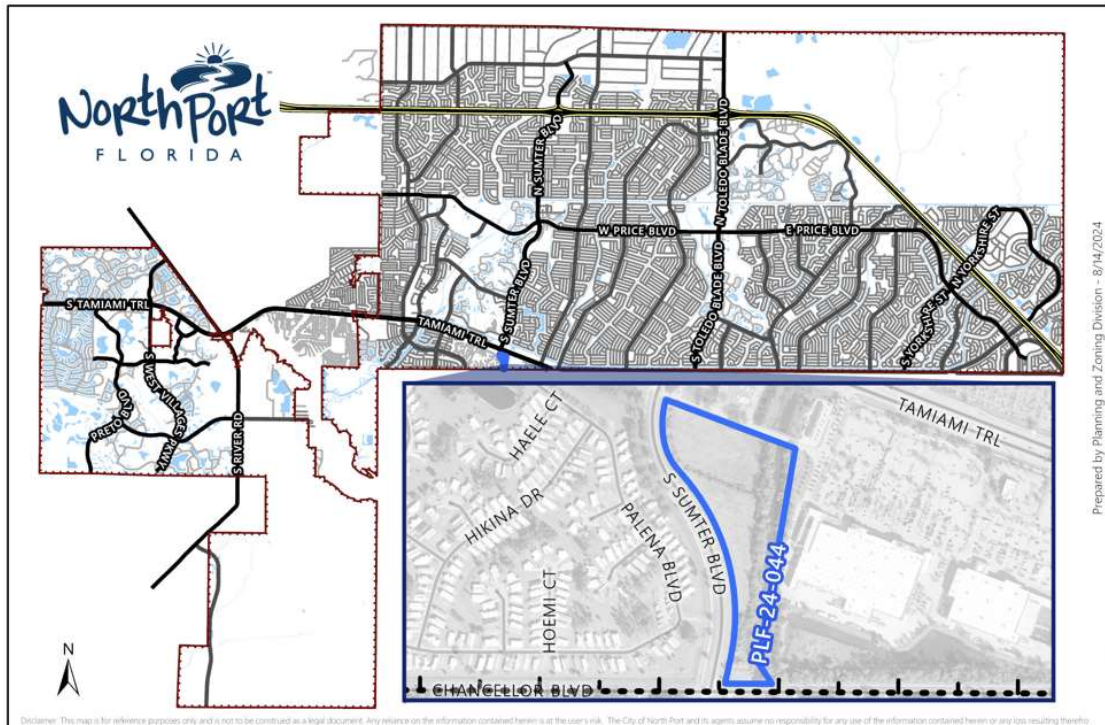
**Thru:** Lori Barnes, AICP, CPM, Development Services Assistant Director

**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:** December 5, 2024



Prepared by Planning and Zoning Division - 8/14/2024

**PROJECT:** North Port Gateway West, Replat (North Port Commercial) (QUASI-JUDICIAL)

**REQUEST:** Consideration of a Replat for North Port Gateway West

**APPLICANT:** Todd Mathes, Director of Development, Benderson Development (**Exhibit B, Affidavit**)

**OWNERS:** 5900 SBNP, LLC (**Exhibit C, Warranty Deed**)

**LOCATION:** East side of Sumter Boulevard, approximately 360 feet south of U.S. 41

**PARCEL ID#:** 1002-09-0010, 1002-09-0020, and 1002-09-0021

**PROPERTY SIZE:** ± 9.857 acres

**ZONING:** Activity Center 1 (AC-1), "Mediterranea"

## I. BACKGROUND

On March 15, 2024, the Planning & Zoning Division received a petition from Todd Mathes of Benderson Development on behalf of 5900 SBNP, LLC, requesting a replat of North Port Gateway West, containing ±9.857-acres of land. The property is located in the southeast quadrant of Sumter Boulevard and U.S. 41.

The purpose of the replat petition is to realign lots and create new drainage and utility easements (**Figure 1**). The new plat configuration will accommodate the construction of a 30,600-square-foot medical office building.

Simultaneously with this replat application, a Vacation of Easement application vacating the public drainage and public easements depicted on the Plat of North Port Gateway West recorded in Plat Book 46, Page 33, and described in the Official Records as Instrument #2007080765 and Instrument #2007080766, Public Records of Sarasota County, Florida has been submitted. The replat will include new utility and drainage easements as part of the future development (**Figure 2**).

As this application was submitted before the adoption of the Unified Land Development Code (ULDC) on October 28, 2024, it has been evaluated under the provisions of the 2010 ULDC.

The site, which will utilize an existing roadway (Sumter Boulevard) for access, is located within Activity Center #1, Mediterranean. It is zoned Activity Center 1 (AC-1), Mediterranean and has a Future Land Use Designation of Activity Center 1.



