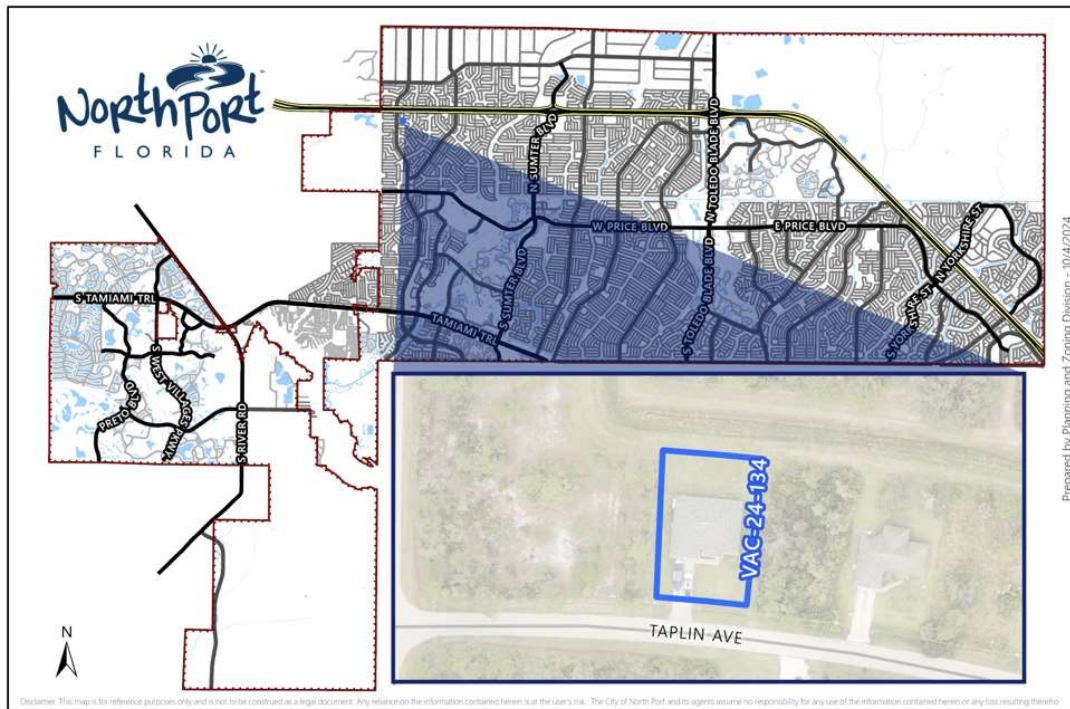




STAFF REPORT

7874 Taplin Avenue
(Petition No. VAC-24-134)
Resolution No. 2025-R-1

- 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 19, 2025



PROJECT: 7874 Taplin Avenue, partial vacation of the platted rear 20-foot Drainage Maintenance easement, VAC-24-134

REQUEST: The applicant is requesting a partial vacation of the platted rear 20-foot Drainage Maintenance easement

APPLICANT: Shawn and Sheilarey Swallow (**Exhibit A, Affidavit**)

OWNERS: Shawn and Sheilarey Swallow (**Exhibit A, Warranty Deed**)

LOCATION: 0950-13-4513

PROPERTY SIZE: ± 0.23 acres

ZONING: Residential, Low (R-1)

I. BACKGROUND

On August 16, 2024, the Planning & Zoning Division received an application petitioning the City of North Port to grant a vacation of a portion of the platted rear 20-foot drainage maintenance easement located on Lot 13, Block 1345 of the 26th Addition to the Port Charlotte Subdivision. The purpose of this vacation request is to construct an in-ground swimming pool and enclosure. The area to be vacated encompasses approximately 327 square feet. The subject property is zoned Residential, Low 2 (R-1) with a Future Land Use designation of Low Density Residential. This application was submitted prior to October 28, 2024, therefore the 2010 Unified Land Development Code was utilized for review.

II. PROJECT SUMMARY

Shawn and Sheilarey Swallow are requesting a vacation of a ±327 square foot portion of the platted rear 20-foot drainage maintenance easement on Lot 13 to allow for construction of an inground swimming pool and cage. The proposed pool must adhere to all relevant setback and impervious surface coverage regulations as specified in the Unified Land Development Code. These requirements will be assessed during the submission of the Certificate of Zoning Compliance, which is necessary before applying for a building permit.

