



City of North Port

CHAPTER 2D - PLANNING & ZONING

ORDINANCE NO. 80-82

(Dedication and Acceptance of Public Property)

(Tracts D, E, F, G, J, K & L of Fifty-Second Addition)

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATING TO THE DEDICATION AND ACCEPTANCE OF CERTAIN PROPERTIES; PROVIDES FOR THE ACCEPTANCE OF DESCRIBED PROPERTIES; PROVIDES FOR THE USE OF SAID PROPERTIES; PROVIDES FOR THE RELEASE OF SAID PROPERTIES; PROVIDES FOR THE MAINTENANCE OF SAID PROPERTIES; PROVIDES FOR A SEVERABILITY CLAUSE; PROVIDES FOR A CONFLICT CLAUSE; PROVIDES FOR AN EFFECTIVE DATE.

WHEREAS, the General Development Corporation, by a duly executed Dedication Instrument, has dedicated certain properties to the City of North Port, Florida, for the use and benefit of the general public of this City, and

WHEREAS, the City of North Port considers it advisable to accept these dedicated properties and deemed that such dedication and acceptance to be in the interest of the health, safety and general welfare of its citizenry;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, TO WIT:

SECTION 1 - ACCEPTANCE CLAUSE: The City Commission hereby accepts the dedication, granting and conveyance of properties described herein from the General Development Corporation, a Delaware Corporation authorized to do business in the State of Florida, whose Post Office address is 1111 South Bayshore Drive, Miami, Florida 33131.

AMENDED BY
ORD. NO. 81-96

SECTION 2 - DESCRIPTION OF THE DEDICATED PROPERTIES CLAUSE: The tracts and/or parcels of land wholly situated within the corporate limits of the City of North Port, County of Sarasota, State of Florida, being herein dedicated and accepted, are as follows:

Tracts D, E, F, G, J, K & L of the Fifty-Second Addition to Port Charlotte Subdivision according to the Plat recorded in Plat Book 21 at Pages 13, 13A through 13NN of the Public Records of Sarasota County, Florida. Reserving to General Development Corporation, its affiliates, successors or assigns an easement for a road, installation, maintenance and repair of public utilities; thereon, the total of which is 59.71 acres ±:

1. That portion of Tract "D" being more specifically described as follows:

Beginning at the southeast corner of Lot 19, Block 2618 according to the Plat of said Fifty-Second Addition to Port Charlotte Subdivision, said point also being on the northwesterly right-of-way line of North Pan American Boulevard; run thence N 62°45'00" W along the southerly line of said Lot 19 for a distance of 100 feet; thence S 28°18'04" W a distance of 96.61 feet; thence S 60°48'52" E for a distance of 100 feet to a point on a circular curve concave northwesterly having a radius of 2960 feet and being on said northwesterly right-of-way line; thence from a tangent bearing of N 29°11'08" E run northeasterly along the arc of said curve and said right-of-way line through a central angle of 1°56'08" for a distance of 100 feet to the POINT OF BEGINNING.

2. That portion of Tract "E" being more specifically described as follows:

An easement for purposes of installation and maintenance of public utilities across Tract "E" according to the Plat of the Fifty-Second Addition to Port Charlotte Subdivision as recorded in Plat Book 21 at Pages 13, 13A through 13NN of the Public Records of Sarasota County, Florida. Said easement being 20 feet in width and lying 10 feet each side of the following described centerline:

Beginning at the southeast corner of Lot 10, Block 2638 according to said Plat run S $77^{\circ}19'33''$ E a distance of 16.00 feet; thence N $50^{\circ}59'34''$ E a distance of 275.20 feet; thence N $25^{\circ}34'55''$ E a distance of 147.44 feet to a point on the southerly right-of-way line of Mill Run Court and the end of said centerline description.

