



STAFF REPORT

Village E—Former School Site

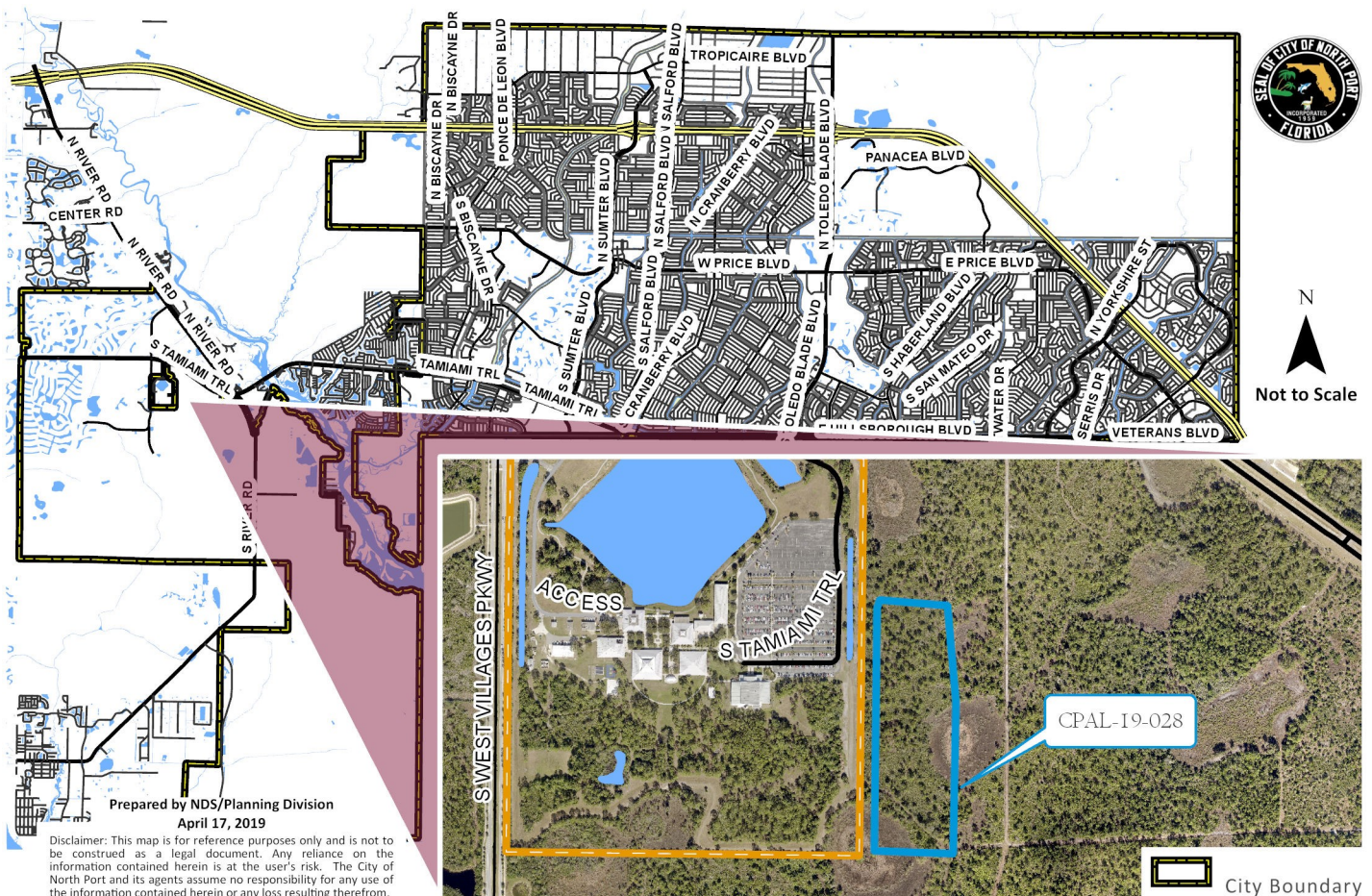
Comprehensive Plan Amendment

From: Alison Christie, Planner

Thru: Nicole Galehouse, AICP, Planning Division Manager

Thru: Frank Miles, MPA, Director, Neighborhood Development Services

Date: April 16, 2019



PROJECT:	CPAL-19-028
REQUEST:	Approval of the Comprehensive Plan Amendment
APPLICANT:	Katie LaBarr, AICP, of Stantec Consulting Services, on behalf of Martin P. Black of Manasota Beach Ranchlands (Exhibit A-1, Affidavit)
OWNER:	Manasota Beach Ranchlands, LLLP (Exhibit A-2, Warranty Deed)
LOCATION:	A ± 12.00 acre parcel located south of U.S. 41 and approximately 4,554 feet west of River Road
PROPERTY SIZE:	± 12.00 acres

I. BACKGROUND

Katie LaBarr, Stantec Consulting Services, on behalf of Martin P. Black of Manasota Beach Ranchlands, property owner, formally submitted to the City of North Port a Comprehensive Plan Amendment to change the future land use of a ±12.00-acre property. The subject property is located south of U.S. 41 and approximately 4,554 feet west of River Road in Village E of the West Villages. This property currently has a future land use designation of "Public" as it was originally identified to be a future school site by the Sarasota County School Board (**Exhibit B**).

This Comprehensive Plan Amendment seeks to change the future land use designation to "Village" as the property is no longer identified as a future school site (**Exhibit C**). The Sarasota County School Board entered into a property agreement with the property owner on a different, larger site elsewhere in the West Villages in 2016, negating the need for the subject property. The subject property is bordered on the north, south, and east by the West Villages, including residential uses in Village B and the proposed Village G and baseball spring training facility, which all has a future land use designation of "Village". It is bordered on the west by the State College of Florida campus.

II. REVIEW PROCESS

The Comprehensive Plan Amendment application was received on February 8, 2019 and was processed for management review and distributed to all Directors. All departments reviewed and approved.

The proposed Ordinance No. 2019-14 for the Comprehensive Plan Amendment petition was submitted to the City Attorney's Office and reviewed as to form and correctness (**Exhibit D**).

III. DATA & ANALYSIS

FLORIDA STATUTES

FLA. STAT. § 163.3184(3) Expedited State review process for adoption of comprehensive plan amendments

Since the development is greater than 10 acres, it must go through the expedited state review process. This process requires that the amendment be transmitted to the State within 10 days from the initial public hearing and sets out the agencies who must receive the review, as well as procedures that must be followed after the second public hearing.

FLA. STAT. §166.041 Procedures for adoption of ordinances and resolutions

The notice requirements pursuant to this Statute have been met and are detailed in Section VI of this Staff Report.

COMPREHENSIVE PLAN

Future Land Use Element Policies 10.4, 10.7, and 10.8

The Comprehensive Plan requires coordination with the School Board to ensure facilities and services are provided within the City. This petition reflects the

COMPREHENSIVE PLAN

relocation of a future school site to another larger location within the West Villages that was agreed upon with the Sarasota County School Board and will better serve their needs.

Staff concludes the petition complies with the Comprehensive Plan.

Future Land Use Element Policy 13.2

The Comprehensive Plan requires the creation of Town Centers as a part of the "Village" designation and development process. Its purpose is to provide a place for a mix of uses including residential, office, retail, civic, and light industrial uses with a more regional market base. Once its future land use destination is changed to "Village", the subject property will be incorporated into Village E and developed as a part of the mixed-use town center.

Staff concludes the petition complies with the Comprehensive Plan.

ULDC

Chapter 53 — Zoning Regulations, Article XVIII — V Village

The Village Zoning District was created to implement Objectives 1 and 13 of the Future Land Use Element of the Comprehensive Plan. The subject property is already zoned "Village" and therefore supports a future land use change to "Village".

Staff concludes that the petition complies with the ULDC.

CITY SERVICES & ENVIRONMENTAL

A Willingness to Serve Water, Sewer, and Reclaimed Water Letter was provided in the application package (**Exhibit E**). Water and sewer services will be provided by the City of North Port Utilities after completion and acceptance of a Utility Developer's Agreement which is currently being negotiated. If any modification is proposed to the standard agreement, the agreement will come to the City Commission for approval.