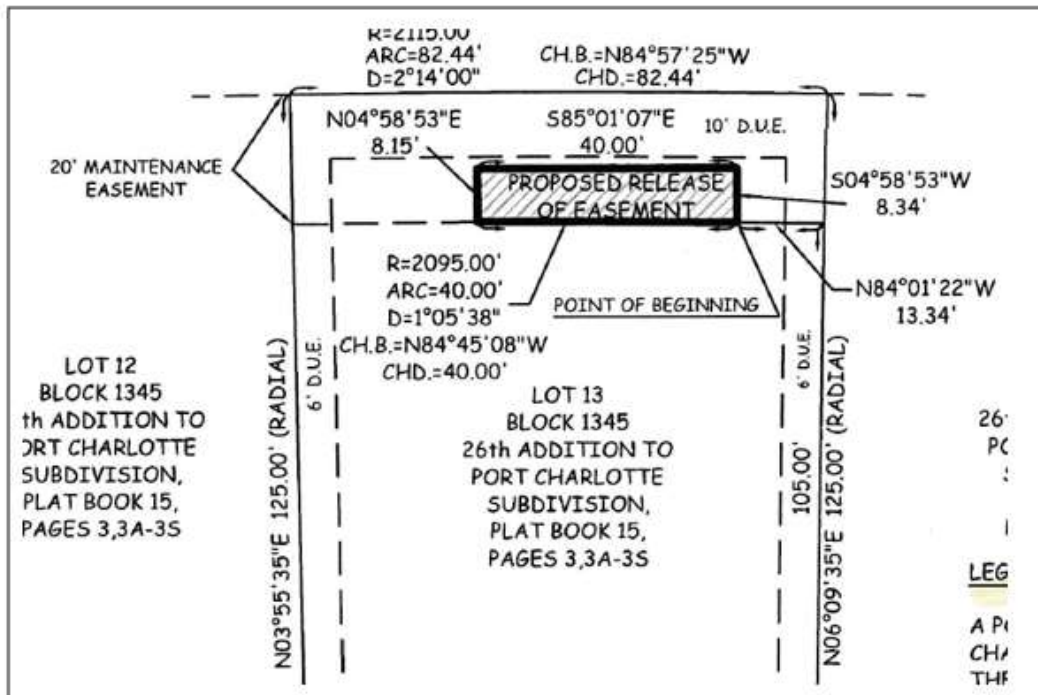


Figure 1. Area of easement to be vacated.

III. REVIEW PROCESS

The following agencies have reviewed the request to vacate a portion of the platted 20-foot rear drainage maintenance easement and, through written response, have granted their approval or approval with conditions. (**Exhibit B- Notification to Utility agencies and responses**).

Utility Review Summary	
Agency	Response
Amerigas	None
Comcast/Truenet Communications	Approved
Florida Power and Light	Approved
Frontier	Approved
North Port Fire/Rescue	Approved
North Port Public Works	Approved
North Port Utilities	Approved
The Development Services Department's standard practice is to consider an easement vacation uncontested if the Utility Agency does not respond within 10 days of notification.	

Conclusion

Based on the responses received, the request to vacate a portion of the 20-foot rear drainage maintenance easement meets the following:

1. It is a vacation of a public easement.
2. The easement is not needed to provide City service to any property.
3. No public utilities or City facilities are located or planned to be located in the areas.
4. The easement is 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.

Legal Review

The City Attorney has reviewed the accompanying Resolution 2025-R-1 as to form and correctness.

IV. DATA AND ANALYSIS

2024 Florida Statutes Chapter 177

Chapter 177 of the Florida Statutes provides requirements that regulate and control the platting of lands. Furthermore, Chapter 177.101 of the Florida Statutes lists the actions needed in making an application for vacation of plats either in whole or in part. The individual requesting a partial vacation of plat must give notice of their intention to apply to the governing body to vacate the plat by publishing a legal notice in a newspaper of general circulation in the county in which the tract or parcel of land is located, in not less than two weekly issues of said paper, and must attach to the petition for vacation the proof of said publication, together with proof that taxes have been paid.

Findings & Conclusion: The warranty deed provided to the City as a part of the application established that the applicant owns the fee simple title of the subject property. Based on staff review (detailed as a part of Section III of this document), as well as the due-diligence correspondence with Utility agencies, it is determined that this partial vacation of the platted drainage maintenance easement does not affect the ownership or right of convenient access of persons owning any other parts of the subdivision. The property owners filed a notice of intent to petition the City of North Port to vacate a portion of the drainage maintenance easement by publishing a legal notice in the North Port Sun newspaper for two consecutive weeks. (**Exhibit C— Notice of Intent**). Additionally, the applicants provided to the City of North Port Planning and Zoning Division, an application to request a partial vacation of platted drainage maintenance easement, a Publisher's Affidavit, certification that taxes have been paid, and all other requisite documents (**Exhibit D— Certification that all applicable taxes have been paid**).

ULDC CHAPTER 53 Zoning Regulations

The Unified Land Development Code (ULDC) contains regulations that govern the development and land use within the incorporated area of the City of North Port, Florida. Chapter 53 of the ULDC, Part 4. Administrative Provisions, Article XXVIII. Administration and Enforcement, Sec. 53-267.D. allows for a vacation of platted easements provided that platted easements shall be vacated in accordance with Florida Statutes Chapter 177.

Findings & Conclusion: Staff reviewed the Petition VAC-24-134 relative to ULDC Chapter 53 Zoning Regulations. Pursuant to the provisions in Florida Statutes Chapter 177.101, the property owners did file a notice of intent to apply to the City of North Port Planning & Zoning Division for two weekly issues. Additionally, the applicants provided to the City of North Port Planning and Zoning Division, an application to request a partial vacation of the platted drainage maintenance easement, a Publisher's Affidavit, certification that taxes have been paid, and all requisite documents.

The primary intent of the platted 20-foot rear drainage maintenance easement is to ensure that sufficient area is reserved along the drainage right of way for maintenance in order to provide proper drainage flow. The partial vacation of easement will not harm public welfare as there will still be adequate space for maintenance. There were no objections from any utilities agency during their review period.

Staff concludes that the proposed Petition VAC-24-134 is consistent with Chapter 53 of the ULDC.

V. RECOMMENDED MOTION

PLANNING & ZONING ADVISORY BOARD

MOTION TO APPROVE: I move to recommend approval to the City Commission of Resolution No. 2025-R-1, as presented.

CITY COMMISSION

MOTION TO APPROVE: I move to approve Resolution No. 2025-R-1, as presented.