3. That portion of Tract "J" as described in O.R.B. 1274 at Pages 378 to 381 of the Public Records of Sarasota County, Florida, being more specifically described as follows:

An easement for a road, construction, maintenance and repair of public utilities, lying in Section 29, Township 39 south, Range 21 east, Sarasota County, Florida, and being a portion of Lot 1, Block 2642, a portion of Tract "J" and a portion of the 65 foot drainage right-of-way lying north of said Tract "J," all as shown on the Plat of Fifty-Second Addition to Port Charlotte Subdivision recorded in Plat Book 21, Pages 13 and 13A through 13NN of the Public Records of Sarasota County, Florida; further described as follows:

Beginning at the northwesterly corner of said Lot 1, run thence S $17^{\circ}10'27''$ W along the westerly line of said Lot 1 and its southerly extension and along the westerly

line of said Tract "J," a distance of 331.53 feet to the southwest corner of said Tract "J;" thence S 88°17'33" E along the southerly line of said Tract "J" a distance of 38.73 feet to the point of curvature of a circular curve concave southerly having a radius of 940.00 feet; thence easterly along the arc of said curve through a central angle of 2°05'05" a distance of 34.20 feet; thence N 14°01'51" E a distance of 323.06 feet to a point on the northerly line of said Lot 1; thence N 88°17'33" W along the northerly line of said Lot 1, a distance of 20.13 feet to the point of curvature of a circular curve concave northerly having a radius of 125.00 feet; thence westerly along the arc of said curve through a central angle of 15°28'00" a distance of 33.74 feet to the POINT OF BEGINNING.

SECTION 3 - USE OF PROPERTIES CLAUSE: The City Commission hereby commits these properties to the following uses:

- a. Use as open spaces, recreation purposes and other related activities for the benefit of the public.
- b. Use, maintenance and repair of drainage facilities and for temporary retention of storm water runoff from the property included and other contiguous property.

SECTION 4 - RELEASE OF PROPERTIES CLAUSE: Properties described herein shall not be used for any other purpose except that which is specified in Section 3 above. Whenever said properties shall be discontinued or cease to be used for the purposes described above, the title thereto shall ipso facto revert to General Development Corporation, its successors or assigns.

SECTION 5 - MAINTENANCE RESPONSIBILITIES CLAUSE: The City Commission, in consideration of the dedication of said properties, does hereby agree to maintain these properties for the purposes described herein.

SECTION 6 - SEVERABILITY CLAUSE: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7 - CONFLICT CLAUSE: Any ordinance or portion thereof in conflict herewith is hereby repealed to the extent of such conflict.

SECTION 8 - EFFECTIVE DATE: This Ordinance shall become effective ten (10) days after final adoption pursuant to provisions of Section 14 of the City Charter.

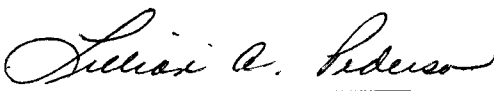
APPROVED FOR ADOPTION on first reading held in public session this 15th day of September 1980 A.D.

PASSED AND ADOPTED on the second and final reading held in public session this 22nd day of September 1980 A.D.

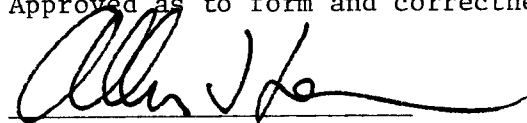
CITY OF NORTH PORT, FLORIDA

By: 
MARGARET M. GENTLE
MAYOR

ATTEST:


LILLIAN A. PEDERSEN
CITY CLERK

Approved as to form and correctness:


ALLEN J. LEVIN
CITY ATTORNEY

Old 80-82
81-96
This instrument is a
ALBERT
Development Corporation
1111 S. Bayshore Drive
Miami, Florida 33131

DEDICATION

General Development Corporation
1111 S. Bayshore Drive
Miami, Florida 33131

KNOW ALL MEN BY THESE PRESENTS that GENERAL DEVELOPMENT CORPORATION, a Delaware corporation authorized to do business in the State of Florida, does hereby dedicate, grant and convey to the CITY OF NORTH PORT, an incorporated municipality of the State of Florida, whose post office address is: Municipal Building, 311 North Port Boulevard, North Port, Florida 33595, the property hereinafter described on Exhibit "A" attached hereto and incorporated herein by reference, for the following uses:

1. Use as open spaces, recreation purposes and other related activities for the benefit of the public.
2. The installation and maintenance of public utilities.
3. Use, maintenance and repair of drainage facilities and for temporary retention of storm water runoff from the property included and other contiguous property.

Whenever said property shall be discontinued or cease to be used for the purposes above described, title thereto shall ipso facto revert to General Development Corporation, its successors or assigns.

In consideration of said dedication, the CITY OF NORTH PORT, an incorporated municipality of the State of Florida, by the execution of this instrument, agrees to accept the said dedication and maintain the said properties for the purposes and uses above described.