The project does not currently have direct access from either West Villages Parkway or U.S. 41. According to the proposed Village E Village District Pattern Plan, it will have access from a future road created as a part of the future development of Village E.

Conservation

The site is not located within the Conservation Restricted Overlay.

As the subject property will be incorporated into Village E upon the approval of this petition, the environmental assessment submitted as a part of the proposed Village E Village District Pattern Plan included this ± 12.00 acres. We accepted this environmental assessment for both petitions.

This assessment included scrub jay surveys and noted that no scrub jays were observed. The potential scrub jay habitat that is listed within Village E was found to be overgrown and not suitable for scrub jays. Gopher tortoise burrows

**CITY SERVICES &
ENVIRONMENTAL**

were observed during the assessment. If they are still present at the time of building permits and cannot be avoided, a relocation permit will be required. An updated environmental assessment will be required prior to groundbreaking.

Flood Zone

Zone X, Firm Panel 0370F/0365F, Community 120279

IV. PUBLIC NOTICE & HEARING SCHEDULE

PUBLIC NOTICE

The petition was advertised in a newspaper of general circulation within the City of North Port on April 17, 2019 pursuant to the provisions of Section 166.041 (3)(a), Florida Statutes and Section 7.01(b) of the Charter of the City of North Port, and Chapter 1 Article II, Section 1-12 of the City's Unified Land Development Code (ULDC) as amended (**Exhibit F**).

**PUBLIC HEARING
SCHEDULE**

Planning & Zoning Advisory Board Public Hearing	May 2, 2019 9:00 AM or as soon thereafter
City Commission 1st Reading Public Hearing	May 28, 2019 6:00 PM or as soon thereafter
City Commission 2nd Reading Public Hearing	TBD

VI. RECOMMENDED ACTION

Staff recommends:

1. **APPROVAL** of Ordinance 2019-14, Petition CPAL-19-028, comprehensive plan amendment, based on findings of consistency with the standards and intent of the adopted Comprehensive Plan and all applicable Florida Statutes.

Exhibits:	A-1. Affidavit
	A-2. Warranty Deed
	B. Proposed Existing Land Use
	C. Proposed Future Land Use
	D. Ordinance 2019-14
	E. Utilities Willingness to Serve Letter
	F. Public Notice

AFFIDAVIT

I (the undersigned), Katie M. LaBarr, AICP, of Stantec Consulting Services Inc. being first duly sworn, depose and say that I am the owner, attorney, attorney-in-fact, agent, lessee or representative of the owner(s) of the property described and which is the subject matter of the proposed hearing; 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 true to the best of my (our) knowledge and belief. I understand this application must be complete and accurate before the hearing can be advertised, and that I am authorized to sign the application by the owner or owners. I (we) authorize City staff to visit the site as necessary for proper review of this petition. *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 31st day of January, 2019

Katie LaBarr

Signature of Applicant or Authorized Agent

Katie M. LaBarr, AICP, of Stantec Consulting Services Inc.

Print Name and Title

STATE OF Florida

COUNTY OF Sarasota

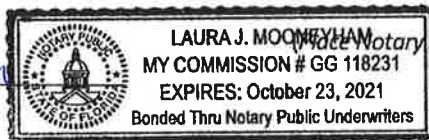
The foregoing instrument was acknowledged by me this 31 day of January, 2019, by

who is personally known to me or has produced

as identification, and who

did/did not take an oath.

Laura J. Mooneyham
Signature - Notary Public



(Place Notary Seal Below)

AFFIDAVIT

AUTHORIZATION FOR AGENT/APPLICANT

I (we), Martin P. Black, property owner(s),

hereby authorize Katie M. LaBarr, AICP, of Stantec Consulting Services Inc. to act as Agent/Applicant on our behalf

to apply for this petition on the property described as (legal description) _____

[Signature]

Signature of Owner

1/31/19
Date

STATE OF Florida

COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 31st day of January, 2019, by

Martin Black

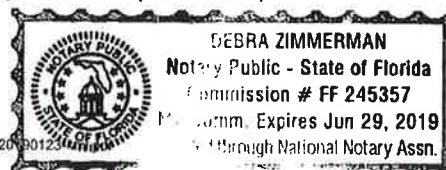
who is personally known to me or has produced

as identification, and who did

not take an oath.

Debra Zimmerman
Signature - Notary Public

(Place Notary Seal Below)



Purchase Price: \$38,677,000
Additional Consideration: \$3,781,000
Doc Tax: \$297,206
Record: \$ 69,500

Doc Stamp-Deed: \$297,206.00



✓ Prepared by and return to:
Patrick W. Ryskamp, Esq.
Williams Parker Harrison Dietz & Getzen
200 S. Orange Avenue
Sarasota, FL 34236

SPECIAL WARRANTY DEED

THIS INDENTURE is made and entered into as of May 28, 2014, by and between **FOURTH QUARTER PROPERTIES XXXII, LLC**, a Georgia limited liability company (hereinafter referred to as "Grantor"), having an address of 45 Ansley Drive, Newnan, Georgia 30263, and **THOMAS RANCH LAND PARTNERS NORTH PORT, LLLP**, a Florida limited liability limited partnership (hereinafter referred to as "Grantee"), having an address of 400 Park Avenue S., Suite 220, Winter Park, Florida 32789, Attn: David Koon.

WITNESSETH:

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, its successors and assigns, all that tract or parcel of land lying and being in Sarasota County, Florida, and being more fully described in **Exhibit "A"**, attached hereto and made a part hereof by reference (the "**Property**").

Tax Parcel Identification Numbers: 0783-00-1000, 0784-00-4010, 0785-00-1050, 0785-00-2100, 0785-00-3000, 0786-00-2000, 0788-05-0001, 0797-00-1000, 0799-00-1000, 0801-00-1000, 0804-00-1000, 0805-00-1000, 0807-00-1000, 0809-00-1000, 0811-00-1000.

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, and easements which are more fully described in the **Exhibit "B,"** attached hereto and made a part hereof by reference, and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any, affecting the Property (the "**Permitted Exceptions**").

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

[Signatures appear on the following page]

IN WITNESS WHEREOF, Grantor has signed and sealed these presents as of the date first set forth above.

GRANTOR:

Signed, sealed and delivered in the presence of:

FOURTH QUARTER PROPERTIES XXXII, LLC, a Georgia limited liability company

Lesli L. Leberman
Print
Name: Lesli L. Leberman

By: *SE Thomas* (SEAL)
Name: Stanley E. Thomas
Title: Manager

Lori L. Scott
Print
Name: Lori L. Scott

STATE OF GEORGIA

COUNTY OF Fulton

The foregoing instrument was acknowledged before me this 22 day of MAY 2014 by Stanley E. Thomas, as Manager of **FOURTH QUARTER PROPERTIES XXXII, LLC**, a Georgia limited liability company on behalf of the company. The above-named person is personally ~~known to me or has produced~~ _____ as identification. If no type of identification is indicated, the above-named person is personally known to me.



Barbara DeStefano
Signature of Notary Public
BARBARA DESTEFANO
Print Name of Notary Public

I am a Notary Public of the State of Georgia,
and my commission expires on 4/6/18

EXHIBIT "A"

Tract C

LANDS LOCATED IN TOWNSHIP 39 SOUTH, RANGE 20 EAST, SARASOTA COUNTY, FLORIDA:

That part of Section 32, lying easterly of the easterly Right of Way Line of West Villages Parkway as described in Official Records Instrument No. 2009155882, and 2010059621, less and except the following:

The right-of-way for U.S. Highway No. 41 (State Road No. 45), pursuant to Order of Taking recorded in Official Records Book 1039, Page 762, of the Public Records of Sarasota County, Florida;

That portion of lands conveyed to the District Board of Trustees of Manatee Junior College, recorded in Official Records Book 1571, Page 2172, of the Public Records of Sarasota County, Florida;

All of Section 33, lying South of U.S. Highway No. 41 (State Road No. 45), less and except the following:

The right-of-way for U.S. Highway No. 41 (State Road No. 45), pursuant to Order of Taking recorded in Official Records Book 1039, Page 762, of the Public Records of Sarasota County, Florida;

That portion of lands conveyed to the District Board of Trustees of Manatee Junior College, recorded in Official Records Book 1571, Page 2172, of the Public Records of Sarasota County, Florida;

Lands conveyed to County of Sarasota in Official Records Book 2389, Page 528 of the Public Records of Sarasota County, Florida;

Lands conveyed to John H. Nevins, as Bishop of the Diocese of Venice, recorded in Official Records Instrument No. 1998166154, of the Public Records of Sarasota County, Florida;

Lands conveyed to West Villages Improvement District in Official Records Instrument No. 2005281157 of the Public Records of Sarasota County, Florida.