# NORTH PORT COMMERCIAL

A REPLAT OF LOTS 1, 2 AND TRACT A, NORTH PORT GATEWAY WEST, RECORDED IN PLAT BOOK 46, PAGE 33, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. BEING A PORTION OF SECTION 33, TOWNSHIP 39 SOUTH, RANGE 21 EAST, CITY OF NORTH PORT, SARASOTA COUNTY, FLORIDA

PLAT BOOK \_\_\_\_\_, PAGE \_\_\_\_\_  
SHEET 2 OF 2

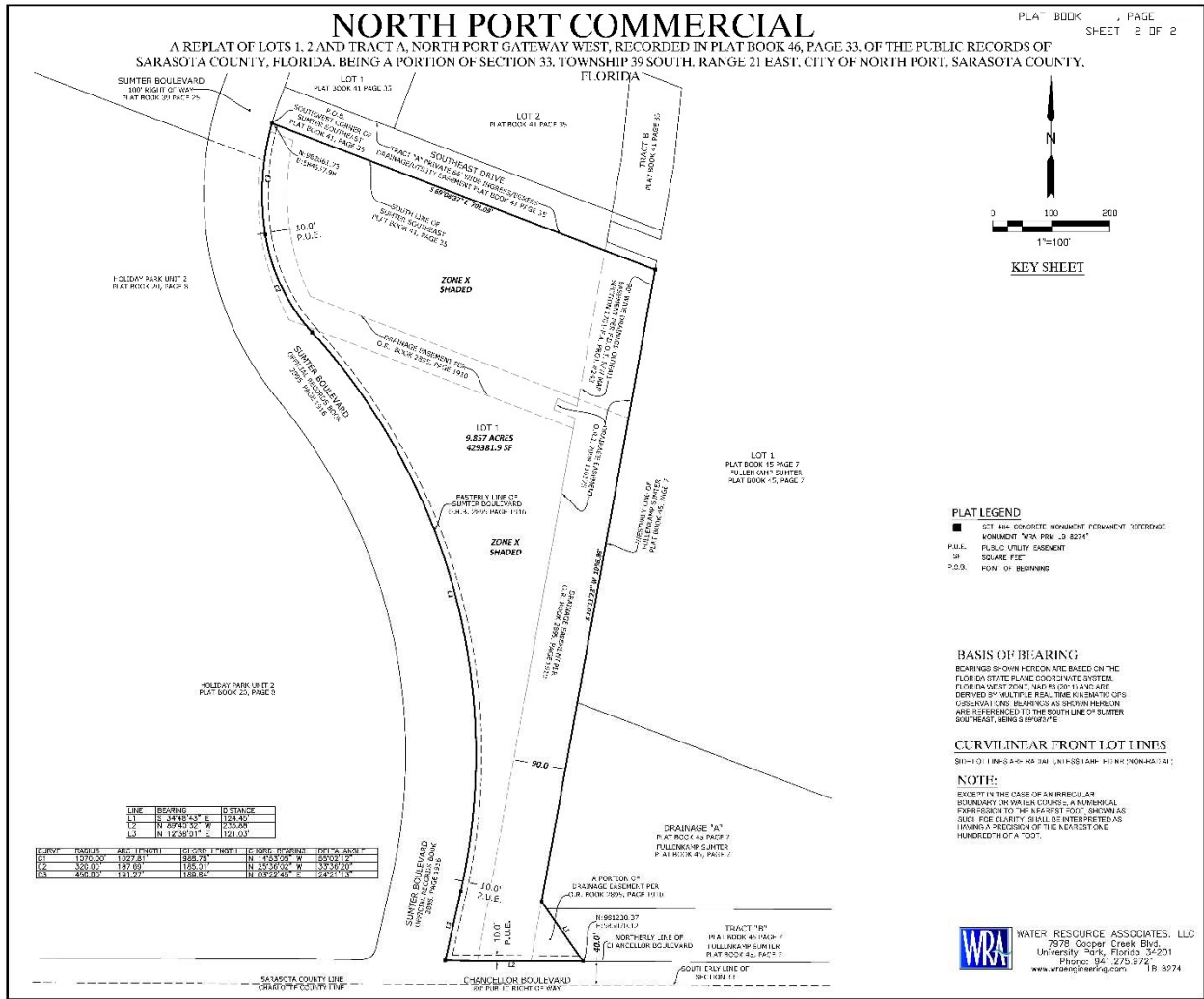


Figure 2 – Proposed Replat

## II. STAFF ANALYSIS AND FINDINGS

### 2024 Florida Statutes

Title XII MUNICIPALITIES, Chapter 177 LAND BOUNDARIES, Part I: PLATTING, Section 177.081 Dedication and approval and Section 177.101 (2), Vacation and annulment of plats subdividing land.

(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 city's contracted surveyor has reviewed and approved the Final Plat to ensure it complies with Florida Statutes Chapter 177 Part I: PLATTING, Section 177.081 on Dedication and approval.

**Conclusion:** PLF-24-044 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 ensure the approved subdivision and infrastructure plans meet these regulations.

**Findings:** The final replat was reviewed to ensure conformance with the approved Master Site Plan (MAS-23-198) and Development Master Plan Amendment (DMA-20-089).

**Conclusion:** PLF-24-044 conforms with the ULDC Chapter 37, Section 37-8.



### III. STAFF RECOMMENDATION

**Staff Recommendation:** Staff recommends approval of Petition No. PLF-23-044,

### IV. RECOMMENDED MOTION

#### PLANNING & ZONING ADVISORY BOARD

MOTION TO APPROVE: I move to recommend approval of North Port Gateway West, Replat (North Port Commercial), Petition No. PLF-24-044, and that the City Commission find that, based on the competent and substantial evidence, the plat is consistent with Florida Statutes Section 177.081, the Unified Land Development Code, and the North Port Comprehensive Plan.