IN WITNESS WHEREOF, GENERAL DEVELOPMENT CORPORATION has caused this Dedication to be executed and its corporate seal to be hereunto affixed by its proper officers hereunto duly authorized all on this 30th day of November, 1979.

Signed Sealed and Delivered
in the presence of:

Conrad M. Maloney
Leona L. LaRato

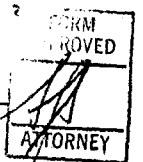
GENERAL DEVELOPMENT
CORPORATION

BY:

William R. Avella
WILLIAM R. AVELLA
President

ATTEST:

Saul J. Sack
SAUL J. SACK,
Assistant Secretary




STATE OF FLORIDA

COUNTY OF DADE

BEFORE ME, personally appeared WILLIAM R. AVELLA and SAUL J. SACK, the President and Assistant Secretary respectively, of GENERAL DEVELOPMENT CORPORATION, a Delaware corporation and severally acknowledged before me that they executed such instrument and affixed the seal of said Corporation and that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 30th day of November 1979.


NOTARY PUBLIC
STATE OF FLORIDA AT LARGE

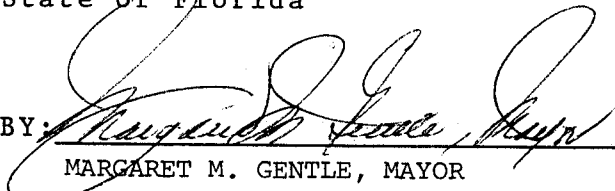
My Commission Expires:
NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES AUG. 10 1980
BONDED THRU GENERAL INS. UNDERWRITERS

ACCEPTANCE

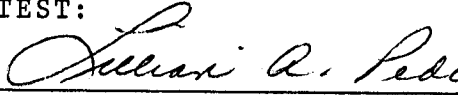
THE CITY OF NORTH PORT, an incorporated municipality of the State of Florida, by the execution of this instrument, does hereby accept the dedication aforesaid and agrees to accept and maintain the same. Such acceptance is limited to the interests herein conveyed and is not intended to extend to any other property or interest.

IN WITNESS WHEREOF, THE CITY OF NORTH PORT has caused this Acceptance to be executed by its duly authorized officers hereinafter named and the corporate seal of the City to be affixed hereto.

THE CITY OF NORTH PORT, an incorporated Municipality of the State of Florida

BY: 
MARGARET M. GENTLE, MAYOR

ATTEST:


LILLIAN A. PEDERSEN, CITY CLERK

DEDICATION

KNOW ALL MEN BY THESE PRESENTS that GENERAL DEVELOPMENT CORPORATION, a Delaware corporation authorized to do business in the State of Florida, does hereby dedicate, grant and convey to THE CITY OF NORTH PORT, a municipal corporation of the State of Florida, whose Post Office address is 311 North Port Boulevard, North Port, Florida 33596, the property hereinafter described (on Exhibit "A" attached hereto and incorporated herein by reference) for the use and benefit of the public and for the purposes of use for aesthetic purposes and city beautification.

This Dedication supersedes and takes precedence over all previous dedications of any of the property described in Exhibit "A".

Whenever said property shall be discontinued or cease to be used for the purposes above described, title thereto shall ipso facto revert to General Development Corporation, its successors or assigns.

In consideration of said dedication, THE CITY OF NORTH PORT a municipal corporation of the State of Florida, by the execution of this instrument, agrees to accept the said dedication and maintain the said properties for the purposes and uses above described;

IN WITNESS WHEREOF, GENERAL DEVELOPMENT CORPORATION, has caused this Dedication to be executed and its corporate seal to be hereunto affixed by its proper officers hereunto duly authorized all on this 31st day of July, 1980.