The Southwest 1/4 of Section 34, lying West of County Road No. 777, less and except the following:

The North 1/2 of the NW 1/4 of the SW 1/4;

The maintained right-of-way of South River Road (County Road No. 777);

The right-of-way for COUNTY ROAD NO. 777 (as realigned), pursuant to Order of Taking recorded in Official Records Book 2679, Page 2750, of the Public Records of Sarasota County, Florida;

Lands conveyed to Sarasota County, recorded in Official Records Instrument No. 1999111833, of the Public Records of Sarasota County, Florida;

Lands conveyed to River Road Office Park, Inc., recorded in Official Records Instrument No. 2000002794, of the Public Records of Sarasota County, Florida;

Lands conveyed to Sarasota County, recorded in Official Records Instrument No. 2008060371, of the Public Records of Sarasota County, Florida;

Lands conveyed to West Villages Improvement District recorded in Official Records Instrument No. 2011005442, of the Public Records of Sarasota County, Florida.

LANDS LOCATED IN TOWNSHIP 40 SOUTH, RANGE 20 EAST, SARASOTA COUNTY, FLORIDA:

The West Half of Section 3, less and except the following:

The right-of-way for COUNTY ROAD NO. 777 (as realigned), pursuant to Order of Taking recorded in Official Records Book 2679, Page 2750, of the Public Records of Sarasota County, Florida;

Lands conveyed to River Road Office Park, Inc., recorded in Official Records Instrument No. 2000002794, of the Public Records of Sarasota County, Florida;

Lands conveyed to Sarasota County, recorded in Official Records Instrument No. 2008060371 and 2008060374, of the Public Records of Sarasota County, Florida;

Lands conveyed to West Villages Improvement District, recorded in Official Records Instrument No. 2009021691, of the Public Records of Sarasota County, Florida.

All of Section 4, less and except the following:

Lands conveyed to River Road Office Park, Inc., recorded in Official Records Instrument No. 2000002794, of the Public Records of Sarasota County, Florida.

All of Section 5, less and except the following:

Lands conveyed to DiVosta Homes, L.P., recorded in Official Records Instrument No. 2004012753, of the Public Records of Sarasota County, Florida;

Lands conveyed to West Villages Improvement District, recorded in Official Records Instrument No. 2007188871, of the Public Records of Sarasota County, Florida;

That part of Section 5, lying northerly of West Villages Parkway as described in Official Records Instrument No. 2007188871, of the Public Records of Sarasota County, Florida.

All of Section 6, less and except the following:

Lands conveyed to DiVosta Homes, L.P., recorded in Official Records Instrument No. 2004012753, of the Public Records of Sarasota County, Florida.

All of Section 7;

All of Section 8;

All of Section 9.

The West Half of Section 10, less and except the following:

Lands conveyed to Sarasota County, recorded in Official Records Instrument No. 2008060371 and 2008060374, of the Public Records of Sarasota County, Florida.

Tract contains 4265.6842 Acres, more or less.

EXHIBIT "B"
Permitted Exceptions for Tract C

Taxes for the year 2014 and subsequent years, not yet due and payable.

The following matters (which are reflected in the title commitment 16-2013-000351 Issued through Old Republic National Title Insurance Company):

4. Easements in favor of Florida Power & Light Company recorded in Deed Book 98, Page 314, of the Public Records of Sarasota County, Florida.
5. Telephone Distribution Easement Deed in favor of GTE Incorporated, a Florida corporation recorded in Official Records Book 2793, Page 172, of the Public Records of Sarasota County, Florida.
6. Easements in favor of Sarasota County for the purposes of water supply distribution and sewerage collection and related matters recorded in Official Records Book 2702, Page 2442 and Subordination of Utility Interest and Agreement for Reimbursement for Additional Facility Relocations recorded in Official Records Book 2758, Page 642 ; of the Public Records of Sarasota County, Florida.
7. Easements in favor of Sarasota County Public Hospital Board recorded in Official Records Book 2785, Page 641 ; Official Records Book 3065, Page 606 and Official Records Book 3108, Page 2455 together with Amendment recorded under Instrument # 2007026896, of the Public Records of Sarasota County, Florida.
8. (Intentionally omitted).
9. Easements in favor of Englewood Water District recorded in Official Records Book 1320, Page 2150, of the Public Records of Sarasota County, Florida.
10. Access and Drainage Easements, and use restrictions in favor of the District Board of Trustees of Manatee Junior College as set forth in that certain Warranty Deed recorded in Official Records Book 1571, Page 2172, of the Public Records of Sarasota County, Florida .
11. (Intentionally omitted).
12. Access and Drainage Easements in favor of Sarasota County, together with covenants, limitations and conditions, as set forth in that certain Warranty Deed recorded in Official Records Book 2389, Page 528, of the Public Records of Sarasota County, Florida.
13. Terms and conditions contained in that certain Easement Agreement (Stormwater Drainage and Flowage) in favor of TAYLOR RANCH, LTD., a Florida limited partnership recorded in Official Records Book 3065, Page 615, of the Public Records of Sarasota County, Florida.
14. Reclaimed Water Agreement by and between TAYLOR RANCH, LTD., a Florida limited partnership and TAYLOR RANCH, INC., a Florida corporation and Sarasota County Public Hospital Board recorded in Official Records Book 3108, Page 2433, together with Affidavit recorded in Instrument # 2005257196, as amended in Instrument # 2007026896, of the Public Records of Sarasota County, Florida.
15. Declaration of Utility Easement by TAYLOR RANCH, INC., a Florida corporation recorded in Instrument # 1998166153, of the Public Records of Sarasota County, Florida.
16. Easement and right-of-way for ingress and egress, utilities and drainage in favor of John J. Nevins, as Bishop of the Diocese of Venice recorded in Instrument # 1998166155, of the Public Records of Sarasota County, Florida.
17. Terms and conditions contained in that certain Grant of Perpetual Non-Exclusive Easement In favor of TAYLOR RANCH, LTD., a Florida limited partnership; TAYLOR RANCH, INC., a Florida corporation and Venetian Development, Inc., a Florida corporation, for the purposes of access and underground utilities recorded in Instrument # 1999044368, of the Public Records of Sarasota County, Florida.
18. Conservation Easement in favor of Southwest Florida Water Management District recorded in Instrument # 1999044370, of the Public Records of Sarasota County, Florida.

