



City of North Port

RESOLUTION NO. 2026-R-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, VACATING A UTILITY AND DRAINAGE EASEMENT FOR LOT 8, BLOCK 1082, 23RD 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-25-04222, as well as testimony and other evidence presented at the quasi-judicial hearing, the City Commission makes the following findings of fact:
 - (a) Fernando Alcantara Wandekoken and Andrea Sathler own fee simple title to lots 8, Block 1082, 23rd Addition to The Port Charlotte Subdivision;
 - (b) Lot 8, Block 1082, 23rd Addition to The Port Charlotte Subdivision recorded in Plat Book 14, pages 13, 13-A through 13-1, of the official records of Sarasota County, Florida grants to the City of North Port, 10-feet for the purpose of a utility and drainage easement at the rear lot line of Lot 8, Block 1082 of the plat (“Easements”);
 - (c) The petition requests that the City vacate the platted rear 10-foot (10') utility and drainage easement;
 - (d) The easement is 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 Easement is 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 vacation 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-25-04222 to the extent provided in this resolution.

2.02 The City Commission vacates a ±228 square feet portion of the existing platted 10-foot (10')-wide utility and drainage easement, as described below and depicted in the survey attached as Exhibit A:

DESCRIPTION OF EASEMENT TO BE VACATED:

A PORTION OF A 10-FOOT-WIDE UTILITY & DRAINAGE EASEMENT LYING OVER AND ACROSS THE SOUTHWESTERLY 10' OF LOT 8, BLOCK 1082, 23RD ADDITION TO PORT CHARLOTTE SUBDIVISION, ACCORDING TO THE PLOT THEREOF AS RECORDED IN PLOT BOOK 14, PAGES 13, **13-A** THROUGH 13-1, INCLUSIVE, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 8; THENCE N.36.40'39"E. ALONG THE NORTHWESTERLY LINE OF SAID LOT 8, A DISTANCE OF 6.25'; THENCE S.53.19'21"E., ALONG A LINE LYING 6.25' NORTHEASTERLY OF AND PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 8, A DISTANCE OF 6.00' TO THE POINT OF BEGINNING; THENCE N.36°40'39"E. ALONG A LINE LYING 6.00' SOUTHEASTERLY OF AND PARALLEL WITH SAID NORTHWESTERLY LINE OF LOT 8, A DISTANCE OR 3.75'; THENCE S.53.19'21"E. ALONG A LINE LYING 10.00' NORTHEASTERLY OF AND PARALLEL WITH SAID SOUTHWESTERLY LINE OF SAID LOT 8, A DISTANCE OF 60.71'; THENCE S.36.40'19"W., A DISTANCE OF 3.75'; THENCE, N.53°19'21"W. ALONG SAID LINE LYING 6.25' NORTHEASTERLY OF AND PARALLEL WITH THE SOUTHWESTERLY LINE OF LOT 8, A DISTANCE OF 60.71' THE POINT BEGINNING, AND CONTAINING 228 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 February 26, 2026.

CITY OF NORTH PORT, FLORIDA

PETE EMRICH
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

MICHAEL FUINO, B.C.S.
CITY ATTORNEY
INTERIM CITY ATTORNEY