

# City of North Port

#### **RESOLUTION NO. 2023-R-22**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, APPROVING A TEMPLATE FOR TEMPORARY CONSTRUCTION EASEMENT FOR PRICE BOULEVARD WIDENING IN THE CITY OF NORTH PORT, FLORIDA; ACCEPTING ALL EASEMENTS USING THE APPROVED TEMPLATE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR RECORDING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS,** the Price Boulevard Project includes the widening of the roadway and other improvements, including stormwater, sidewalk systems and other infrastructure within the right-of-way; and

WHEREAS, the City requires temporary construction easements from multiple parcels bordering the construction activities; and

**WHEREAS**, the City provides for the transition between the improved right-of-way and the private property, and for the restoration of any impacted easement area; and

**WHEREAS**, the *Template for Temporary Construction Easement* authorizes the City to conduct minor construction activities necessary for completion of the roadway widening and will automatically expire upon completion of the widening project; and

**WHEREAS,** the City Commission of the City of North Port, Florida finds that the *Template for Temporary Construction Easement* and the acceptance of the easements serve the public health, safety, and welfare of the citizens of the City of North Port, Florida.

#### 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.
- 1.02 All exhibits attached to this resolution are incorporated by reference.

#### SECTION 2 – APPROVING TEMPLATE FOR TEMPORARY CONSTRUCTION EASEMENT

2.01 The City Commission approves the *Template for Temporary Construction Easement* attached as Exhibit A.

2.02 The construction activities border the parcels described in the attached Exhibit B *Parcel Identification*.

#### **SECTION 3 – ACCEPTING TEMPORARY CONSTRUCTION EASEMENTS**

- 3.01 The City Commission hereby accepts each temporary construction easement subsequently executed on the *Template for Temporary Construction Easement*.
- 3.02 The City Commission hereby authorizes the City Manager or designee to accept any temporary construction easement executed on the *Template for Temporary Construction Easement*, if this Resolution misidentifies or omits any parcels necessary for completion of the Price Boulevard widening.

#### **SECTION 4 – RECORDING**

- 4.01 The City Clerk or designee is directed to file a certified copy of this resolution, and Exhibit A and Exhibit B the Sarasota County Clerk of the Circuit Court to be duly recorded in the official records of the county.
- 4.02 The City Clerk or designee is directed to file any executed Temporary Construction Easement as authorized in Section 3 of this Resolution.
- 4.03 The City will be responsible for the recording costs.

#### **SECTION 5 – CONFLICTS**

5.01 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 6 – SEVERABILITY**

6.01 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 7 – EFFECTIVE DATE**

7.01 This resolution takes effect immediately.

ADOPTED by the City Commission of the City of North Port, Florida, in public session on \_\_\_\_\_\_\_, 2023.

Resolution No. 2023-R-22

BARBARA LANGDON MAYOR	
SS	

CITY ATTORNEY

CITY OF NORTH PORT, FLORIDA

Return to:
Anthony Friedman, Project Manager
City of North Port
Public Works Department
1100 N. Chamberlain Blvd.
North Port, FL 34286

PID \_\_\_\_\_\_\_[insert parcel number]

