



**Myakka Crossings -River Rd-US-41**  
Voluntary Annexation (Petition No. ANX-23-129)  
Ordinance No. 2024-02

**STAFF REPORT**

**From:** Carl Bengé, AICP, Planner III

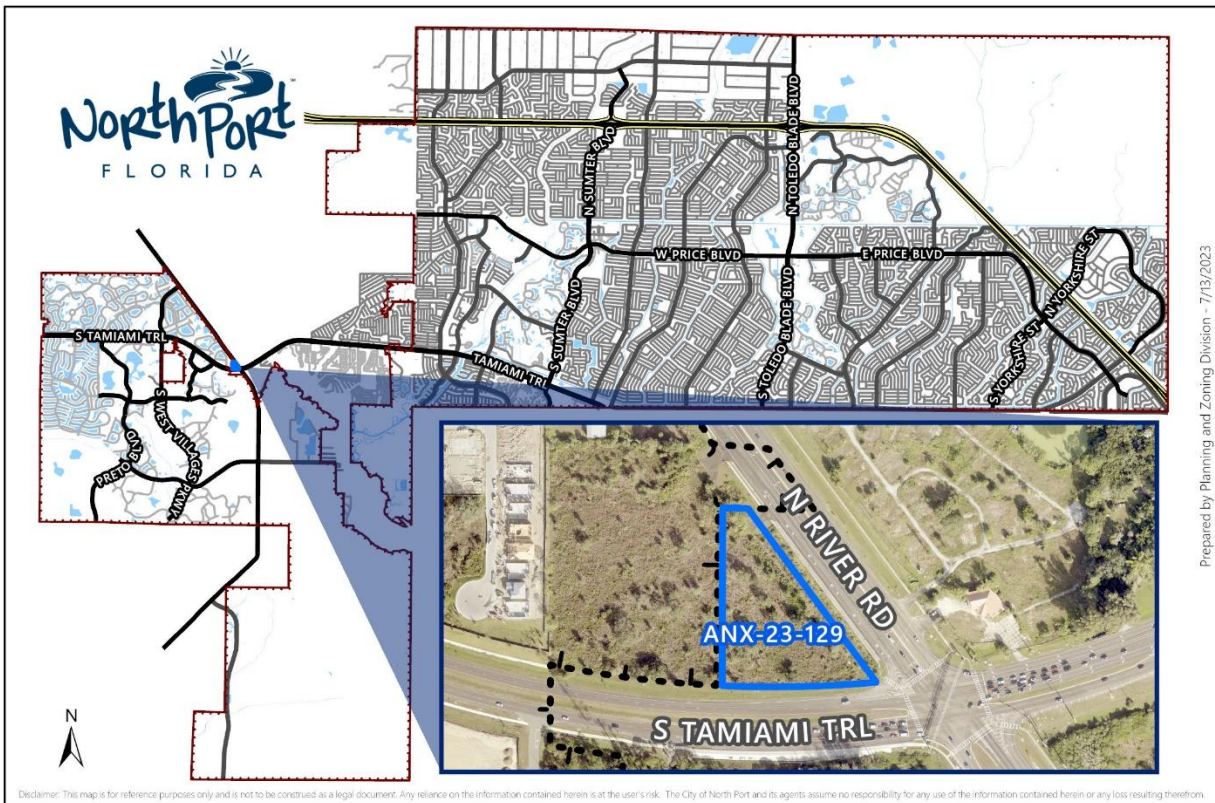
**Thru:** Lori Barnes, AICP, CPM, Development Services Assistant Director

**Thru:** Alaina Ray, AICP, Development Services Director

**Thru:** Jason Yarborough, ICMA-CM, Deputy City Manager

**Thru:** A. Jerome Fletcher II, ICMA-CM, MPA, City Manager

**Date:** February 15, 2024



Prepared by Planning and Zoning Division - 7/13/2023

<b>PROJECT:</b>	US-41 & Tamiami Trail, ANX-23-129
<b>REQUEST:</b>	Approval of Ordinance No. 2024-02, voluntary annexation into the City of North Port
<b>APPLICANT:</b>	SRI GMR Properties, LLC; Martin Black (Agent) ( <b>Exhibit A, Affidavit</b> )
<b>OWNERS:</b>	US 41 & Tamiami Tr LLC ( <b>Exhibit B, Warranty Deed</b> )
<b>LOCATION:</b>	Located at the northwest corner of S. Tamiami Trail (US-41) and west of N. River Road (PID # 0787130003).
<b>PROPERTY SIZE:</b>	± 2.491 acres

## I. BACKGROUND

Martin Black, on behalf of US 41 & Tamiami Tr, LLC formally submitted to the City of North Port a petition for voluntary annexation for a ± 2.491-acre property located at the northwest corner of S. Tamiami Trail (US-41) and N. River Road. The property currently has the Sarasota County zoning designation of OUE1 – Open Use Estate (1 unit/5 acres) = OUE and the Sarasota future land use designation of “Rural.”