19. Easements in favor of River Road Office Park, Inc., a Florida corporation recorded in Instrument # 2000002796 (33-39-20) and Instrument # 2000002797, of the Public Records of Sarasota County, Florida.
20. Terms and conditions contained in that certain Perpetual, Non-Exclusive Access and Utility Easement Agreement in favor of TAYLOR RANCH, INC., recorded in Instrument # 2000002798, of the Public Records of Sarasota County, Florida.
21. (Intentionally omitted).
22. Notice of Option to Purchase Lands in Section 32-39-20 in favor of SARASOTA COUNTY PUBLIC HOSPITAL BOARD, as Buyer, recorded in Official Records Book 2785, Page 650, of the Public Records of Sarasota County, Florida.
23. Declaration of Covenants, Conditions, Easements and Restrictions recorded in Instrument # 2004216589, as amended in Instrument # 2005257191 and 2007018906 of the Public Records of Sarasota County, Florida.
24. Declaration of Covenants, Conditions, Easements and Restrictions recorded in Instrument # 2005197548 as amended under Instrument # 2008099652 of the Public Records of Sarasota County, Florida.
25. Amended and Restated Utility Agreement recorded in Instrument # 2007064870 of the Public records of Sarasota County, Florida.
26. Water and Wastewater Interim Utilities Agreement recorded in Instrument # 2005089520, Public Records of Sarasota County, Florida.
27. Easement Agreement recorded in Instrument # 2007150241, of the Public Records of Sarasota County, Florida.
28. Easement Agreement recorded in Instrument # 2006215897, Public Records of Sarasota County, Florida.
29. Easement Agreement recorded in Instrument # 2007024930, of the Public Records of Sarasota County, Florida.
30. (Intentionally omitted).
31. (Intentionally omitted).
32. Easement in favor of Florida Power & Light Company recorded in Official Records Book 986, Page 905, together with consent agreement recorded in Instrument # 2006126669, of the Public Records of Sarasota County, Florida.
33. Easements in favor of Florida Power & Light Company recorded in Official Records Book 2940, Page 1363 and Official Records Book 3002, Page 1261, of the Public Records of Sarasota County, Florida.
34. Right of Way Resolution recorded in Official Records Book 2254, Page 2241, of the Public Records of Sarasota County, Florida.
35. (Intentionally omitted).
36. (Intentionally omitted).
37. Easement in favor of West Villages Improvement District recorded in Instrument # 2005089339, of the Public Records of Sarasota County, Florida.
38. (Intentionally omitted).
39. (Intentionally omitted).
40. (Intentionally omitted).
41. Easement in favor of the City of North Port recorded in Instrument # 2008019264, of the Public Records of Sarasota County, Florida.
42. Easement in favor of Sarasota County recorded in Instrument # 2008019265, of the Public Records of Sarasota County, Florida.
43. Easement in favor of the City of North Port, West Villages Improvement District, and Sarasota County recorded in Instrument # 2008019266, as re-recorded in Instrument # 2008029381, of the Public Records of Sarasota County, Florida.

44. (Intentionally omitted).
45. Easement in favor of Florida Power & Light Co. recorded in Instrument # 2008096395, of the Public Records of Sarasota County, Florida.
46. Notice of Establishment of West Villages Improvement District, Declaration of Consent to Jurisdiction, Agreement between West Villages Improvement District and Fourth Quarter Properties XXXII, LLC, and other instruments pertaining to said District recorded in Instrument #s 2004223490, 2006023618, 2007048565, 2007086623, 2007176566, 2008055051, of the Public Records of Sarasota County, Florida.
47. (Intentionally omitted).
48. (Deleted)
49. Slope, Drainage, Gateway Feature and Landscape Easement Agreement recorded in Instrument # 2009155886, of the Public Records of Sarasota County, Florida.
50. Subject to Terms, Conditions and Restrictive Covenants contained in Section 18.02(b) of that certain Memorandum of Lease between Fourth Quarter Properties XXXII, LLC and Publix Super Markets, Inc., recorded in Instrument # 2008122233; together with First Amendment to Lease and to Memorandum of Lease recorded in Instrument # 2009037412 and re-recorded in Instrument # 2009044358, of the Public Records of Sarasota County, Florida.
51. (Intentionally omitted).
52. Slope Easement to West Villages Improvement District recorded in Instrument # 2013134806, Public Records of Sarasota County, Florida.
53. (Intentionally omitted)
54. Any and all boundary inconsistencies, encroachments and other matters shown on the survey certified by Britt Surveying, Inc. dated March 28, 2014, Job Number 08-09-08A.
55. (Deleted)
56. Common law drainage rights in the streams and watercourses on the property.
57. (Intentionally omitted).
58. (Intentionally omitted).
59. (Intentionally omitted).
60. (Intentionally omitted).
61. Riparian and littoral rights.
62. (Deleted).
63. (Deleted).
64. (Deleted).
65. General Principles of Agreement by and between City of North Port, Florida, West Villages Improvement District and Fourth Quarter Properties XXII, LLC, dated June 26, 2006; First Amendment to General Principles of Agreement by and between City of North Port, Florida, West Villages Improvement District and Fourth Quarter Properties XXII, LLC, dated June 9, 2008; Second Amendment to General Principles of Agreement by and between City of North Port, Florida, West Villages Improvement District and Fourth Quarter Properties XXII, LLC, dated February 23, 2009; Third Amendment to General Principles of Agreement by and between City of North Port, Florida, West Villages Improvement District and Fourth Quarter Properties XXII, LLC, dated January 26, 2010; Fourth Amendment to General Principles of Agreement by and between City of North Port, Florida, West Villages Improvement District and Fourth Quarter Properties XXII, LLC, dated January 30, 2012.
66. (Deleted).
67. (Deleted).

68. Assignment of Leases and Rents recorded in Instrument # 2002164320, as modified in First Modification Agreement in Instrument # 2004126454, further modified in Second Modification in Instrument # 2005011686, Third Modification in Instrument # 2007054545, Fourth Modification in Instrument # 2008053030, Fifth Modification Agreement in Instrument # 2008060376, , Seventh Modification recorded in Instrument # 2009030319, Amendment to Mortgage Deed and Security Agreement and Amendment to Assignment of Leases and Rents in Instrument # 2009030320, Amended and Restated Mortgage and Security Agreement in Instrument # 2010039123, Modification Agreements in Instrument # 2011013257, 2011030279, 2012051784, 2012095624, 2012132626, and 2013097933, re-recorded in Instrument # 2013106487, and Amended and Restated Assignment of Leases and Rents recorded in Instrument # 2010039124, all of the Public Records of Sarasota County, Florida.

22
Return To:
Williams, Parker, Harrison, Dietz & Ge
200 South Orange Avenue
Sarasota, Florida 34236

State of Florida



Department of State

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2015141232 4 PG(S)
November 13, 2015 11:24:52 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL



I certify the attached is a true and correct copy of the Amendment to the Certificate of Limited Partnership, filed on April 21, 2015, for THOMAS RANCH LAND PARTNERS NORTH PORT, LLLP changing its name to MANASOTA BEACH RANCHLANDS, LLLP, a limited partnership organized under the laws of the State of Florida, as shown by the records of this office.

The document number of this limited partnership is A14000000257.



CR2EO22 (1-11)

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this the
Tenth day of November, 2015

Ken Detzner

Ken Detzner
Secretary of State

Exhibit B

EXHIBIT B TO ORDINANCE 2019-14: PROPOSED REVISION TO MAP 2-8 EXISTING LAND USE MAP

EXISTING LAND USE

'Public'

CPAL-19-028 Village E Former School Property

PROPOSED EXISTING LAND USE

'Village'

CPAL-19-028 Village E Former School Property



- | | | | |
|---|---|--|--|
| <p>Legend</p> <ul style="list-style-type: none"> ACTIVITYCENTER (TDR RECEIVING ZONE-EXCEPT AC 3) COMMERCIAL CONSERVATION (TDR Sending Zone) AGRICULTURAL, ESTATES HIGH DENSITY RESIDENTIAL INDUSTRIAL LOW DENSITY RESIDENTIAL MEDIUM DENSITY RESIDENTIAL NONE | <ul style="list-style-type: none"> PROFESSIONAL OFFICE/INSTITUTIONAL PUBLIC RECREATION OPEN SPACE (TDR Sending Zone) UTILITY INDUSTRIAL CORRIDOR VILLAGE Future Annexation Overlay Water Features and Canals | <p>North Port Roads</p> <ul style="list-style-type: none"> Primary Arterial Arterial Collector <p>Future Roads</p> <ul style="list-style-type: none"> ARTERIAL COLLECTOR Existing Land Use (Built) | <ul style="list-style-type: none"> North Port City Limits Bobcat Village Non-Residential Area Historic Site Commercial Recreation Deep Injection Well Government Use Inactive Privately-Owned Landfill School Town Center |
|---|---|--|--|



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



Prepared by NDS - Planning Division
April 19, 2019

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.