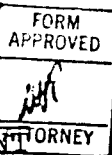
Signed Sealed and Delivered
in the presence of:

Albert L. Rosen

Louie C. Novo

GENERAL DEVELOPMENT CORPORATION

BY: *Robert F. Ehrling*
ROBERT F. EHLING, PRESIDENT ATTORNEY



ATTEST: *Saul J. Sack*
SAUL J. SACK, Asst. Secretary

E X H I B I T "A"

DESCRIPTION

Tracts D, E, F, G, J, K & L of the FiftySecond Addition to Port Charlotte Subdivision according to the plat recorded in Plat Book 21 at pages 13, 13A through 13NN of the Public Records of Sarasota County, Florida. Reserving to General Development Corporation, its affiliates, successors or assigns an easement for a road, installation, maintenance and repair of public utilities; thereon, the total of which is 59.71 acres ±:

1. That portion of Tract "D" being more specifically described as follows:

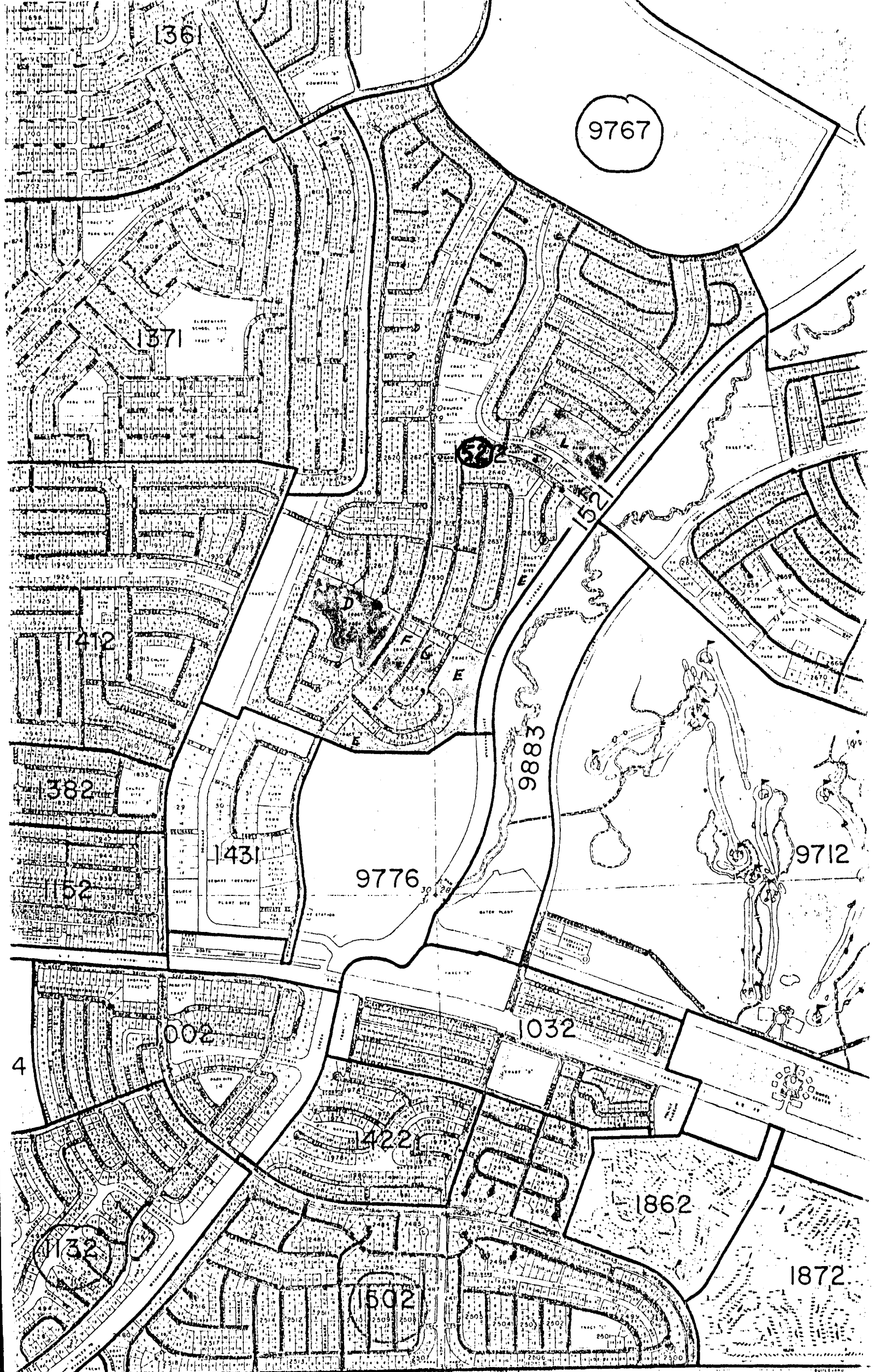
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