# TEMPORARY CONSTRUCTION EASEMENT AND RIGHT OF ENTRY

AND RIGHT OF ENTRY
This Temporary Construction Easement and Right of Entry ("Easement") is made by and between [insert name of ALL property owners], ("Grantor(s)"), whose mailing address is, [insert property owners' address] and the North Port Road and Drainage District, a dependent special district of the City of North Port, Florida, a municipal corporation of the State of Florida ("Grantee"), whose mailing address is 4970 City Hall Boulevard, North Port, Florida 34286.
WITNESSETH
Grantor, for good and valuable consideration as provided in this Easement, the receipt of which is hereby acknowledged grants to the Grantee, a (") [insert width in word and number not to exceed "twenty-five (25')"] feet wide temporary construction easement for the purpose of improving Price Boulevard, constructing and reconstructing driveways, sidewalks and stormwater improvements, including but not limited to removal of obstructions and vegetation, addition or removal of fill, stabilization materials, and structures; constructing a ten foot (10') wide sidewalk within the right-of-way; and reconstructing the improved surface of the private property as necessary for the driveway connection to Price Boulevard and re-sloping and sodding the yard. The Easement is located in, over, and upon the portion of Grantor's property ("Property") described below:
[Choose the first that applies and insert the legal description in one format as follows:]
"Lot, Block, of, [insert subdivision name] as recorded in the Official Records of Sarasota County, Florida in [choose one of the following: "Instrument No" <b>OR</b> "Book No, at Page No"]."
OR
"A portion of Section, Township, Range, [insert information] in the County of Sarasota, Florida as recorded in the Official Records of Sarasota County, Florida in Instrument No" OR "Book No, at Page No"
Grantor represents and warrants to Grantee that Grantor owns the property described in this Easement; that Grantor has good, right, and lawful authority to grant this Easement and that Grantor will not take any action to interfere with Grantee's lawful use of this Easement. Grantor's grant of this Easement is binding on the Grantor's successors and assigns.

Grantor authorizes the Grantee, its employees, agents, contractors, and subcontractors to enter upon the Property during normal business hours (7:00 a.m. to 5:00 p.m. weekdays), and additionally upon reasonable prior notice to the property owner. Grantor may close the driveway not exceeding eight (8) calendar days, during removal and replacement of the driveway connection.

All permits and/or permissions will be obtained from the appropriate regulatory agencies including but not limited to the City of North Port, Florida and will comply with all applicable local, state, and federal rules and regulations. All improvements will be at no cost and expense to the Grantor.

The existing driveway and lawn improvements, if impacted by the construction, will be replaced, and restored, using materials of equal or greater quality and to the condition substantially the same as prior to construction.

This Easement is temporary in nature will terminate upon the completion of Price Boulevard construction as determined by the City and notice filed in the Official Records of Sarasota County, Florida. The termination shall be automatic upon the occurrence of the foregoing event, without further act by, joinder or consent of, or instrument from Grantee.

The Grantee's acceptance of this easement is reflected in City of North Port, Florida Resolution No. 2023-R-\_\_\_. [insert resolution number]

IN WITNESS WHEREOF, Grantor has executed this instrument on the date set forth below.

WITNESSES:	GRANTOR
Witness Name:	
	Grantor; if Grantor is an entity, the name must match the records at Sunbiz.org]  [if Grantor is an entity,
Witness Name:	insert the signatory's title; if Grantor is an individual, delete this line]
<u>ACKNOWLEDGE</u>	MENT [For use by individuals]
STATE OF	
The foregoing instrument was acknowledged notarization, this day of	d before me by means of $\square$ physical presence or $\square$ online 202, by
	Notary Public

□Personally Known OR □ Produced Identification Type of Identification Produced:	
<u>ACKNOWLEDGEMENT</u>	[For use by entity]
STATE OF COUNTY OF	
The foregoing instrument was acknowledged before n notarization, this day of 20, by as [title] for	[name],
[entity].	
	Notary Public
☐ Personally Known OR ☐ Produced Identification Type of Identification Produced:	
WITNESSES:	GRANTOR
Witness Name:	
	Grantor; if Grantor is an entity, the name must match the records at Sunbiz.org]  [if Grantor is an entity, insert the
Witness Name:	signatory's title; if Grantor is an individual, delete this line]
ACKNOWLEDGEMENT [Fo	or use by individuals]
STATE OF	
The foregoing instrument was acknowledged before n notarization, this day of 202_	
	Notary Public
□Personally Known OR □ Produced Identification Type of Identification Produced:	

### **ACKNOWLEDGEMENT** [For use by entity]

STATE OF			
The foregoing instrument was accommon and accommon as [entity].	20, by		[name],
		Notary Public	
☐ Personally Known OR ☐ Productive of Identification Produced:	ced Identification		