VI. ALTERNATIVE MOTION

PLANNING & ZONING ADVISORY BOARD

MOTION TO DENY: I move to recommend denial to the City Commission of Resolution No. 2025-R-1.

CITY COMMISSION

MOTION TO DENY: I move to deny Resolution No. 2025-R-1.

VIII. EXHIBITS

A.	Warranty Deed and Affidavit
B.	Notification to Utility Agencies and Responses
C.	Notice of intent
D.	Certification that all applicable taxes have been paid

VII. PUBLIC HEARING SCHEDULE

Planning & Zoning Advisory Board Public Hearing	December 19, 2025 9:00 AM or as soon thereafter
City Commission Public Hearing	January 14, 2025 10:00 AM or as soon thereafter

**RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2023145205 2 PG(S)**

9/21/2023 10:05 AM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT

SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 3086836

Prepared By and Return To:

CAH Title, LLC
6350 Techster Blvd., Suite 1
Fort Myers, FL 33966

Doc Stamp-Deed: \$2,576.00

Order No.: 23-0929

Property Appraiser's Parcel I.D. (folio) Number:
0950134513

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this September 21, 2023 by **JHS Builders, LLC**, a Florida **limited liability company** existing under the laws of Florida, and having its principal place of business at 6330 Techster Blvd., Fort Myers, FL 33966 (the "Grantor"), and **Shawn M Swallow and Sheilarey Swallow, husband and wife** whose post office address is 7874 Taplin Avenue, North Port, FL 34288, (the "Grantee");

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representative and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situated in County of Sarasota, State of Florida, viz:

Lot 13, Block 1345, 26th Addition to Port Charlotte, a subdivision according to the plat thereof recorded in Plat Book 15, Page 3, of the Public Records of Sarasota County, Florida.

A/K/A: 7874 Taplin Avenue, North Port, FL 34288

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers duly authorized, the day and year first above written.

Signed, sealed and delivered in presence of:

[Signature]
Witness Signature: Patricia E. Canjura

Printed Name of First Witness

6350 Techster Blvd Ste 1
Ft Myers, FL 33966

Address of First Witness

[Signature]
Witness Signature

Deborah Cote
Printed Name of Second Witness

6350 Techster Blvd Ste 1
Ft Myers, FL 33966

Address of Second Witness

JHS Builders, LLC a Florida limited liability company

BY: [Signature]
Ian C. Schmoyer
Manager

Grantor Address:
6330 Techster Blvd.
Fort Myers, FL 33966

STATE OF FLORIDA

COUNTY OF LEE

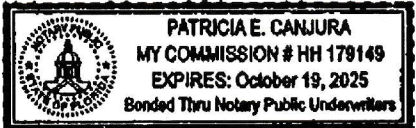
The foregoing instrument was executed and acknowledged before me by means of Physical Presence or Online Notarization this 19 day of September, 2020 by Ian C. Schmoyer as Manager of JHS Builders, LLC., who is personally known to me or who has produced _____ (type of identification) as identification.

[Signature]
Notary Public

Printed Name: Patricia E. Canjura

Commission # HH179149

My Commission Expires: Oct. 19, 2025



AFFIDAVIT

I (the undersigned), Shawn Swallow 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.*

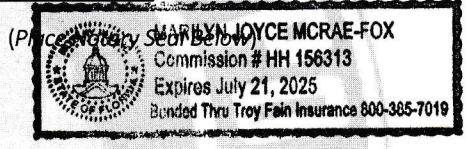
Sworn and subscribed before me this 9TH day of August, 2024

[Signature] Shawn Swallow
Signature of Applicant or Authorized Agent Print Name and Title

STATE OF Florida COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 9TH day of Aug, 2024, by Shawn Swallow who is personally known to me or has produced FLDL 5400. 793. 72. 111. 0 as identification.

[Signature]
Signature - Notary Public



**AFFIDAVIT
AUTHORIZATION FOR AGENT/APPLICANT**

I, _____, property owner, hereby authorize _____ to act as Agent on our behalf to apply for this application on the property described as (legal description) _____

Owner _____ Date _____

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged by me this _____ day of _____, 20____, by _____ who is personally known to me or has produced _____ as identification.

(Place Notary Seal Below)

Signature - Notary Public

AFFIDAVIT

I (the undersigned), Sheilarey Swallow 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 9th day of August, 2024

[Handwritten Signature]

Sheilarey Swallow

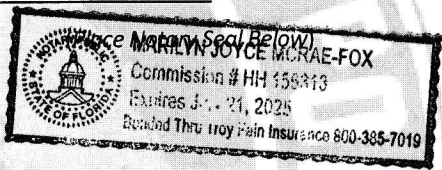
Signature of Applicant or Authorized Agent

Print Name and Title

STATE OF FLORIDA COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this 9th day of August, 2024, by _____ who is personally known to me or has produced MASS DL S12463113 as identification.

[Handwritten Signature]
Signature - Notary Public



**AFFIDAVIT
AUTHORIZATION FOR AGENT/APPLICANT**

I, _____, property owner, hereby authorize _____ to act as Agent on our behalf to apply for this application on the property described as (legal description) _____

Owner _____ Date _____

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged by me this _____ day of _____, 20____, by _____ who is personally known to me or has produced _____ as identification.