Property Data Source: Sarasota County Property Appraiser
P:\Development Review Committee\CPAL-(Comprehensive Plan Amendment, Large)\CPAL-19-028

Exhibit C

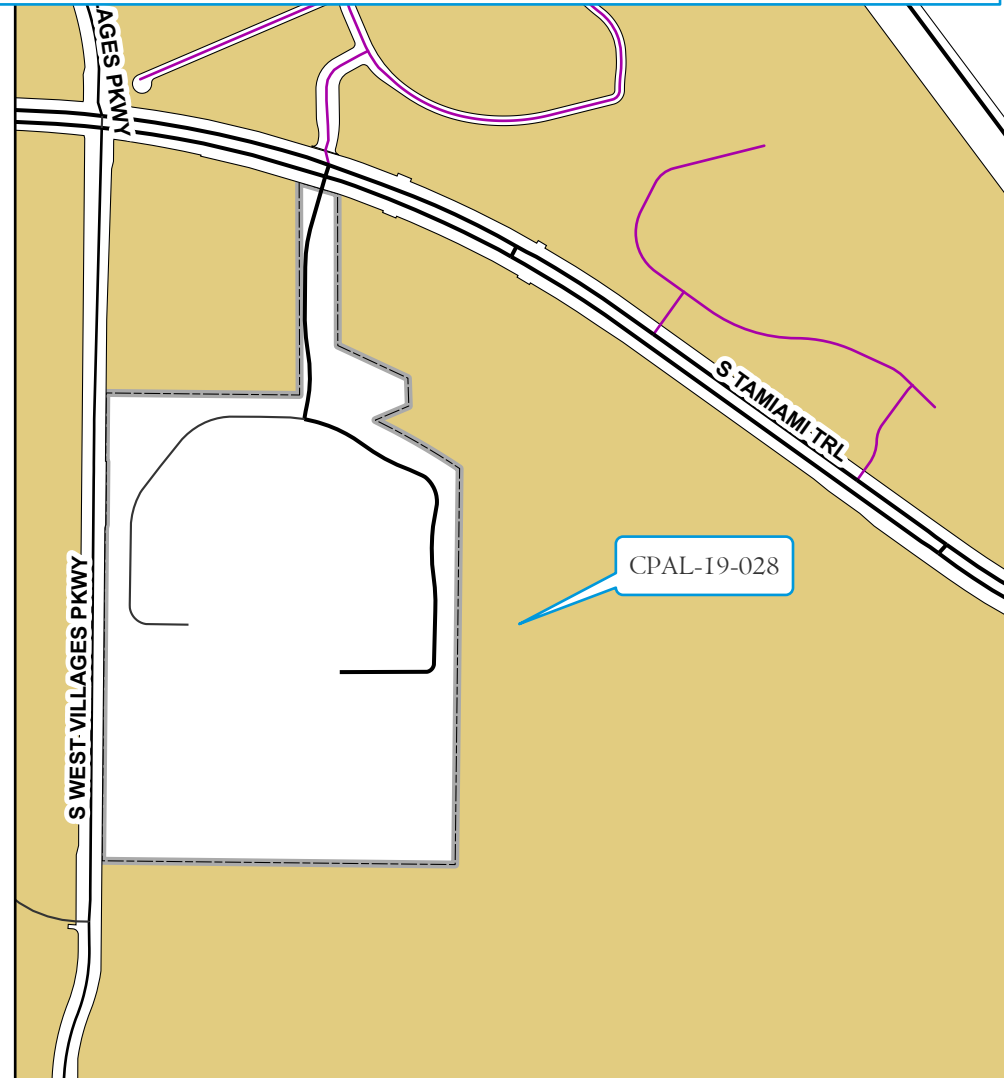
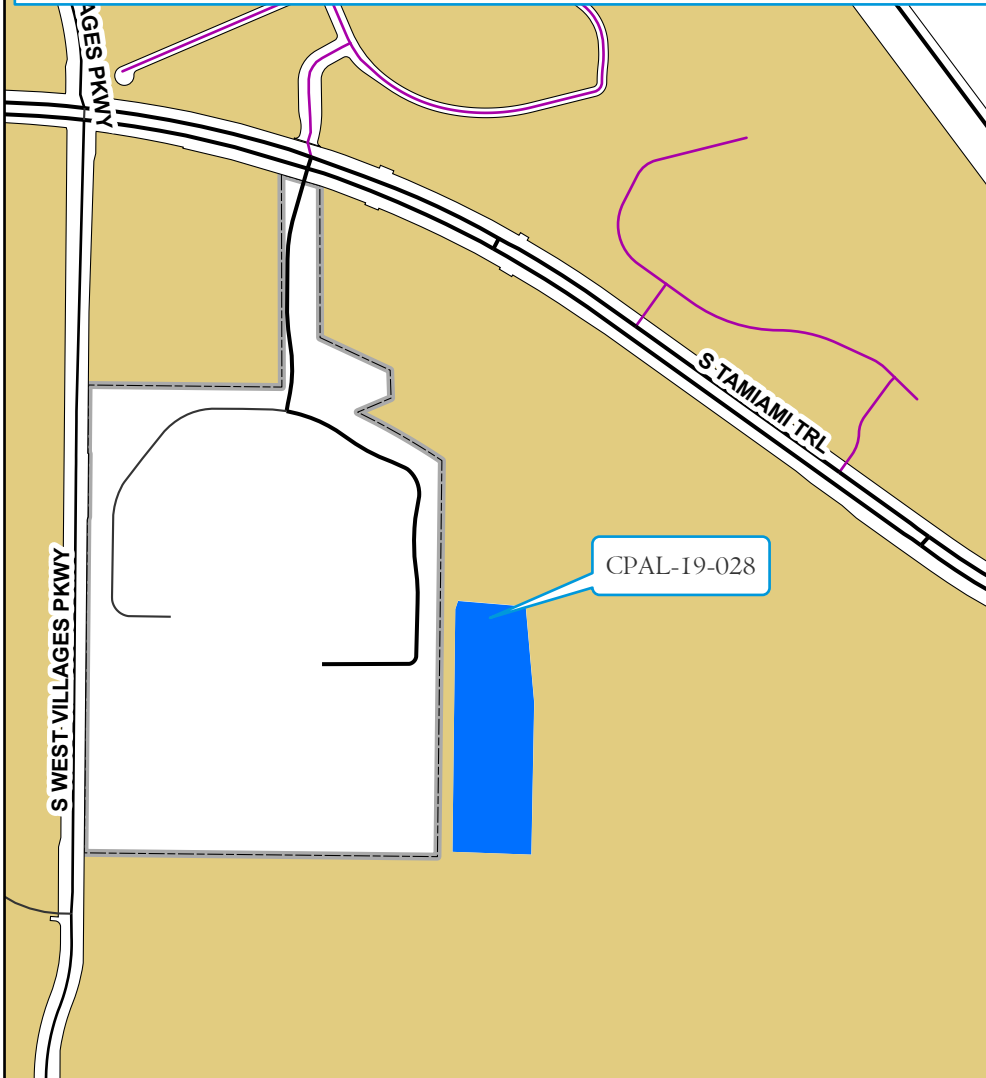
EXHIBIT A TO ORDINANCE 2019-14: PROPOSED REVISION TO MAP 2-7 FUTURE LAND USE MAP

EXISTING FUTURE LAND USE
'Public'

CPAL-19-028 Village E Former School Property

PROPOSED FUTURE LAND USE
'Village'

CPAL-19-028 Village E Former School Property



Legend

- North Port City Boundary
- ACTIVITYCENTER (TDR RECEIVING ZONE-EXCEPT AC 3)
- COMMERCIAL
- CONSERVATION (TDR Sending Zone)
- AGRICULTURAL, ESTATES
- HIGH DENSITY RESIDENTIAL
- INDUSTRIAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- NONE
- PROFESSIONAL OFFICE/INSTITUTIONAL
- PUBLIC
- RECREATION OPEN SPACE (TDR Sending Zone)
- UTILITY INDUSTRIAL CORRIDOR
- VILLAGE

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



Prepared by NDS/Planning Division
April 19, 2019

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Property Data Source: Sarasota County Property Appraiser

P:\Development Review Committee\CPAL-(Comprehensive Plan Amendment, Large)\CPAL-19-028