## **Exhibit B – Parcel Identification**

Property ID	Address of Parcel
0977-09-0001	1085 Grand Venture, North Port, FL 34286
0977-09-0005	1090 Grand Venture, North Port, FL 34286
0977-09-0006	N Main, North Port, FL 34286
0977-16-0001	4700 Convergence Way, North Port, FL 34287
0977-16-0002	4732 Convergence Way, North Port, FL 34287
0977-16-0003	4764 Convergence Way, North Port, FL 34287
0977-16-0004	1013 Front Pl, North Port, FL 34287
0979-03-6227	1035 N Race St, North Port, FL 34286
0979-03-6230	4660 W Price Blvd, North Port, FL 34286
0979-03-6305	N Race St, North Port, FL 34286
0979-03-6311	1039 William St, North Port, FL 34286
0979-03-6404	4371 Symco Ave, North Port, FL 34286
0979-03-6428	W Price Blvd, North Port, FL 34286
0979-03-6429	4390 W Price Blvd, North Port, FL 34286
0979-03-6430	4410 W Price Blvd, North Port, FL 34286
0979-03-6431	W Price Blvd, North Port, FL 34286
0979-03-6432	1038 William, North Port, FL 34286
0979-03-6945	4695 W Price Blvd, North Port, FL 34286
0979-03-9408	1148 N Salford Blvd, North Port, FL 34286
0979-03-9409	1118 N Salford Blvd, North Port, FL 34286
0979-03-9410	1088 N Salford Blvd, North Port, FL 34286
0979-12-0001	W Price Blvd, North Port, FL 34286
0980-03-6416	1027 N Salford Blvd, North Port, FL 34286
0980-03-6417	W Price Blvd, North Port, FL 34286
0980-03-6418	4060 W Price Blvd, North Port, FL 34286
0980-03-6419	4090 W Price Blvd, North Port, FL 34286
0980-03-6420	W Price Blvd, North Port, FL 34286
0980-03-6421	4150 W Price Blvd, North Port, FL 34286
0980-03-6422	4180 W Price Blvd, North Port, FL 34286
0980-03-6423	W Price Blvd, North Port, FL 34286
0980-03-6424	4240 W Price Blvd, North Port, FL 34286
0980-03-6425	4270 W Price Blvd, North Port, FL 34286
0980-03-6426	4300 W Price Blvd, North Port, FL 34286
0980-03-6501	4595 W Price Blvd, North Port, FL 34286
0980-03-6502	4565 W Price Blvd, North Port, FL 34286
0980-03-6503	4535 W Price Blvd, North Port, FL 34286
0980-03-6504	4505 W Price Blvd, North Port, FL 34286
0980-03-6505	4475 W Price Blvd, North Port, FL 34286
0980-03-6506	4455 W Price Blvd, North Port, FL 34286
0980-03-6507	W Price Blvd, North Port, FL 34286