(Place Notary Seal Below)

Signature - Notary Public



City of North Port
PLANNING DIVISION
Neighborhood Development Services
4970 City Hall Boulevard
North Port, FL 34286
Office: 941.429.7229
Fax: 941.429.7154



VACATION OF EASEMENT

DATE: PETITION NO:

TO:

- North Port Public Works
Amerigas
Florida Power and Light
Planning & Zoning
North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

Please see the attached information concerning the request for vacation of easement for the property described as:

Lots _____, Block _____, of the _____ to the Gran Place Subdivision, according to Plat thereof recorded in Plat Book _____, Page _____, of the Public Records of Sarasota County, Florida, also known as street address: _____.

The vacation of the easement (Please check the appropriate response)

- Is Granted
Is not Granted
Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

Please respond by _____ which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Signature Date
Phone No. Name of Utility

Please email responses to

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City of North Port
PLANNING DIVISION
Neighborhood Development Services
4970 City Hall Boulevard
North Port, FL 34286
Office: 941.429.7229
Fax: 941.429.7154



VACATION OF EASEMENT

DATE: September 6, 2024

PETITION NO: VAC-24-134

TO:

North Port Public Works
Amerigas
Florida Power and Light
Planning & Zoning

North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

Please see the attached information concerning the request for vacation of easement for the property described as:

Lots 13, Block 1345, of the 26th to the Gran Place Subdivision, according to Plat thereof recorded in Plat Book 15, Page 3, 3A-3S, of the Public Records of Sarasota County, Florida, also known as street address: 7874 Taplin Avenue.

The vacation of the easement (Please check the appropriate response)

Is Granted (checked), Is not Granted, Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

Please respond by September 16, 2024 which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Christopher Plank Digitally signed by Christopher Plank
Date: 2024.09.10 08:46:02 -04'00'

Signature
574-808-8943
Phone No.

9/10/24
Date
Comcast
Name of Utility

Please email responses to dbrown@northportfl.gov

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VACATION OF EASEMENT

DATE: September 6, 2024 PETITION NO: VAC-24-134

TO:

- North Port Public Works
Amerigas
Florida Power and Light
Planning & Zoning
North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

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The vacation of the easement (Please check the appropriate response)

Is Granted (checked), Is not Granted, Is Granted with Conditions

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Please respond by September 16, 2024 which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Peter J. Marietti III Digitally signed by Peter J. Marietti III
Date: 2024.09.10 08:23:42 -04'00'
Signature
941.240.8180
Phone No.

9/10/2024
Date
North Port Fire Rescue District
Name of Utility

Please email responses to dbrown@northportfl.gov

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VACATION OF EASEMENT

DATE: September 6, 2024

PETITION NO: VAC-24-134

TO:

North Port Public Works
Amerigas
Florida Power and Light
Planning & Zoning

North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

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The vacation of the easement (Please check the appropriate response)

[checked] Is Granted [] Is not Granted [] Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

Please respond by September 16, 2024 which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Bradley Brenner Digitally signed by Bradley Brenner Date: 2024.09.06 14:54:01 -04'00'

Signature
941-423-4847
Phone No.

09/06/2024
Date
FPL
Name of Utility

Please email responses to dbrown@northportfl.gov

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VACATION OF EASEMENT

DATE: September 6, 2024

PETITION NO: VAC-24-134

TO:

North Port Public Works
Amerigas
Florida Power and Light
Planning & Zoning

North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

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The vacation of the easement (Please check the appropriate response)

[X] Is Granted [] Is not Granted [] Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

Please respond by September 16, 2024 which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Stephen A Waidley (Digital signature block)

Signature

(941) 266-9218

Phone No.

9/6/2024

Date

Frontier Florida LLC

Name of Utility

Please email responses to dbrown@northportfl.gov

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VACATION OF EASEMENT

DATE: September 6, 2024

PETITION NO: VAC-24-134

TO:

North Port Public Works
Amerigas
Florida Power and Light
Planning & Zoning

North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

Please see the attached information concerning the request for vacation of easement for the property described as:

Lots 13, Block 1345, of the 26th to the Gran Place Subdivision, according to Plat thereof recorded in Plat Book 15, Page 3, 3A-3S, of the Public Records of Sarasota County, Florida, also known as street address: 7874 Taplin Avenue.

The vacation of the easement (Please check the appropriate response)

[checked] Is Granted [] Is not Granted [] Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

Please respond by September 16, 2024 which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Anthony C. Payne
Signature

9/10/2024
Date

Phone No.

NPPW
Name of Utility

Please email responses to dbrown@northportfl.gov

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VACATION OF EASEMENT

DATE: September 6, 2024

PETITION NO: VAC-24-134

TO:

North Port Public Works
Amerigas
Florida Power and Light
Planning & Zoning

North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

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The vacation of the easement (Please check the appropriate response)

[X] Is Granted [] Is not Granted [] Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

Please respond by September 16, 2024 which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

[Signature]

Signature

240 8021

Phone No.