City of North Port

ORDINANCE NO. 2019-14

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATING TO CPAL 19-028, AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP 2-7 AND EXISTING LAND USE MAP 2-8 TO CHANGE THE DESIGNATION OF A ± 12.00 ACRE AREA LOCATED SOUTH OF U.S. 41 AND EAST OF THE STATE COLLEGE OF FLORIDA CAMPUS IN THE WEST VILLAGES FROM “PUBLIC” TO “VILLAGE”; PROVIDING FOR FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR TRANSMITTAL OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Port is committed to planning and managing the future growth and development of the City; and

WHEREAS, Pursuant to Article VIII, Section 2(b) of the Constitution of the State of Florida, the North Port City Charter, and the Community Planning Act, Florida Statutes Sections 163.3161, *et. seq.*, , the City of North Port is authorized and required to adopt a Comprehensive Plan; and

WHEREAS, the City Commission of the City of North Port adopted the North Port Comprehensive Plan, Ordinance No. 89-3, as amended; and

WHEREAS, on June 14, 2010, the City Commission enacted the updated Unified Land Development Code which regulates all land uses within the City of North Port, by Ordinance No. 10-14; and

WHEREAS, on July 27, 2015, the City Commission adopted Ordinance No. 2015-12, a Large-Scale Amendment to the North Port Comprehensive Plan pertaining to the Future Land Use Map 2-7; and

WHEREAS, on June 27, 2017, the City Commission adopted the Evaluation and Appraisal Report-based Amendments to the North Port Comprehensive Plan, by Ordinance No. 16-34; and

WHEREAS, on May 2, 2019, the Planning and Zoning Advisory Board, acting as the Local Planning Agency for the City of North Port, held a duly advertised public hearing and recommended approval of the proposed Comprehensive Plan Amendment No. CPAL-19-028, to the City Commission; and

WHEREAS, on May 28, 2019, the City Commission held a duly advertised public hearing to receive public comment on the proposed amendment to the Comprehensive Plan; and

WHEREAS, following the public hearing, the City Commission approved the transmittal of the proposed Comprehensive Plan Amendment No. CPAL-19-028 to state, regional, and local agencies for review and comment; and

WHEREAS, the proposed Comprehensive Plan Amendment No. CPAL-19-028 as approved for transmittal by the City Commission, together with supporting documentation, was transmitted to the State Land Planning Agency-Florida Department of Economic Opportunity and the various agencies and governments as appropriate for review and comment in accordance with the provisions of the Act; and

WHEREAS, the State Land Planning Agency-Florida Department of Economic Opportunity reviewed the proposed Comprehensive Plan Amendment No. CPAL-19-028 for consistency with Chapter 163, Florida Statutes; and

WHEREAS, the City Commission held a duly advertised adoption public hearing to receive public comment on the proposed Comprehensive Plan Amendment No. CPAL-19-028; and

WHEREAS, the City Commission has determined that the proposed amendment serves the public health, safety, and welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AS FOLLOWS:

SECTION 1 – FINDINGS:

- 1.01 The recitals outlined above are incorporated by reference as findings of fact as if expressly set forth herein.

SECTION 2 – ADOPTION:

- 2.01 Pursuant to and in compliance with the Community Planning Act, Florida Statutes Sections 163.3161, *et. seq.*, the City Commission hereby approves and adopts Comprehensive Plan Amendment No. CPAL-19-028 to the North Port Comprehensive Plan, as set forth herein.
- 2.02 The City Commission hereby approves and adopts the Proposed Future Land Use Map Amendment, amending the North Port Comprehensive Plan Future Land Use Map 2-7 to designate ± 12.00 acres from “Public” to “Village,” as shown on Exhibit A, attached hereto and incorporated as if set forth herein.
- 2.03 The City Commission hereby approves and adopts the Existing Land Use Map Amendment, amending the North Port Comprehensive Plan Existing Land Use Map 2-8 to designate ± 12.00 acres from “Public” to “Village,” as shown on Exhibit B, attached hereto and incorporated as if set forth herein.

SECTION 3 – TRANSMITTAL OF DOCUMENTS:

- 3.01 The City Commission approves and directs that all required documents be transmitted to the Florida Department of Economic Opportunity, pursuant to Florida Statutes Section 163.3184. The

City Manager is authorized and directed to take all necessary action to transmit these documents to the Florida Department of Economic Opportunity.

SECTION 4 – CONFLICTS:

- 4.01 In the event of any conflicts between the provisions of this ordinance and any other ordinance or portions thereof, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 5 – SEVERABILITY:

- 5.01 If any section, subsection, sentence, clause, phase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6 – EFFECTIVE DATE:

- 6.01 The effective date of this Comprehensive Plan Amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the Florida Department of Economic Opportunity (“DEO”) notifies the City of North Port that the Comprehensive Plan Amendment package is complete, or if the Amendment is timely challenged, the Florida DEO or Administration Commission enters a final order determining the adopted Amendment is in compliance, as provided in Florida Statutes Section 163.3184. No development orders, development permits, or land uses dependent on this Amendment may be issued before it has become effective.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida in public session the ____ day of _____ 2019.

PASSED AND DULY ADOPTED by the City Commission of the City of North Port, Florida on the second and final reading in public session on the ____ day of _____ 2019.

CITY OF NORTH PORT, FLORIDA

CHRISTOPHER HANKS
MAYOR

ATTEST:

KATHRYN WONG
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

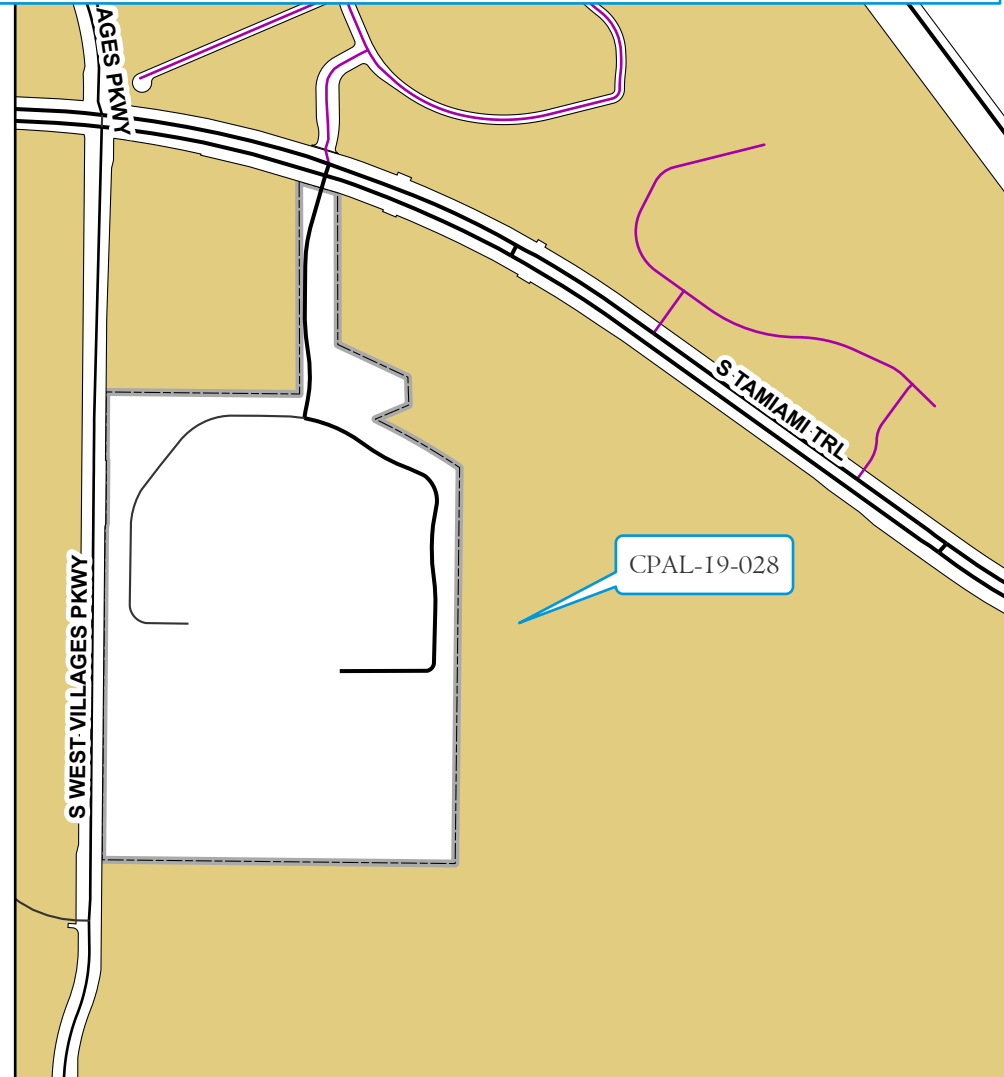
AMBER L. SLAYTON
CITY ATTORNEY

EXISTING FUTURE LAND USE
'Public'