0980-03-6508	4395 W Price Blvd, North Port, FL 34286
0980-03-6510	4335 W Price Blvd, North Port, FL 34286
0980-03-6511	4295 W Price Blvd, North Port, FL 34286
0980-03-6513	4255 W Price Blvd, North Port, FL 34286
0980-03-6515	4205 W Price Blvd, North Port, FL 34286
0980-03-6516	4175 W Price Blvd, North Port, FL 34286
0980-03-6517	4145 W Price Blvd, North Port, FL 34286
0980-03-6518	1053 Savia St, North Port, FL 34287
0980-03-6601	4055 W Price Blvd, North Port, FL 34286
0980-03-6620	1013 S Salford Blvd, North Port, FL 34287
0980-03-6903	4635 W Price Blvd, North Port, FL 34286
0980-03-6904	4615 W Price Blvd, North Port, FL 34286
0980-03-9101	1080 S Salford Blvd, North Port, FL 34287
0980-03-9201	3535 W Price Blvd, North Port, FL 34286
0980-03-9204	3615 W Price Blvd, North Port, FL 34286
0980-03-9205	W Price Blvd, North Port, FL 34286
0980-03-9206	3675 W Price Blvd, North Port, FL 34286
0980-03-9207	3695 W Price Blvd, North Port, FL 34286
0980-03-9208	3725 W Price Blvd, North Port, FL 34286
0980-03-9209	3745 W Price Blvd, North Port, FL 34286
0980-03-9210	3765 W Price Blvd, North Port, FL 34286
0980-03-9211	3785 W Price Blvd, North Port, FL 34286
0980-03-9212	3805 W Price Blvd, North Port, FL 34286
0980-03-9213	3835 W Price Blvd, North Port, FL 34286
0980-03-9214	3865 W Price Blvd, North Port, FL 34286
0980-03-9215	3895 W Price Blvd, North Port, FL 34286
0980-03-9216	3915 W Price Blvd, North Port, FL 34286
0980-03-9217	3935 W Price Blvd, North Port, FL 34286
0980-03-9218	3965 W Price Blvd, North Port, FL 34286
0980-03-9219	3995 W Price Blvd, North Port, FL 34286
0980-03-9220	1050 S Salford Blvd, North Port, FL 34287
0980-03-9326	W Price Blvd, North Port, FL 34286
0980-03-9327	W Price Blvd, North Port, FL 34286
0980-03-9328	3830 W Price Blvd, North Port, FL 34286
0980-03-9329	W Price Blvd, North Port, FL 34287
0980-03-9330	3780 W Price Blvd, North Port, FL 34286
0980-03-9331	W Price Blvd, North Port, FL 34286
0980-03-9332	W Price Blvd, North Port, FL 34286
0980-03-9333	3720 W Price Blvd, North Port, FL 34286
0980-03-9334	W Price Blvd, North Port, FL 34286
0980-03-9335	3672 W Price Blvd, North Port, FL 34286
0980-03-9336	W Price Blvd, North Port, FL 34286
0980-03-9338	W Price Blvd, North Port, FL 34286

0980-03-9340	W Price Blvd, North Port, FL 34286
0980-03-9341	3500 W Price Blvd, North Port, FL 34286
0980-03-9411	1058 N Salford Blvd, North Port, FL 34286
0980-03-9412	1028 N Salford Blvd, North Port, FL 34286
0980-03-9413	1027 Petronia, North Port, FL 34286
0980-04-1401	W Price Blvd, North Port, FL 34286
0980-04-1402	3480 W Price Blvd, North Port, FL 34286
0980-04-1403	3464 W Price Blvd, North Port, FL 34286
0980-04-1404	3450 W Price Blvd, North Port, FL 34286
0980-04-1405	W Price Blvd, North Port, FL 34286
0980-04-1407	W Price Blvd, North Port, FL 34286
0980-04-1408	W Price Blvd, North Port, FL 34286
0980-04-1409	3380 W Price Blvd, North Port, FL 34286
0980-04-1410	W Price Blvd, North Port, FL 34286
0980-04-1411	3352 W Price Blvd, North Port, FL 34286
0980-04-1412	3340 W Price Blvd, North Port, FL 34286
0980-04-1446	3494 W Price Blvd, North Port, FL 34286
0980-04-1501	3485 W Price Blvd, North Port, FL 34286
0980-04-1502	3475 W Price Blvd, North Port, FL 34286
0980-04-1503	3465 W Price Blvd, North Port, FL 34286
0980-04-1504	3455 W Price Blvd, North Port, FL 34286
0980-04-1505	W Price Blvd, North Port, FL 34286
0980-04-1506	3423 W Price Blvd, North Port, FL 34286
0980-04-1507	W Price Blvd, North Port, FL 34286
0980-04-1508	3395 W Price Blvd, North Port, FL 34286
0980-04-1509	3381 W Price Blvd, North Port, FL 34286
0980-04-1510	3365 W Price Blvd, North Port, FL 34286
0980-04-1511	3353 W Price Blvd, North Port, FL 34286
0980-04-1512	3341 W Price Blvd, North Port, FL 34286
0981-04-1212	2900 W Price Blvd, North Port, FL 34286
0981-04-4715	1042 Low St, North Port, FL 34286
0981-04-5112	2850 W Price Blvd, North Port, FL 34286
0982-04-1211	3184 W Price Blvd, North Port, FL 34286
0982-04-1413	3324 W Price Blvd, North Port, FL 34286
0982-04-1414	3310 W Price Blvd, North Port, FL 34286
0982-04-1415	W Price Blvd, North Port, FL 34286
0982-04-1416	3280 W Price Blvd, North Port, FL 34286
0982-04-1417	3270 W Price Blvd, North Port, FL 34286
0982-04-1418	3264 W Price Blvd, North Port, FL 34286
0982-04-1419	W Price Blvd, North Port, FL 34286
0982-04-1420	W Price Blvd, North Port, FL 34286
0982-04-1421	W Price Blvd, North Port, FL 34286
0982-04-1422	N Waconia St, North Port, FL 34286