09-09-24

Date

NP UTILITIES

Name of Utility

Please email responses to dbrown@northportfl.gov

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TO WHOM IT MAY CONCERN:

Notice is hereby given pursuant to the provisions of Chapter 177, Florida Statutes, that Swallow Shawn & Swallow Sheilarey, the property owner intends to petition the City of North Port to vacate a portion of the 20-foot rear drainage maintenance easement located on lot 13, Block 1345, 26th Addition to Port Charlotte subdivision, according to the plat thereof as recorded in plat book 15 ,pages 3,3A-3S. Public records of Sarasota County, Florida. All of the above lying and being in the City of North Port, Sarasota County, Florida. We are requesting 8.5ft from the 20 feet platted maintenance easement.
Publish: 08/16/24, 08/23/24, 395956 3936243

PUBLISHER’S AFFIDAVIT OF PUBLICATION STATE OF FLORIDA COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Amber Douglas, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

08/16/24, 08/23/24

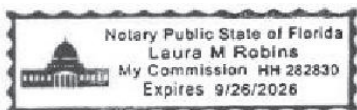
as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Sworn and subscribed before me this 23rd day of August, 2024

(Signature of Notary Public)



Personally known X OR Produced Identification

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Legal Notices

08/23/2024

NOTICE OF ACTION

NOTICE:

Ophthalmologist Christopher T. Stelly, MD has closed his practice, Eyecare and Surgery Center of Southwest Florida, LLC on August 13, 2024. Collins Vision will become the custodian of the medical records and assume the management of the practice and care of existing patients. Patients may obtain a copy of their medical records at the office address, 3665 Tamiami Trl #101, Punta Gorda, FL 33950. Publish: 08/16/24, 08/23/24, 08/30/24, 09/06/24 395956 3936408

NOTICE OF AUCTION

Extra Space Storage will hold a public auction to sell personal property described below belonging to those individuals listed below at the location indicated: 17960 Paulson Dr Port Charlotte, FL, 33954. 09/12/2024 11:30AM

Oneil Brown - 2 bedroom home

Denise Wasielewski - Tools

Ronald Lightbody - household items

Christopher Sheppard - Bed dresser boxes

gina Gasas - totes

Ivan Lara - house hold items boxes furniture patio items

Joseph Zaldokas - Bedroom set and mis. house hold

The auction will be listed and advertised on www.storage treasures.com. Purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction. Extra Space Storage may refuse any bid and may rescind any purchase up until the winning bidder takes possession of the personal property. Publish: 08/23/24, 08/30/24 130345 3935416

NOTICE TO CREDITORS

IN THE CIRCUIT COURT FOR SARASOTA COUNTY, FLORIDA PROBATE DIVISION FILE NO. 2024 CP 003691 SC Division:

IN RE: ESTATE OF ROBERT J. CIMINO, SR., a/k/a ROBERT JAMES CIMINO, Deceased

NOTICE TO CREDITORS

The administration of the estate of ROBERT J. CIMINO, SR., a/k/a ROBERT JAMES CIMINO, deceased whose date of death was June 6, 2024, is pending in the Circuit Court for Sarasota County, Florida, Probate Division, the address of which is Post Office Box 3079, Sarasota, Florida 34230. The names and addresses of the personal representative and the personal representative's attorney are set forth below.

All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.

ALL CLAIMS NOT FILED

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NOTICE TO CREDITORS

WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED.

NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

A personal representative or curator has no duty to discover whether any property held at the time of the decedent's death by the decedent or the decedent's surviving spouse is property to which the Florida Uniform Disposition of Community Property Rights at Death Act as described in sections 732.216-732.228, applies, or may apply, unless a written demand is made by a creditor as specified under section 732.2211.

The date of first publication of this notice is August 16, 2024.

Attorney for Personal Representative: MATTHEW RHEINGANS, ESQUIRE Florida Bar No. 0624608 1314 East Venice Avenue Suite E Venice, Florida 34285 Telephone: (941) 412-9000 Fax: (941) 480-1446 E-Mail: matt@hrlaw1314.com Secondary Email: debbie@hrlaw1314.com

Personal Representative: SUSAN J. CHAMPAGNE 1027 PROVIDENCE STREET UNIT 2A WEST WARWICK, RHODE ISLAND 02893 Publish: 08/16/24, 08/23/24 100437 3936427

NOTICE OF HEARING

NOTICE OF PUBLIC HEARING CITY OF PUNTA GORDA, FLORIDA

YOU ARE HEREBY notified that the Punta Gorda City Council will hold a Public Hearing on Wednesday, September 4, 2024, at 9:00 a.m., and Wednesday, September 18, 2024, at 9:00 a.m., or as soon thereafter as may be heard, to consider the following requests:

GA-08-2024 - An ordinance of the City Council of the City of Punta Gorda, Florida, amending the provisions of Chapter 17, "Public Utilities", Article I, "General Provisions: Water Rates", and Article II, "Use of Public and Private Sewers and Drains; Sewer Rates", Punta Gorda Code, to increase monthly utility rates; providing for conflict and severability and providing an effective date.

GA-09-2024 - An ordinance of the City Council of the City of Punta Gorda, Florida, amending Punta Gorda Code Chapter 10, "Yard Waste, Solid Waste", Article II, "Solid Waste", amending Section 10-11, increasing the monthly fee for removal and disposal of solid waste, yard waste, and curbside recycling services; providing for conflict and severability and providing an effective date.

Said hearing will be held in the temporary City Council Chambers located at the Military Heritage Museum auditorium, 900 West Marion Avenue, Punta Gorda, FL 33950. Any persons desiring to be heard on this matter may appear at the above time and place. If an appeal is to be made of any decision made at this meeting, a verbatim record of the proceeding may be required. A copy of this notice and the associated public hearing documents are available for inspection at the Office of the City Clerk located at 117 Herald Court, Unit 211, Punta Gorda, FL 33950.