#### CITY COMMISSION

MOTION TO APPROVE: I move to approve North Port Gateway West, Replat (North Port Commercial), Petition No. PLF-24-044, and find that, based on the competent and substantial evidence, the plat is consistent with Florida Statutes Section 177.081, the Unified Land Development Code, and the North Port Comprehensive Plan.

### V. ALTERNATIVE MOTION

#### PLANNING & ZONING ADVISORY BOARD

MOTION TO DENY: I move to recommend denial of North Port Gateway West, Replat (North Port Commercial), Petition No. PLF-24-044, 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 North Port Gateway West, Replat (North Port Commercial), Petition No. PLF-24-044, and find that, based on the competent and substantial evidence, the Plat:

[include all applicable factors below]

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

## **VI. PUBLIC HEARING SCHEDULE**

<b>Planning &amp; Zoning Advisory Board Public Hearing</b>	<b>December 5, 2024 9:00 AM</b> or as soon thereafter
<b>City Commission Public Hearing</b>	<b>January 14, 2025 10:00 AM</b> or as soon thereafter



## VII. EXHIBITS

<b>A.</b>	Map Gallery
<b>B.</b>	Affidavit
<b>C.</b>	Warranty Deed
<b>D.</b>	Title Assurance
<b>E.</b>	City Surveyor's Approval



# Aerial Location

PLF-24-044, Gateway

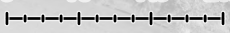
Exhibit A for PLF-24-044

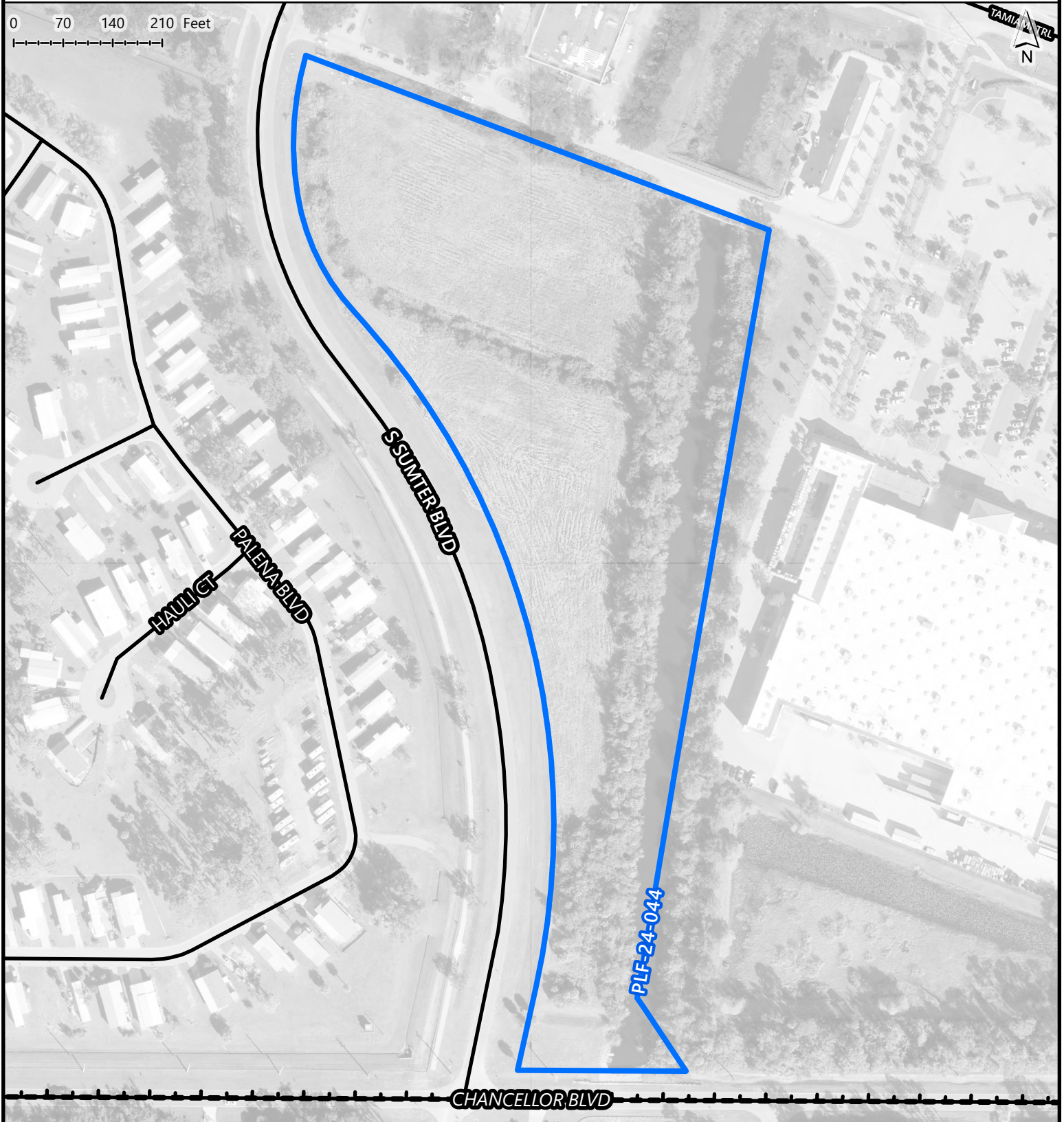


Prepared on 8/14/2024  
by Planning & Zoning  
Development Services

-  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.