0982-04-1513	3325 W Price Blvd, North Port, FL 34286
0982-04-1514	W Price Blvd, North Port, FL 34286
0982-04-1516	3281 W Price Blvd, North Port, FL 34286
0982-04-1517	3271 W Price Blvd, North Port, FL 34286
0982-04-1518	3265 W Price Blvd, North Port, FL 34286
0982-04-1519	3251 W Price Blvd, North Port, FL 34286
0982-04-1520	W Price Blvd, North Port, FL 34286
0982-04-1521	3223 W Price Blvd, North Port, FL 34286
0982-04-1522	3205 W Price Blvd, North Port, FL 34286
0982-04-1711	S Waconia St, North Port, FL 34286
0982-04-1713	3085 W Price Blvd, North Port, FL 34286
0982-04-1714	3085 W Price Blvd, North Port, FL 34286
0982-04-4111	1001 Wapello, North Port, FL 34286
0982-04-4112	2871 W Price Blvd, North Port, FL 34286
0982-04-4212	1021 S Step St, North Port, FL 34286
0982-04-4216	2719 W Price Blvd, North Port, FL 34286
0982-04-4218	2731 W Price Blvd, North Port, FL 34286
0982-04-4219	2741 W Price Blvd, North Port, FL 34286
0982-04-4220	2751 W Price Blvd, North Port, FL 34286
0982-04-4221	2753 W Price Blvd, North Port, FL 34286
0982-04-4222	2763 W Price Blvd, North Port, FL 34286
0982-04-4223	2773 W Price Blvd, North Port, FL 34286
0982-04-4224	2781 W Price Blvd, North Port, FL 34286
0982-04-4226	2793 W Price Blvd, North Port, FL 34286
0982-04-4318	2412 Altoona Ave, North Port, FL 34286
0982-04-4320	2415 W Price Blvd, North Port, FL 34286
0982-04-4322	2441 W Price Blvd, North Port, FL 34286
0982-04-4324	2451 W Price Blvd, North Port, FL 34286
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0982-04-4328	2491 W Price Blvd, North Port, FL 34286
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0982-04-4330	2531 W Price Blvd, North Port, FL 34286
0982-04-4331	W Price Blvd, North Port, FL 34286
0982-04-4332	2591 W Price Blvd, North Port, FL 34286
0982-04-4333	2621 W Price Blvd, North Port, FL 34286
0982-04-4334	2651 W Price Blvd, North Port, FL 34286
0982-04-4335	1020 S Step St, North Port, FL 34286
0982-04-4401	2411 N Altoona Ave, North Port, FL 34286
0982-04-4443	2365 W Price Blvd, North Port, FL 34286
0982-04-4523	2374 W Price Blvd, North Port, FL 34286
0982-04-4526	2384 W Price Blvd, North Port, FL 34286
0982-04-4706	1002 Luau St, North Port, FL 34286
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0982-04-4707	W Price Blvd, North Port, FL 34286
0982-04-4708	W Price Blvd, North Port, FL 34286
0982-04-4709	2450 W Price Blvd, North Port, FL 34286
0982-04-4711	W Price Blvd, North Port, FL 34286
0982-04-4712	2410 W Price Blvd, North Port, FL 34286
0982-04-4835	2574 W Price Blvd, North Port, FL 34286
0982-04-4837	Luau St, North Port, FL 34286
0982-04-4906	1006 Step St, North Port, FL 34286
0982-04-4907	W Price Blvd, North Port, FL 34286
0982-04-5001	2794 W Price Blvd, North Port, FL 34286
0982-04-5002	2790 W Price Blvd, North Port, FL 34286
0982-04-5003	2780 W Price Blvd, North Port, FL 34286
0982-04-5004	2772 W Price Blvd, North Port, FL 34286
0982-04-5005	2764 W Price Blvd, North Port, FL 34286
0982-04-5006	2754 W Price Blvd, North Port, FL 34286
0982-04-5007	W Price Blvd, North Port, FL 34286
0982-04-5008	W Price Blvd, North Port, FL 34286
0982-04-5010	2724 W Price Blvd, North Port, FL 34286
0982-04-5011	2714 W Price Blvd, North Port, FL 34286
0982-04-5012	2710 W Price Blvd, North Port, FL 34286
0982-04-5013	2700 W Price Blvd, North Port, FL 34286
0982-04-5111	N Wapello St, North Port, FL 34286
0982-04-6257	2324 W Price Blvd, North Port, FL 34286
0982-04-6258	2334 W Price Blvd, North Port, FL 34286
0982-04-7019	W Price Blvd, North Port, FL 34286
0982-04-7020	2341 W Price Blvd, North Port, FL 34286
0983-04-0010	1700 W Price Blvd, North Port, FL 34288
0983-04-6503	1067 N Chamberlain Blvd, North Port, FL 34286
0983-04-6504	1097 N Chamberlain Blvd, North Port, FL 34286
0983-06-0010	1670 W Price Blvd, North Port, FL 34288
0983-07-0010	1200 W Price Blvd, North Port, FL 34288
0983-08-0010	1063 N Toledo Blade, North Port, FL 34288
0983-08-0020	1080 W Price Blvd, North Port, FL 34288
0984-02-0100	1107 Citizens Pkwy, North Port, FL 34288
0984-03-0010	1191 W Price Blvd, North Port, FL 34288
0984-04-6256	2314 W Price Blvd, North Port, FL 34286
0984-04-6501	1007 N Chamberlain Blvd, North Port, FL 34286
0984-04-6502	N Chamberlain Blvd, North Port, FL 34286
0984-04-6550	1010 McCrory St, North Port, FL 34286
0984-04-6601	1021 McCrory St, North Port, FL 34286
0984-04-6642	1006 Arredondo St, North Port, FL 34286
0984-04-6701	1011 Arredondo St, North Port, FL 34286
0984-04-6737	1018 N Lavina St, North Port, FL 34286