CPAL-19-028 Village E Former School Property

PROPOSED FUTURE LAND USE
'Village'

CPAL-19-028 Village E Former School Property



Legend

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> North Port City Boundary ACTIVITYCENTER (TDR RECEIVING ZONE-EXCEPT AC 3) COMMERCIAL CONSERVATION (TDR Sending Zone) AGRICULTURAL, ESTATES | <ul style="list-style-type: none"> HIGH DENSITY RESIDENTIAL INDUSTRIAL LOW DENSITY RESIDENTIAL MEDIUM DENSITY RESIDENTIAL NONE | <ul style="list-style-type: none"> PROFESSIONAL OFFICE/INSTITUTIONAL PUBLIC RECREATION OPEN SPACE (TDR Sending Zone) UTILITY INDUSTRIAL CORRIDOR VILLAGE |
|---|---|---|

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



Prepared by NDS/Planning Division
April 19, 2019

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Property Data Source: Sarasota County Property Appraiser

P:\Development Review Committee\CPAL-(Comprehensive Plan Amendment, Large)\CPAL-19-028

Exhibit D

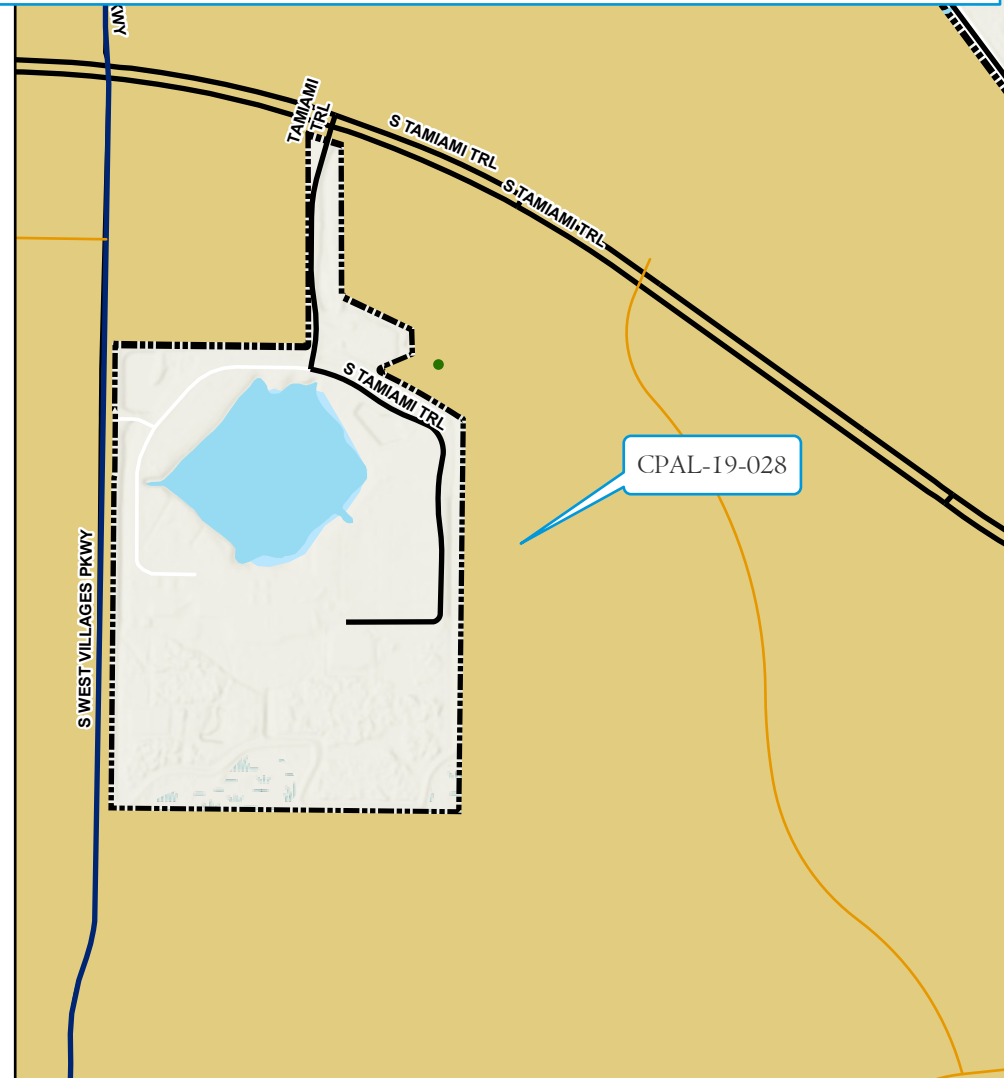
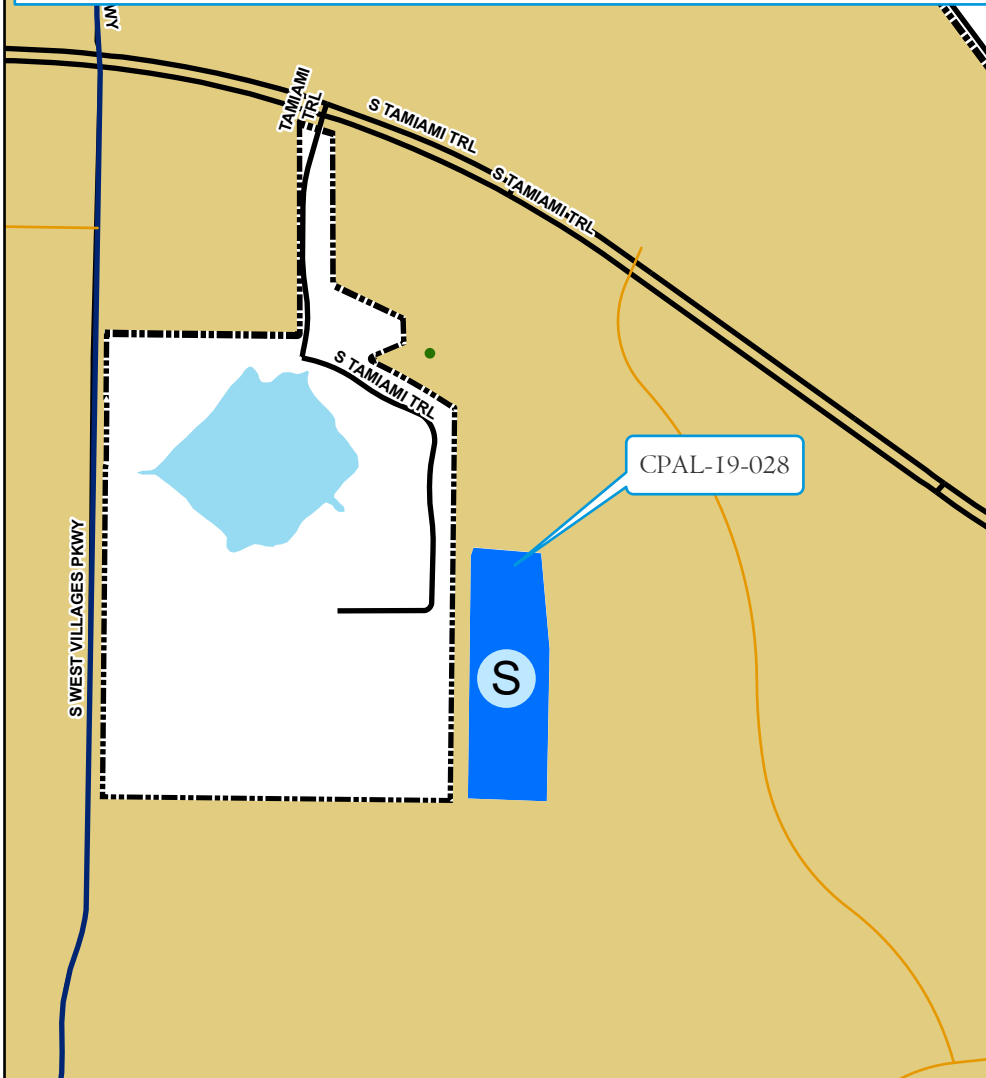
EXHIBIT B TO ORDINANCE 2019-14: PROPOSED REVISION TO MAP 2-8 EXISTING LAND USE MAP