In accordance with the Americans with Disabilities Act and Florida Statute 286.26, the location of this public hearing is accessible to persons with disabilities. If you are a person with disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Interpreters for the hearing impaired (TTY 941-575-5013) or non-English speaking citizens and any other special accommodations can be requested by contacting the Human Resources Manager/Non-Discrimination Coordinator whose address is 326 West Marion Avenue, Punta Gorda, FL 33950, whose telephone number is (941) 575-3308, and whose email address is humres@pgrda.us, at least two (2) calendar days prior to the meeting.

SARA WELCH, CMC CITY CLERK CITY OF PUNTA GORDA Publish: 08/23/24 102469 3937002

NOTICE OF PERMIT

Notice is hereby given that the Southwest Florida Water Management District has received Environmental Resource permit application number 897539 from Richard D. Lake, Trustee; 1499 S. McCall Rd.; Englewood, FL 34223. Application received: July 11, 2024. Proposed activity: Removal of the old existing building and a 2nd story addition to the newer building. Project size: 0.73 acres. Location: Section 6, Township 41 South, Range 20 East, in Charlotte County. Outstanding Florida Water: yes. Aquatic preserve: yes (Lemon Bay Aquatic Preserve). The application is available for public inspection Monday through Friday at 7601 U.S. Highway 301 North, Tampa, Florida 33637 or through the "Application & Permit Search Tools" function on the District's website at www.watermatters.org/permits/. Interested persons may inspect a copy of the application and submit written comments concerning the application. Comments must include the permit application number and be received within 14 days from the date of this notice. If you wish to be notified of intended agency action or an opportunity to request an administrative hearing regarding the application, you must send a written request referencing the permit application number to the Southwest Florida Water Management District, Regulation Bureau, 7601 U.S. Highway 301 North, Tampa, Florida 33637 or submit your request through the District's website at www.watermatters.org. The District does not discriminate based on disability. Anyone requiring accommodation under the ADA should contact the Regulation Bureau at (813)985-7481 or (1800)836-0797, TDD only (1800)231-6103. Publish: 08/23/24 387420 3936919

NOTICE OF SALE

Extra Space Storage, on behalf of itself or its affiliates, Life Storage or Storage Express, will hold a public auction to sell personal property described below belonging to those individuals listed below at the location indicated: 4536 Tamiami Trail , Port Charlotte Florida 33980 on 09/12/24 at 10:00 am

Mitchell Brieschke-Furniture

Purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction. Extra Space Storage may refuse any bid and may rescind any purchase up until the winning bidder takes possession of the personal property. The auction will be listed and advertised on www.storage treasures.com Publish: 08/23/24, 08/30/24 425491 3935658

Extra Space Storage, on behalf of itself or its affiliates, Life Storage or Storage Express, will hold a public auction to sell personal property described below belonging to those individuals listed below at the location indicated: 1001 Executive Ave North Port, FL. 34289 09/12/2024 1:00 PM Robert Ferguson Landscaping/ Construction Equip Lacey Crawford Household Goods/ Furniture Kevin Kenol Household Goods Robin Craig Washer, Dryer, Safe, Electronics, Beds, Couches, Furniture

The auction will be listed and advertised on www.storage treasures.com. Purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction. Extra Space Storage may refuse any bid and may rescind any purchase up until the winning bidder takes possession of the personal property. Publish: 08/23/24, 08/30/24 435602 3936136

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA Case No. CV-23-02470-PHX-DLR

United States Securities and Exchange Commission, Plaintiff, v. Jonathan Larmore, et al., Defendants, and

Michelle Larmore; Marcia Larmore; CSL Investments, LLC; MML Investments, LLC; Spike Holdings, LLC; and JMMF Investments, LLC, Relief Defendants.

NOTICE OF PRIVATE SALE OF 1000 W. MARION, PUNTA GORDA, FLORIDA 33950

TO ALL PARTIES IN INTEREST:

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NOTICE OF SALE

Notice is hereby given that Allen D. Appbaum, as Receiver for ArciTerra Companies, LLC and related entities including, but not limited to 1000 West Marion PG FL, LLC, intends to sell the real property located at 1000 West Marion, Punta Gorda, Florida 33950 (the "Property") for \$2,500,000 (the "Purchase Price"), free and clear of all liens, claims, interests and encumbrances, to 1000 West Marion, LLC, a Florida limited liability company and holder of the senior mortgage on the Property (the "Lender").

Pursuant to 28 U.S.C. § 2001(b) the Receiver is only soliciting higher and better offers that exceed the Purchase Price. The Sale Motion and the Proposed Sale Order are on file with the United States District Court for the District of Arizona, Sandra Day O'Connor U.S. Courthouse, 401 W. Washington St., Suite 130, SPC 1, Phoenix, Arizona 85003-2118 (the "Court"), and are available for review during regular business hours. Copies of the Sale Motion and the Asset Purchase Agreement are also available upon request from the undersigned or by visiting the Receiver's website at www.arciterrareceivership.com.

OBJECTIONS, if any, to the sale and relief requested in the Sale Motion must be filed in writing with the Clerk of the Court on or before August 19, 2024 at 5:00 p.m., Phoenix Time (the "Objection Deadline"). A copy of the objection must also be served on all of the following so as to be received by the Objection Deadline: (i) counsel to the Receiver, Archer & Greiner, P.C., Attn: Allen G. Kadish and Harrison H.D. Breakstone, 1211 Avenue of the Americas, New York, New York 10036, and (b) counsel to the Lender, Farr Law Firm, P.A., Attn: David A. Holmes, 99 Nesbit Street, Punta Gorda, Florida 33950.