0984-04-6909	S Chamberlain Blvd, North Port, FL 34286
0984-04-6910	2043 W Price Blvd, North Port, FL 34286
0984-04-6912	2103 W Price Blvd, North Port, FL 34286
0984-04-6913	W Price Blvd, North Port, FL 34286
0984-04-6914	W Price Blvd, North Port, FL 34286
0984-04-6915	2179 W Price Blvd, North Port, FL 34286
0984-04-6916	W Price Blvd, North Port, FL 34286
0984-04-6918	S Lavina St, North Port, FL 34286
0984-04-7017	1075 S Lavina St, North Port, FL 34286
0984-04-8544	1020 Caliva St, North Port, FL 34286
0984-04-8609	1817 W Price Blvd, North Port, FL 34286
0984-04-8610	1831 W Price Blvd, North Port, FL 34286
0984-04-8613	1861 W Price Blvd, North Port, FL 34286
0984-04-8614	1871 W Price Blvd, North Port, FL 34286
0984-04-8615	1881 W Price Blvd, North Port, FL 34286
0984-04-8707	1015 Cassia St, North Port, FL 34286
0984-04-8708	1004 N Chamberlain Blvd, North Port, FL 34286
0984-04-8836	W Price Blvd, North Port, FL 34286
0984-05-0011	1251 S Toledo Blade Blvd, North Port, FL 34288
0984-05-0030	1061 W Price Blvd, North Port, FL 34288