



City of North Port

RESOLUTION NO. 2023-R-49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED ON NORTH TOLEDO BLADE BOULEVARD AND DESCRIBED AS SARASOTA COUNTY PROPERTY APPRAISER PARCEL IDENTIFICATION NUMBERS 0938013913, 0938013914, 0938013915, 0938013916 AND 0959073917; INCORPORATING RECITALS; PROVIDING FOR FILING OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner(s) of the identified real property have agreed to sell the real property to the City of North Port; and

WHEREAS, through its real estate consultant, the City obtained an appraisal report identifying the fee simple market value of the real property as of May 12, 2023, as \$2,130,000.00; and

WHEREAS, the current owner(s) will pay any outstanding taxes on the real property at closing; and

WHEREAS, the City Commission of the City of North Port, Florida finds that this real property acquisition satisfies an immediate or future need of the City or its special districts.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

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 authorizes the City Manager to take the actions identified in this resolution to purchase the real property bearing Sarasota County Property Appraiser parcel identification numbers 0938013913, 0938013914, 0938013915, 0938013916 and 0959073917, located on N. Toledo Blade in the City of North Port, and legally described as:

Lots 13, 14, 15, and 16, Block 39, 2nd Addition to North Port Charlotte Estates, a subdivision according to the Plat thereof, recorded in Plat Book 19, Pages 44, 44A through 44O, of the Official Records of the Sarasota County Clerk of the Circuit Court.

Less and Except:

A portion of Lot 16, Block 39, being bounded as follows: On the West by the Easterly right-of-way of Creighton Waterway as shown on the said Plat of 2nd Addition to North Port Charlotte Estates; on the South by a line parallel with and 160.00 feet South of as measured at right angles to the North line of said Lot 16; on the East by a line parallel with and 323.46 feet West of, as measured at right angles to the East line of said Lot 16, also being the West right-of-way of Choctaw Boulevard as shown on said Plat of 2nd Addition to North Port Charlotte Estates; on the North by the North line of said Lot 16.

A Tract or Parcel of land lying in the Northeast quarter (NE-1/4) of Section 12, Township 39 South, Range 21 East, City of North Port, Sarasota County, Florida which Tract or Parcel is more particularly described as follows:

Tract "H" as platted in the 2nd Addition to North Port Charlotte Estates as recorded in Plat Book 19, Pages 44, 44A-44O, of the Official Records of the Sarasota County Clerk of the Circuit Court.

Less and except Tract "P" being more particularly described as follows: From the Northeast corner of the Northeast quarter (NE-1/4) of said Section 12 run S 00° 21' 20" W along the East line of said Section 12 for 605.54 feet; thence run N 89° 23' 00" W for 224.50 feet to the point of beginning.

From said point of beginning continue N 89° 23' 00" W along the South line of said Tract "H" for 150.08 feet to an intersection with the East right-of-way line of Creighton Waterway (100' wide); thence run N 07° 44' 15" W along said Creighton Waterway for 141.50 feet; thence run S 89° 23' 00" E for 170.00 feet; thence run S 00° 21' 20" E for 140.00 feet to the point of beginning.

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 City of North Port 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.
- 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 City 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, in public session on _____, 2023.

CITY OF NORTH PORT, FLORIDA

BARBARA LANGDON
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON, B.C.S.
CITY ATTORNEY