0 70 140 210 Feet  




# Current Zoning

PLF-24-044, Gateway

(PCD) Planned Community Development

Exhibit A for PLF-24-044



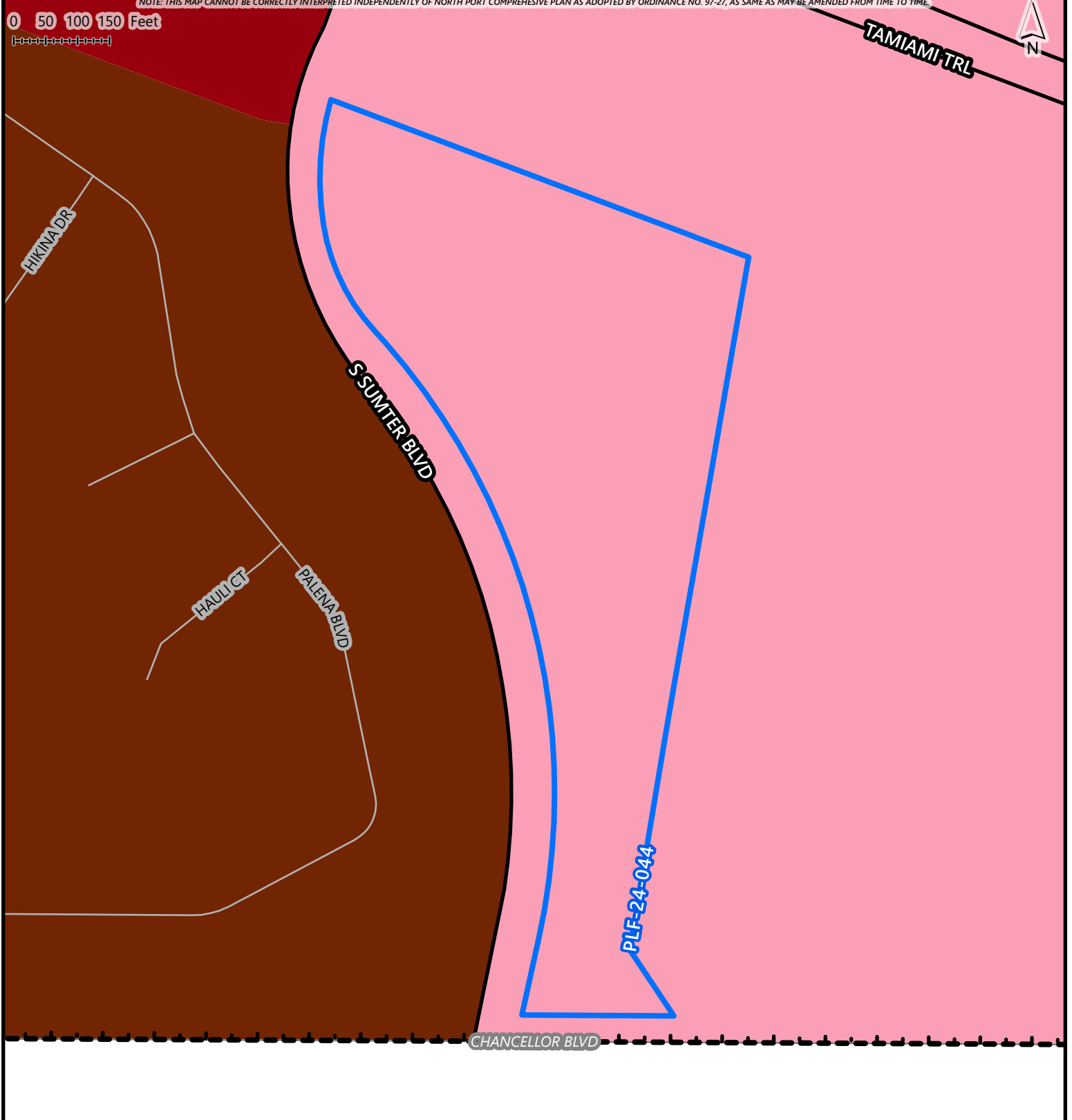
Prepared on 8/14/2024  
by Planning & Zoning  
Development Services

- City Boundary
- Petition Boundary
- (CG) Commercial General
- (PCD) Planned Community Development
- (RMH) Residential Manufactured Housing

