



City of North Port

RESOLUTION NO. 2025-R-83

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, VACATING UTILITY AND DRAINAGE EASEMENTS FOR LOTS 12, 13, AND 14, BLOCK 235, 8TH ADDITION TO THE PORT CHARLOTTE SUBDIVISION; PROVIDING FOR FINDINGS; PROVIDING FOR RECORDING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the plat for this property reserves certain easements to the City of North Port; and

WHEREAS, this petition requests the vacation of all or a portion of the Easements; and

WHEREAS, Florida Statutes Section 177.101(3) authorizes the City Commission to adopt a resolution vacating plats in whole or in part.

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

SECTION 1 – FINDINGS

- 1.01 The above recitals are true and correct and are incorporated in this resolution.
- 1.02 In reliance upon Petition PVAC-25-02921, as well as testimony and other evidence presented at the quasi-judicial hearing, the City Commission makes the following findings of fact:
 - (a) Ronald L. Cross and Christine A. Cross own fee simple title to Lots 12, 13 and 14, Block 235, 8th Addition to The Port Charlotte Subdivision;
 - (b) Lot 12, 13 and 14, Block 235, 8th Addition to The Port Charlotte Subdivision recorded in Plat Book 12, pages 20, 20-A through 20-BB, of the official records of Sarasota County, Florida grants to the City of North Port, 6 feet for the purpose of a utility and drainage easements at the side lot lines of Lot 12, 13, and 14, Block 235 of the plat (“Easements”);
 - (c) The petition requests that the City vacate two side lot platted six-foot (6') utility and drainage easements;
 - (d) The Easements are not needed to provide City service to any property;

- (e) Other than as identified in this resolution, no public utilities or City facilities are located or planned to be located in the area;
- (f) The Easements are 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; and
- (g) The vacations requested will not affect the ownership or right of convenient access of persons owning other parts of the subdivision; and
- (h) The City notified affected utilities, and the utilities have provided written responses recommending approval of the petition; and
- (i) The petition included evidence of the publication of a Notice of Intent, documentation of ownership, and certification that all taxes due have been paid by the current property owners.

1.03 All exhibits attached to this resolution are incorporated by reference.

SECTION 2 – VACATION OF EASEMENTS

2.01 The City Commission approves Petition PVAC-25-02921 to the extent provided in this resolution.

2.02 The City Commission vacates ±2,640 square feet of existing platted six-foot (6')-wide utility and drainage easements, as described below and depicted in the survey attached as Exhibit A:

LEGAL DESCRIPTION: (PROPOSED RELEASE OF EASEMENT)

DESCRIPTION OF EASEMENTS TO BE VACATED:

DESCRIPTION OF EASEMENT VACATION #1:

ALL OF THE 6 FOOT WIDE UTILITY & DRAINAGE EASEMENTS LYING OVER AND ACROSS THE NORTHERLY 6.00' OF LOT 13 AND THE SOUTHERLY 6.00' OF LOT 14, BLOCK 235, EIGHTH ADDITION TO PORT CHARLOTTE SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 12, PAGES 20, 20A TO 20BB, INCLUSIVE, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 14; THENCE S. 33° 43' 18" W. ALONG THE WESTERLY RIGHT OF WAY LINE OF SALMISTA TERRACE (A 50' WIDE PUBLIC RIGHT OF WAY), A DISTANCE OF 6.00'; THENCE, N. 56° 16' 42" W., ALONG A LINE LYING 6.00' SOUTHERLY OF AND PARALLEL WITH THE PLATTED COMMON LOT LINE BETWEEN SAID LOTS 13 & 14, A DISTANCE OF 115.00' TO THE INTERSECTION WITH A LINE LYING 10.00' EASTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF SAID LOTS 13 & 14; THENCE, N. 33° 43' 18" E., ALONG SAID LINE LYING 10.00' EASTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF LOTS 13 & 14, A DISTANCE OF 12.00'; THENCE, S. 56° 16' 42" E., ALONG A LINE LYING 6.00' NORTHERLY OF AND PARALLEL WITH SAID PLATTED COMMON LOT LINE BETWEEN LOTS 13 & 14, A DISTANCE OF 115.00' TO THE INTERSECTION WITH SAID WESTERLY RIGHT OF WAY LINE OF SALMISTA TERRACE; THENCE, S. 33° 43' 18" W., ALONG SAID WESTERLY RIGHT OF WAY LINE OF SALMISTA TERRACE, A DISTANCE OF 6.00' TO THE POINT OF BEGINNING, AND CONTAINING 1,380 SQUARE FEET, MORE OR LESS.

DESCRIPTION OF EASEMENT VACATION #2:

A PORTION OF THE 6 FOOT WIDE UTILITY & DRAINAGE EASEMENTS LYING OVER AND ACROSS THE NORTHERLY 6.00' OF LOT 12 AND THE SOUTHERLY 6.00' OF LOT 13, BLOCK 235, EIGHTH ADDITION TO PORT CHARLOTTE SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 12, PAGES 20, 20A TO 20BB, INCLUSIVE, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 13; THENCE, N.56°16'42"W., ALONG THE COMMON LOT LINE BETWEEN SAID LOTS 12 & 13, A DISTANCE OF 10.00' TO THE POINT OF BEGINNING; THENCE S.33°43'18"W., ALONG A LINE LYING 10.00' WESTERLY OF AND PARALLEL WITH THE WESTERLY RIGHT OF WAY LINE OF SALMISTA TERRACE (A 50' WIDE PUBLIC RIGHT OF WAY), A DISTANCE OF 6.00'; THENCE, N. 56°16'42"W., ALONG A LINE LYING 6.00' SOUTHERLY OF AND PARALLEL WITH THE PLATTED COMMON LOT LINE BETWEEN SAID LOTS 12 & 13, A DISTANCE OF 105.00' TO THE INTERSECTION WITH A LINE LYING 10.00' EASTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF SAID LOTS 12 & 13; THENCE, N.35°43'18"E., ALONG SAID LINE LYING 10.00' EASTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF LOTS 12 & 13, A DISTANCE OF 12.00'; THENCE, S.56°16'42"E., ALONG A LINE LYING 6.00' NORTHERLY OF AND PARALLEL WITH SAID PLATTED COMMON LOT LINE BETWEEN LOTS 12 & 13, A DISTANCE OF 105.00'; THENCE, S.33°43'18"W., ALONG SAID LINE LYING 10.00' WESTERLY OF AND PARALLEL WITH SAID WESTERLY RIGHT OF WAY LINE OF SALMISTA TERRACE, A DISTANCE OF 6.00' TO THE POINT OF BEGINNING, AND CONTAINING 1,260 SQUARE FEET, MORE OR LESS.

SECTION 3 – RECORDING

- 3.01 Per ULDC Section 2.2.17, the applicant is responsible for recording documents approving vacations in Public Records of Sarasota County and providing the Development Services Department with the Official Record Book and Page and/or Plat Book and Page information of the recorded documents or plat.

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 October 28, 2025.

CITY OF NORTH PORT, FLORIDA

PHIL STOKES
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

MICHAEL GOLEN, CPM
INTERIM CITY ATTORNEY