Through this Notice, HIGHER AND BETTER OFFERS to purchase the Property are hereby solicited.

If necessary, a hearing to consider the sale and Sale Motion will take place at the United States District Court for the District of Arizona, Sandra Day O'Connor U.S. Courthouse, 401 W. Washington St., Suite 130, SPC 1, Phoenix, Arizona 85003-2118, before the Honorable Douglas L. Rayes.

Please be advised that any of the foregoing dates may be changed by the Court without further notice.

If you have any questions regarding or would like copies of materials relating to the information in this Notice, please make such request in writing to Counsel for the Receiver, Archer & Greiner, P.C., 1211 Avenue of the Americas, New York, New York 10036 Attn: Allen G. Kadish and Harrison H.D. Breakstone. Publish: 08/13/24, 08/15/24, 08/16/24, 08/18/24, 08/19/24, 08/20/24, 08/21/24, 08/22/24, 08/23/24, 08/25/24 436961 3936152

NOTICE OF SALE

NOTICE OF SALE Supreme Court Queens County, NY Matter of Vartouhi Guedoyan Pursuant to an order of the Court entered on 9/15/24, the Court will approve the sale of a parcel of land known as 14290 Whitesides Ave., Port Charlotte, FL a/k/a PCH 059 2962 0012 Port Charlotte Sec 59 Blk 2962 Lt 12 294/415 1298/1420 2628/1216 on 9/24/24 at 2:15 PM, for the best price offered via Microsoft Teams remote audio visual conference. Contact the Court at qscpart25@nycourts.gov at least 5 days prior to sale date. Publish: 08/23/24, 08/30/24, 09/06/24, 09/13/24 436963 3936196

NOTICE OF PUBLIC SALE OF PERSONAL PROPERTY

Extra Space Storage, on behalf of itself or its affiliates, Life Storage or Storage Express, will hold a public auction to sell personal property described below belonging to those individuals listed below at the location indicated: 3041 S McCall Rd Englewood FL 34224, September 12th, 2024, at 10 a.m.

Calvin Christensen-Trailer

The auction will be listed and advertised on www.storage treasures.com. Purchases must be made with cash only and paid at the above referenced facility to complete the transaction. Extra Space Storage may refuse any bid and may rescind any purchase up until the winning bidder takes possession of the personal property. Publish: 08/23/24, 08/30/2024 393933 3936279

NOTICE OF SALE

Extra Space Storage, on behalf of itself or its affiliates, Life Storage or Storage Express, will hold a public auction to sell personal property described below belonging to those individuals listed below at the location indicated: 12560 Tamiami Trail S. North Port, FL. 34287 9/12/2024 - 12:30 PM

Kathrene, Combs-3 Dressers,TV,Two Beds, 4 totes

The auction will be listed and advertised on www.storage treasures.com. Purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction. Extra Space Storage may refuse any bid and may rescind any purchase up until the winning bidder takes possession of the personal property. Publish: 08/23/24, 08/30/24 435610 3936330

NOTICE OF PUBLIC SALE

Notice is hereby given that on 8/30/24 at 10:30 am, the following mobile home will be sold at public auction pursuant to F.S. 715.109. 1998 DUTM CT 47CT10P2XW6085032. Last Tenants: BARBARA REID, BARBARA J REID and all unknown parties beneficiaries heirs. Sale to be at NHC-FL 101 LLC DBA BIG TREE RV RESORT, 2626 NE HIGHWAY 70, ARCADIA, FL 34266. 813-241-8269. Publish: 08/16/24, 08/23/24 370568 3936439

NOTICE OF PUBLIC SALE: Able Wrecker & Road Service LLC gives Notice of Foreclosure of Lien and intent to sell these vehicles on 09/16/2024, 8:00 am at 5135 NE Cubitis Avenue Arcadia, FL 34266, pursuant to subsection 713.78 of the Florida Statutes. Able Wrecker & Road Service LLC reserves the right to accept or reject any and/or all bids.

2001 CHEV SILVERADO VIN# 2GCEC19V611368299 Publish: 08/23/24 108133 3936495

NOTICE OF PUBLIC SALE: Able Wrecker & Road Service LLC gives Notice of Foreclosure of Lien and intent to sell these vehicles on 09/16/2024, 8:00 am at 5135 NE Cubitis Avenue Arcadia, FL 34266, pursuant to subsection 713.78 of the Florida Statutes. Able Wrecker & Road Service LLC reserves the right to accept or reject any and/or all bids. 4 WHEELER 2005 RAPTOR VIN# JY4MZ1Y24C064606 Publish: 08/23/24 108133 3936496

Extra Space Storage, on behalf of itself or its affiliates, Life Storage or Storage Express, will hold a public auction to sell personal property described below belonging to those individuals listed below at the location indicated: 23215 Harborview Rd, Punta Gorda FL, 33980 on 09/12/2024 at 11AM

Chris Evans Furniture & Household items

Shelia Bevelacqua Personal, Household items

The auction will be listed and advertised on www.storage treasures.com. Purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction. Extra Space Storage may refuse any bid and may rescind any purchase up until the winning bidder takes possession of the personal property. Publish: 08/23/24, 08/30/24 111034 3936896

Extra Space Storage, on behalf of itself or its affiliates, Life Storage or Storage Express, will hold a public auction to sell personal property described below belonging to those individuals listed below at the location indicated: 540 N Indiana Ave Englewood FL 34223 09/12/2024 12:00 pm