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

0 50 100 150 Feet



# Future Land Use

PLF-24-044, Gateway

ACTIVITY CENTER

Exhibit A for PLF-24-044



Prepared on 8/14/2024  
by Planning & Zoning  
Development Services

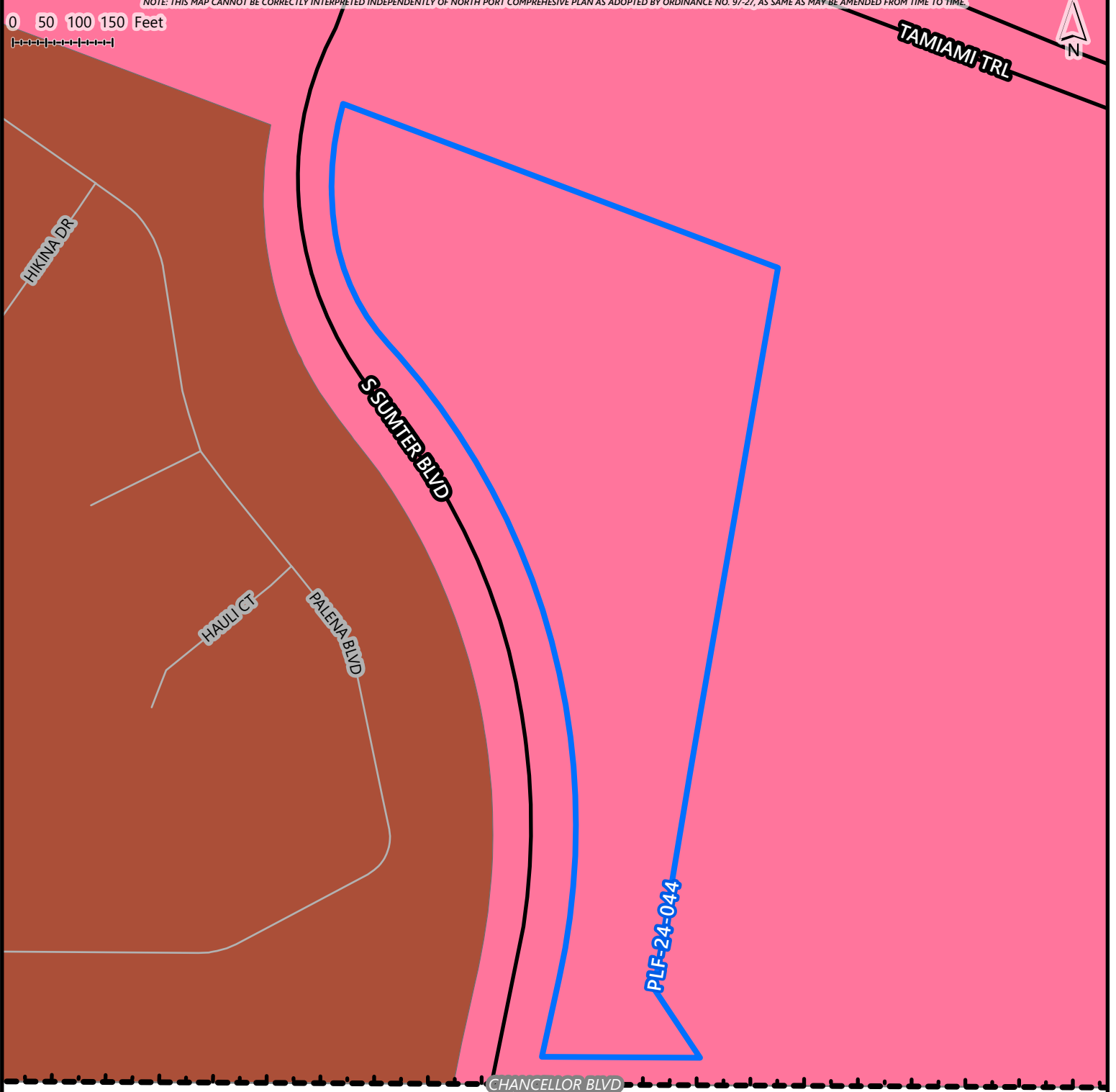
- City Boundary
- Petition Boundary

- HIGH 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 COMPREHESIVE PLAN AS ADOPTED BY ORDINANCE NO. 97-27, AS SAME AS MAY BE AMENDED FROM TIME TO TIME.

0 50 100 150 Feet



**AFFIDAVIT**

I (the undersigned), Todd Mathes 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 7<sup>th</sup> day of March, 20 24,

Todd Mathes  
Signature of Applicant or Authorized Agent

Todd Mathes, Director of Development  
Print Name and Title

STATE OF FLORIDA COUNTY OF MANATEE

The foregoing instrument was acknowledged by me this 7<sup>th</sup> day of March, 20 24, by Todd Mathes who is personally known to me or has produced as identification.

Julie Lapidés Daniel  
Signature - Notary Public  
Julie Lapidés Daniel



**AFFIDAVIT  
AUTHORIZATION FOR AGENT/APPLICANT**

I, Stephen C. Scalione, as Manager of 5900 SBNP, LLC, a Florida limited liability company, property owner, hereby authorize Todd Mathes to act as Agent on our behalf to apply

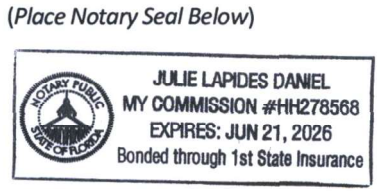
for this application on the property described as (legal description) Lots 1 and 2, and Tract A, North Port Gateway West, as per plat thereof recorded in Plat Book 46, Page 33, Public Records of Sarasota County, Florida

Owner [Signature] Date March 7<sup>th</sup>, 2024

STATE OF FLORIDA COUNTY OF MANATEE

The foregoing instrument was acknowledged by me this 7<sup>th</sup> day of March, 20 24, by Stephen C. Scalione, as Manager of 5900 SBNP, LLC, a Florida limited liability company who is personally known to me or has produced as identification.