EXISTING LAND USE
'Public'

CPAL-19-028 Village E Former School Property

PROPOSED EXISTING LAND USE
'Village'

CPAL-19-028 Village E Former School Property



- | | | | |
|---|---|--|--|
| <p>Legend</p> <ul style="list-style-type: none"> ACTIVITYCENTER (TDR RECEIVING ZONE-EXCEPT AC 3) COMMERCIAL CONSERVATION (TDR Sending Zone) AGRICULTURAL, ESTATES HIGH DENSITY RESIDENTIAL INDUSTRIAL LOW DENSITY RESIDENTIAL MEDIUM DENSITY RESIDENTIAL NONE | <ul style="list-style-type: none"> PROFESSIONAL OFFICE/INSTITUTIONAL PUBLIC RECREATION OPEN SPACE (TDR Sending Zone) UTILITY INDUSTRIAL CORRIDOR VILLAGE Future Annexation Overlay Water Features and Canals | <p>North Port Roads</p> <ul style="list-style-type: none"> Primary Arterial Arterial Collector <p>Future Roads</p> <ul style="list-style-type: none"> ARTERIAL COLLECTOR Existing Land Use (Built) | <ul style="list-style-type: none"> North Port City Limits Bobcat Village Non-Residential Area Historic Site Commercial Recreation Deep Injection Well Government Use Inactive Privately-Owned Landfill School Town Center |
|---|---|--|--|



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Prepared by NDS - Planning Division
April 19, 2019

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Property Data Source: Sarasota County Property Appraiser
P:\Development Review Committee\CPAL-(Comprehensive Plan Amendment, Large)\CPAL-19-028



January 18, 2019

Katie LaBarr, AICP
Project Manager, Planning
Stantec
6900 Professional Parkway East
Sarasota FL 34240-8414

Willingness to Serve Water, Sewer and Reclaimed Water

RE: Property at West Villages: 0786002000

Dear Ms. LaBarr:

As requested the City of North Port Utilities Department is submitting this letter to inform you of Service Availability for the above referenced property.

This project is within the City of North Port's "City" utility service area and the City is willing to provide water, sanitary sewer and eventually reclaimed water capacity to the project. Currently, the City has capacity at its water treatment plant and sewage treatment plant to provide capacity for this project. The capacity will be made available at the time of payment for capacity and may require contributions by the developer and/or the property owner. Although the City has capacity to serve this project, certain on-site and off-site utility improvements may be required by the owner/developer and accepted by the City prior to water and wastewater service being available to this specific site.

This project is in an area covered by an existing Utility Developer's Agreement that is in the process of being renegotiated. Before a building permit can be issued, an application for service, capacity fees and deposits will be required, and the builder must provide plumbing plans to the City's Utility Department for calculation of appropriate capacity fees and meter size. The City will not release the building permit for this project until the required fees have been paid and the Developer's Agreement has been renegotiated.

Our staff looks forward to working with you to further develop plans for your utility needs. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,
NORTH PORT UTILITIES



Jennifer Desrosiers
Assistant Utilities Director

CC: Rick Newkirk, Utilities Director
Pat Aubin, Staff Assistant II
Darrell Smith, Utilities Construction Supervisor
Michael Acosta, Utilities Engineering Manager



Achieve Anything

www.cityofnorthport.com

North Port Utilities: 941.240.8000, 6644 W. Price Boulevard, North Port, FL 34291-4106

PUBLIC NOTICE - CITY OF NORTH PORT NOTICE OF PUBLIC HEARING FOR ORDINANCE NO. 2019-14

NOTICE IS HEREBY GIVEN, pursuant to Chapters 166 and 163 of the Florida Statutes, Section 7.01(c) of the Charter of the City of North Port, Florida that the City of North Port proposes to adopt Ordinance No. 2019-14, amending the comprehensive plan, future land use map 2-7 and existing land use map 2-8 to change the designation of a ± 12.00 acre area located south of U.S. 41 and east of the State College of Florida campus in the West Villages from "PUBLIC" to "VILLAGE".

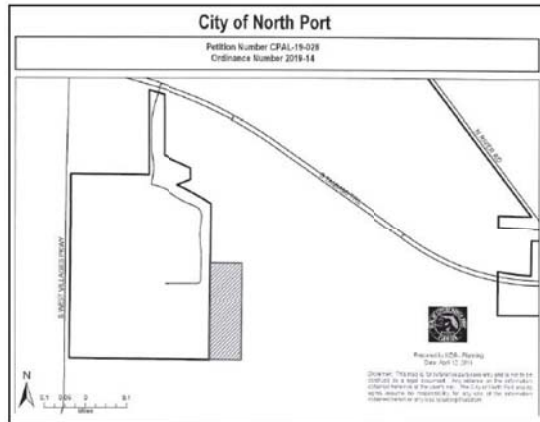
A Public Hearing will be held before the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) on Thursday, May 2 2019 at 9:00 a.m., or as soon thereafter in City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286.

A Public Hearing for the first reading of Ordinance No. 2019-14 will be held before the North Port City Commission in the Commission Chambers on Tuesday, May 28, 2019 at 6:00 p.m. or as soon thereafter. The second and final hearing will be held before the North Port City Commission at a date to be determined.

These Public Hearings will be held in the North Port City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida, 34286.

ORDINANCE NO. 2019-14

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATING TO CPAL 19- 028, AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP 2-7 AND EXISTING LAND USE MAP 2-8 TO CHANGE THE DESIGNATION OF A ± 12.00 ACRE AREA LOCATED SOUTH OF U.S. 41 AND EAST OF THE STATE COLLEGE OF FLORIDA CAMPUS IN THE WEST VILLAGES FROM "PUBLIC" TO "VILLAGE"; PROVIDING FOR FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR TRANSMITTAL OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.



Note: Proposed Ordinance No. 2019-14 (Comprehensive Plan amendment of ± 12.00 acres from "Public" to "Village") is depicted on this map.

All interested parties are invited to appear and be heard in respect to this Ordinance at the public hearings in the City Hall Commission Chambers. Written comments filed with the Planning and Zoning Advisory

Board and the City Commission will be heard and considered and will be made a matter of public record at these meetings. These public hearings may be continued from time to time as announced at the hearings, as may be found necessary. The file pertinent to Ordinance 2019-14, CPAL-19-028, may be inspected by the public at the Neighborhood Development Services Department, Planning Division and in the City of North Port City Clerk's Office, 4970 City Hall Boulevard, North Port, Florida 34286, during regular business hours.

NO STENOGRAPHIC RECORD BY A CERTIFIED COURT REPORTER IS MADE OF THESE MEETINGS. ACCORDINGLY, ANY PERSON WHO MAY SEEK TO APPEAL A DECISION INVOLVING THE MATTERS NOTICED HEREIN WILL BE RESPONSIBLE FOR MAKING A VERBATIM RECORD OF THE TESTIMONY AND EVIDENCE AT THESE MEETINGS UPON WHICH ANY APPEAL IS TO BE BASED (SEE F.S.S. 286.0105).

NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE 48 HOURS IN ADVANCE OF THE MEETING (SEE F.S.S. 286.26).

Kathryn Wong
City Clerk

Publish on Wednesday, April 17, 2019

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