Kelly Millen - Furniture Tuong Luong - Clothes, books

The auction will be listed and advertised on www.storage treasures.com. Purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction. Extra Space Storage may refuse any bid and may rescind any purchase up until the winning bidder takes possession of the personal property. Publish: 08/23/24, 08/30/24 416844 3937055

INTENT TO CONSIDER ORDINANCE

TO WHOM IT MAY CONCERN:

Notice is hereby given pursuant to the provisions of Chapter 177, Florida Statutes, that Swallow Shawn & Swallow Sheilarey, the property owner intends to petition the City of North Port to vacate a portion of the 20-foot rear drainage maintenance easement located on lot 13, Block

INTENT TO CONSIDER ORDINANCE

1345, 26th Addition to Port Charlotte subdivision, according to the plat thereof as recorded in plat book 15 ,pages 3,3A-3S. Public records of Sarasota County, Florida. All of the above lying and being in the City of North Port, Sarasota County, Florida. We are requesting 8.5ft from the 20 feet platted maintenance easement. Publish: 08/16/24, 08/23/24, 395956 3936243

OTHER NOTICES

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT IN AND FOR DESOTO COUNTY, FLORIDA Case No.: 2023CA57 Division: Civil

RONALD W. HARDESTY and SHEILA A. HARDESTY Plaintiffs, VS. REBECCA S. HARDESTY AND CHARLES M. HARDESTY, Defendant

AMENDED ORDER GRANTING LEAVE TO PARTITION AND SELL REAL PROPERTY (as to the sale date)

On June 25, 2024, the Court considered the Motion to Partition and Sell Real Property filed by Ronald W. Hardesty, Plaintiff. Plaintiff, Ronald W. Hardesty, appeared by attorney. Plaintiff, Sheila A. Hardesty, failed to appear. Defendant, Rebessa S. Hardesty, failed to appear. Defendant Charles M. Hardesty, appeared.

Based upon the pleadings, records, documents filed by counsel, and the arguments of counsel at the June 25, 2024, hearing, the Court finds that the Motion should be GRANTED. IT IS, THEREFORE, ORDERED that the Motion for Leave to Partition Real property by Sale filed and described in Exhibit A-attached to the Original or First Order granting Leave to Partition and Sell Real Property by Ronald W. Hardesty and Sheila A. Hardesty, Plaintiffs, is hereby GRANTED.

IT IS FURTHER ORDERED the Clerk of the Desoto County Court shall sell the property on Thursday, October 24, 2024, at 11:00 A.M. at 115 East Oak Street, Arcadia, FL by auction to the highest bidder. Plaintiff shall publish a Notice of Sale.

DONE AND ORDERED in Chambers, in Arcadia, Desoto County, Florida, this 25th day of July 2024.

Judge Guy Flowers Publish: 08/02/24, 08/09/24, 08/16/24, 08/23/24 239466 3935388

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Sarasota County Tax Collector

Exhibit D for VAC-24-134

generated on 7/5/2024 12:16:52 PM EDT

Tax Record

Last Update: 7/5/2024 12:16:53 PM EDT

Register for eBill

Ad Valorem Taxes and Non-Ad Valorem Assessments

The information contained herein does not constitute a title search and should not be relied on as such.

Account Number	Type Tax	Tax Year			
0950134513	REAL ESTATE	2023			
Mailing Address					
SWALLOW SHAWN M SWALLOW SHEILAREY 7874 TAPLIN AVE NORTH PORT FL 34288					
Property Address					
7874 TAPLIN AVE 005					
Old Account Number					
0950-13-4513					
Base Exempt Amount	Taxable Value				
see below	see below				
Exemption Detail	Millage Code	Escrow Code			
NO EXEMPTIONS	0500	999999			
Legal Description					
7874 TAPLIN AVE LOT 13 BLK 1345 26TH ADD TO PORT CHARLOTTE					
Ad Valorem Taxes					
Taxing Authority	Rate	Assessed Exemption Value	Exemption Amount	Taxable Value	Taxes Levied
Sarasota Co. General Revenue	3.2653	15,510	0	\$15,510	\$50.64
Bonds-Debt Service	0.0799	15,510	0	\$15,510	\$1.24
Sarasota Co. Legacy Trl	0.0469	15,510	0	\$15,510	\$0.73
Mosquito Control	0.0460	15,510	0	\$15,510	\$0.71
Sarasota Co. Hospital Dist.	1.0420	15,510	0	\$15,510	\$16.16
SW FL Water Management Dist.	0.2043	15,510	0	\$15,510	\$3.17
West Coast Inland Navigation	0.0394	15,510	0	\$15,510	\$0.61
Sarasota School Board					
School Board - State	2.9320	24,600	0	\$24,600	\$72.13
School Board - Local	3.2480	24,600	0	\$24,600	\$79.90
City of North Port	3.7667	15,510	0	\$15,510	\$58.42
Total Millage		14.6705	Total Taxes		\$283.71
Non-Ad Valorem Assessments					
Code	Levying Authority				Amount
F093	North Port Fire & Rescue				\$156.20
R097	North Port Road & Drainage				\$220.13
R197	North Port R&D Capital Improve				\$46.00
Total Assessments					\$422.33
Taxes & Assessments					\$706.04
If Paid By				Amount Due	
				\$0.00	

Date Paid	Transaction	Receipt	Item	Amount Paid
3/29/2024	PAYMENT	5575630.0001	2023	\$706.04