Julie Lapidés Daniel  
Signature - Notary Public  
Julie Lapidés Daniel



4/18/2016 12:18 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 1974280

Prepared by:  
Alicia H. Gayton  
Benderson Development Company, LLC  
7978 Cooper Creek Blvd., SUITE 100  
University Park, FL 34201

Doc Stamp-Deed: \$4,865.00

Return to:  
Juanita M. Schuster  
Fidelity National Title Group  
2400 Maitland Center Pkwy, Suite 200  
Maitland, FL 32751  
# 5087109  
~~415 6069133~~

Parcel I.D. Number: 1002090010 & 1002090020

**SPECIAL WARRANTY DEED**

**THIS WARRANTY DEED** made as of the 12 of April, 2016, by **FIFTH THIRD BANK**, an Ohio Banking Corporation ("**Grantor**"), whose address is 8100 Burlington Pike, 3<sup>rd</sup> Floor, Florence KY 41042 and **5900 SBNP, LLC**, a Florida limited liability company, whose address is 7978 Cooper Creek Blvd., Suite 100, University Park, FL 34201 ("**Grantee**"),

**WITNESSETH**, that the Grantor, for and in consideration of the sum of **SIX HUNDRED NINETY-FIVE DOLLARS (\$1.00)** and other valuable Considerations, receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold, remised, released, conveyed and confirmed unto said "Grantee", their successors and assigns forever, following described land, situate, lying and being in the County of Sarasota, State of Florida more particularly described as:

LOT 1 and LOT 2 of NORTH PORT GATEWAY WEST, according to the map or plat thereof, as recorded in Plat Book 46, Page(s) 33, of the Public Records of Sarasota County, Florida.


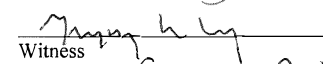
**SUBJECT**, however, to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances imposed by governmental authorities, if any.

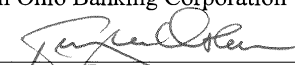
**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD** the same in fee simple forever. AND Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; and that said land is free of all encumbrances except taxes accruing subsequent to 2015. That it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor.

**IN WITNESS WHEREOF**, the Grantor has hereunto set his/her hand and seal.

Signed, sealed and delivered in our presence:

  
Witness  
Printed Name Emily J. Simpson  
  
Witness  
Printed Name Gregory A. Kelly

**FIFTH THIRD BANK**  
an Ohio Banking Corporation  
  
Name: Terry Osborne  
Title: Vice President

STATE OF Kentucky  
COUNTY OF Boone

The foregoing instrument was acknowledged before me this 12 day of April, 2016, by Terry Osborne, as Vice President of FIFTH THIRD BANK an Ohio Banking Corporation. She/He is personally known to me, or ( ) has produced \_\_\_\_\_ as identification, and did not take an oath.

**WENDI M. MERRITT**  
**NOTARY PUBLIC**  
Kentucky, State At Large  
My Commission Expires 6/25/2016  
I.D. # 469258

Wendi Merritt  
Notary Public  
Notary Seal

**FIFTH THIRD BANK**  
an Ohio Banking Corporation

Emily J. Simpson  
Witness  
Printed Name Emily J. Simpson

Elizabeth Raleigh  
Name: Elizabeth Raleigh  
Title: ASST Vice President

Mary Kelly  
Witness  
Printed Name Gregory A Kelly

STATE OF Kentucky  
COUNTY OF Boone

The foregoing instrument was acknowledged before me this 12 day of April, 2016, by Elizabeth Raleigh, as Asst. Vice President of FIFTH THIRD BANK an Ohio Banking Corporation. She/He is personally known to me, or ( ) has produced \_\_\_\_\_ as identification, and did not take an oath.

**WENDI M. MERRITT**  
**NOTARY PUBLIC**  
Kentucky, State At Large  
My Commission Expires 6/25/2016  
I.D. # 469258

Wendi Merritt  
Notary Public  
Notary Seal

4/18/2016 12:18 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 1974280

Prepared by:

Alicia H. Gayton  
Benderson Development Company, LLC  
7978 Cooper Creek Blvd., SUITE 100  
University Park, FL 34201

Doc Stamp-Deed: \$0.70

Return to:

Juanita M. Schuster  
Fidelity National Title Group  
2400 Maitland Center Pkwy, Suite 200  
Maitland, FL 32751  
# 5087109

4016066935  
Parcel I.D. Number: 1002090021

QUIT CLAIM DEED

THIS INDENTURE, made as of the 12 of April, 2016, by **FIFTH THIRD BANK**, an Ohio Banking Corporation ("Grantor"), whose address is 8100 Burlington Pike, 3<sup>rd</sup> Floor, Florence KY 41042 and **5900 SBNP, LLC**, a Florida limited liability company, whose address is 7978 Cooper Creek Blvd., Suite 100, University Park, FL 34201 ("Grantee")

WITNESSETH, that the Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00), and other valuable consideration, receipt of which is hereby acknowledged, hereby sells, remises, and quitclaims unto the Grantee, Grantee's heirs, successors and assigns forever, all of its right, title and interest in and to the all that certain land, lying and being in the County of Sarasota, State of Florida more particularly described as:

TRACT A of NORTH PORT GATEWAY WEST, according to the map or plat thereof, as recorded in Plat Book 46, Page(s) 33, of the Public Records of Sarasota County, Florida.

TO HAVE AND TO HOLD the above described premises, with the appurtenances thereto unto Grantee, Grantee's heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set his/her hand and seal.

Signed, sealed and delivered in our presence:

**FIFTH THIRD BANK**  
an Ohio Banking Corporation

Emily J. Simpson  
Witness

Printed Name Emily J. Simpson

Terry Osborne

Name: Terry Osborne

Title: Vice President

Mary Kelly  
Witness

Printed Name Mary A Kelly

STATE OF Kentucky  
COUNTY OF Boone

The foregoing instrument was acknowledged before me this 12 day of April, 2016, by Terry Osborne, as Vice President of FIFTH THIRD BANK an Ohio Banking Corporation. She/He is personally known to me, or ( ) has produced \_\_\_\_\_ as identification, and did not take an oath.

WENDI M. MERRITT  
NOTARY PUBLIC  
Kentucky, State At Large  
My Commission Expires 6/25/2016  
I.D. # 469258

Wendi M Merritt  
Notary Public  
Notary Seal



Signed, sealed and delivered in our presence:

Emily J. Simpson  
Witness  
Printed Name Emily J. Simpson

Gregory A Kelly  
Witness  
Printed Name Gregory A Kelly

**FIFTH THIRD BANK**  
an Ohio Banking Corporation

Elizabeth Raleigh  
Name: Elizabeth Raleigh  
Title: Asst Vice President

STATE OF Kentucky  
COUNTY OF Boone

The foregoing instrument was acknowledged before me this 12 day of April, 2016, by Elizabeth Raleigh, as Asst. Vice President of FIFTH THIRD BANK an Ohio Banking Corporation. (She) He is personally known to me, or ( ) has produced \_\_\_\_\_ as identification, and did not take an oath.

**WENDI M. MERRITT**  
**NOTARY PUBLIC**  
Kentucky, State At Large  
My Commission Expires 6/25/2016  
I.D. # 469255

Wendi Merritt  
Notary Public  
Notary Seal

PROPERTY INFORMATION REPORT

Order No.: 11024390

Customer Reference Number Update 5053 vacation easement

Addressee:

The Bison Agency, LLC  
7978 Cooper Creek Blvd. Suite 100  
University Park, FL 34201  
941-359-8303  
941-359-1836

Chicago Title Insurance Company has caused to be made a search of the Public Records of Sarasota County, Florida, ("Public Records"), from 06/15/1993, through 02/22/2024 5:00 PM, as to the following described real property lying and being in the aforesaid County, to-wit:

PROPOSED REPLAT OF NORTH PORT GATEWAY:

DESCRIPTION

LOTS 1, 2 AND TRACT A, NORTH PORT GATEWAY WEST, RECORDED IN PLAT BOOK 46, PAGE 33, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. BEING A PORTION OF SECTION 33, TOWNSHIP 39 SOUTH, RANGE 21 EAST, CITY OF NORTH PORT, SARASOTA COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE PLAT OF SUMTER SOUTHEAST SUBDIVISION, AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 41, PAGE 35, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA;

THENCE S 69°08'37" E, ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 701.09', TO THE WESTERLY LINE OF THE PLAT OF FULLENKAMP SUMTER SUBDIVISION, AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 45, PAGE 7, OF SAID PUBLIC RECORDS, SAID LINE ALSO BEING THE EASTERLY LINE OF A 90.0 FEET WIDE DRAINAGE OUTFALL EASEMENT PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 1701, PROJECT #243; THENCE S 10°11'23" W, ALONG THE WESTERLY LINE OF FULLENKAMP SUMTER SUBDIVISION AND THE EASTERLY LINE OF DRAINAGE OUTFALL EASEMENT, A DISTANCE OF 1096.88'; THENCE CONTINUING ALONG SAID WESTERLY LINE OF FULLENKAMP SUMTER SUBDIVISION, BUT LEAVING SAID DRAINAGE OUTFALL EASEMENT LINE, THENCE S 34°48'43" E A DISTANCE OF 124.45'; TO A POINT LYING 40.00 FEET NORTHERLY OF THE SOUTHERLY LINE OF SAID SECTION 33, TOWNSHIP 39 SOUTH, RANGE 21 EAST, AND BEING ON THE NORTHERLY RIGHT OF WAY LINE OF CHANCELLOR BOULEVARD (AN 80' WIDE PUBLIC RIGHT OF WAY); THENCE N 89°40'32" W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 235.88' TO THE EASTERLY RIGHT OF WAY LINE OF SUMTER BOULEVARD, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2895, PAGE 1916, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE OF SUMTER BOULEVARD THE FOLLOWING FOUR (4) COURSES: (1) THENCE N 12°38'01" E A DISTANCE OF 121.03'; (2) THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 1027.81', WITH A RADIUS OF 1070.00', WITH A CHORD BEARING OF N 14°53'05" W, WITH A CHORD LENGTH OF 988.75', WITH A DELTA ANGLE OF 55°02'12"; (3) THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 187.69', WITH A RADIUS OF 320.00', WITH A CHORD BEARING OF N 25°36'02" W, WITH A CHORD LENGTH OF 185.01', WITH A DELTA ANGLE OF 33°36'20"; (4) THENCE WITH A COMPOUND CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 191.27', WITH A RADIUS OF 450.00', WITH A CHORD BEARING OF N 03°22'45" E, WITH A CHORD LENGTH OF 189.84', WITH A DELTA ANGLE OF 24°21'13"; TO THE POINT OF BEGINNING, HAVING AN AREA OF 429381.93 SQUARE FEET, 9.857 ACRES

Also known and to be previously described as:

Parcel 1: Lot 1 and Lot 2, NORTH PORT GATEWAY WEST, according to the map or plat thereof, as recorded in Plat Book 46, Page(s) 33, of the Public Records of Sarasota County, Florida;

Parcel 2: Tract A of North Port Gateway West according to the map or plat thereof, as recorded in Plat Book 46, Page(s) 33, of the Public Records of Sarasota County, Florida.

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

5900 SBNP, LLC, a Florida limited liability company by virtue of that Quit Claim Deed recorded in Instrument Number 2016046188 and Special Warranty Deed recorded in Instrument Number 2016046189.

The following liens against the said real property recorded in the aforesaid Public Records have been found:

None, except:

1. Possible construction lien(s) arising out of Florida Statutes Chapter 713, Part I relating back to the filing of those certain Notices of Commencement recorded 4/18/2022 in Official Records Instrument No. 2022019468 and given to be effective two (2) years from recording.
2. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.

The following other encumbrances affecting the said real property recorded in the aforesaid Public Records have been found:

3. Perpetual Easement for the construction, use and maintenance of a drainage ditch and other related facilities necessary for stormwater drainage as set forth and reserved in that certain Special Warranty Deed recorded September 26, 1996 in Official Records Book 2895, Page 1910, as amended by Partial Assignment and Assumption of Easements recorded in Official Records Book 3035, Page 306, all of the Public Records of Sarasota County, Florida.
4. Terms, conditions and provisions of that certain Cross Easement Agreement by and between Sumter Crossing, LLC, a Nevada limited liability company and Dennis J. Fullenkamp, as Trustee recorded in Official Records Instrument Number 2002 129383, as amended by First Amendment to Cross Easement Agreement recorded in Official Records Instrument Number 2005 126167, all of the Public Records of Sarasota County, Florida.
5. Declaration of Covenants and Restrictions of North Port Gateway West recorded in Official Records Instrument Number 2007 080767, of the Public Records of Sarasota County, Florida, as amended.

NOTE: This exception omits any restriction, covenant, or condition based on race, color, religion, sex, handicap, familial status or national origin, if any, unless and only to the extent that the restriction is not in violation of state or federal law, or relates to a handicap, but does not discriminate against handicapped people.

6. Restrictions; covenants, conditions, easements and other matters as contained on the Plat of NORTH PORT GATEWAY WEST, recorded in Plat Book 46, Page 33 and 33-A; as supplemented and affected by documents recorded in Official Records Instrument Number 2007 080765; and Official Records Instrument Number 2008 080766, of the Public Records of Sarasota County, Florida, as will be extinguished by filing of the proposed replat.

7. Terms, conditions and provisions of that certain Grant of Non-Exclusive Permanent Drainage Easement by and between North Port Gateway LLC, a Nevada limited liability company and City of North Port, Sarasota County, a political subdivision of the State of Florida recorded in Official Records Instrument Number 2008 110175, of the Public Records of Sarasota County, Florida.

NOTE: All recording references herein shall refer to the Public Records of Sarasota County, Florida, unless otherwise noted.

For 2023 Tax Year Parcel/ID # 1002090010, gross tax amount is \$6,783.66, exemption type is none, and payment status is paid, as to Lot 1 of original plat.

For 2023 Tax Year Parcel/ID # 1002090020, gross tax amount is \$3,756.79, exemption type is none, and payment status is paid as to Lot 2 of original plat.

For 2023 Sarasota County Property Appraiser Parcel/ID # 1002090021, gross tax amount is \$00.00, exemption type is Commercial Common Areas/Elements Dedicated to the property owners and value reflected in individual lots, and payment status is exempt as to Tract A of original plat. (Sarasota County Property Appraiser Info Only - No Tax Collector Taxes assessed under Parcel/ID # 1002090021)

Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Addressee(s) only, and it may not be used or relied upon by any other party. This Report may not be used by a Chicago Title Insurance Company agent for the purpose of issuing a Chicago Title Insurance Company title insurance commitment or policy.

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.

Chicago Title Insurance Company

*Bob Magann*

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Bob Magann



**CITY OF NORTH PORT  
PLAT REVIEW COMMENTS**

Discipline: Surveying  
Reviewed by: Steven M. Watts, PSM  
Review Date: 11/15/2024  
Phone: (954)266-6482  
Email: swatts@cgasolutions.com

Plat Name: **PLF-24-044 NORTH PORT COMMERCIAL**  
CGA Project Number: 23-7758

Comments Based on Plan Submittal Date: 11/05/2024

- No comments
- Comments as follows or attached
- Approved with comments

Plat Review Comments:

Approved

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