The property is located within the City's Future Annexation Area. Per the City's Comprehensive Plan, “the only area identified in 1997 that has not been completely annexed is the area along US-41 from the City's western boundary to the River Road/US-41 intersection, and the SCF campus.” The parcel is bordered to the west by the city boundary, to the east by N. River Road, and to the south by US 41.

Following the annexation of the property into the City of North Port's boundary, any petition to change the future land use of the property would first have to go through Sarasota County approvals following the County Charter Section 3.3B, as there is no longer an active Joint Planning Agreement between the City of North Port and Sarasota County. Once the assignment of the future land use process with Sarasota County is complete, the property owner is then required to submit to the City of North Port applications for a comprehensive plan amendment and a rezoning to apply both the City of North Port future land use designation of Activity Center and a zoning designation of Planned Community Development (PCD) to develop the property.

At this time, the applicant has only submitted a petition to annex into the city voluntarily and intends to submit petitions for a comprehensive plan amendment and rezone later.

## II. REVIEW PROCESS

The Management Team has reviewed the application, and all applicable departments reviewed and provided the following comments. It should be noted that the comments and conditions identified in the table below are relevant to future submittals related to the site development.

<b>Staff Review Summary</b>	
<b>NDS- Building Arborist</b>	No Objection
<b>Finance</b>	No Objection
<b>Fire/Rescue</b>	Meets Requirements with Conditions <sup>i</sup>
<b>NDS-Planning and Zoning</b>	No Objection
<b>Parks and Recreation</b>	No Objection
<b>Public Works/P&amp;Z Environmental</b>	No Objection
<b>Public Works Engineering</b>	No Objection <sup>ii</sup>
<b>Public Works Stormwater</b>	Meets Requirements with Conditions <sup>iii</sup>
<b>Public Works Solid Waste</b>	No Objection
<b>Utilities</b>	Meets Requirements with Conditions <sup>iv</sup>

### III. DATA & ANALYSIS

**FLORIDA STATUTES CHAPTER 171, PART I MUNICIPAL ANNEXATION OR CONTRACTION, SECTION 171.044 VOLUNTARY ANNEXATION**

Owners of real property in an unincorporated area of a county contiguous to a municipality may petition the municipality to be annexed. Upon determination that the petition bears the signatures of all owners of the property in the area proposed to be annexed, the governing body may adopt a non-emergency ordinance. The notice shall be published for two consecutive weeks in a newspaper of general circulation. A copy of the notice must be provided via certified mail to the Board of County Commissioners at least 10 days prior to publishing.

Staff Findings: The voluntary annexation application bears the property owner's signature. Ordinance No. 2024-02 was advertised according to the above state statute requirements on December 18, 2023, and December 26, 2023. A copy of the notice was sent to the Sarasota County Board of County Commissioners via certified mail on July 28, 2023 (**Exhibit C – Legal Advertisement, Exhibit D- Notice to County Commissioners**).

Staff concludes that the requirements of Chapter 171, Part I of the Florida Statutes, Section 171.044 have been met.

## COMPREHENSIVE PLAN - CHAPTER 2 – FUTURE LAND USE

**Future Land Use Policy 2.1.7: Encourages voluntary annexations in Sarasota County between Warm Mineral Springs and the eastern boundary of the West Village Improvement District (fka Thomas Ranch) in order to expand the City’s tax base and Activity Center #1.**

Staff Findings: The subject property is located within the voluntary annexation area described above in Sarasota County and would be expanding Activity Center #1 should it be annexed. This policy also outlines how the annexed property must be zoned. “Upon annexation, and after the amendment of the Comprehensive Plan, shall be zoned to PCD.” Though a zoning designation is not proposed through a rezone petition at this time, it will be required to be rezoned to Planned Community Development, consistent with this policy.

**Staff concludes that the proposed annexation is consistent with Policy 2.1.7 of the Future Land Use Element of the Comprehensive Plan.**

**Future Land Use Policy 2.1.13:** Policy 2.1.13 identifies potential annexation areas 1A, 1B, and 1C on Map 1. It also states that upon annexation, the City shall recommend a future land use designation of ‘Activity Center 1’ be applied through a comprehensive plan amendment.

Staff Findings: The subject property is located within potential annexation area 1B as identified on Map 1 in Policy 2.1.13. A comprehensive plan amendment is not currently proposed. At the time a comprehensive plan amendment is submitted for this property, it will be required to be consistent with this policy.

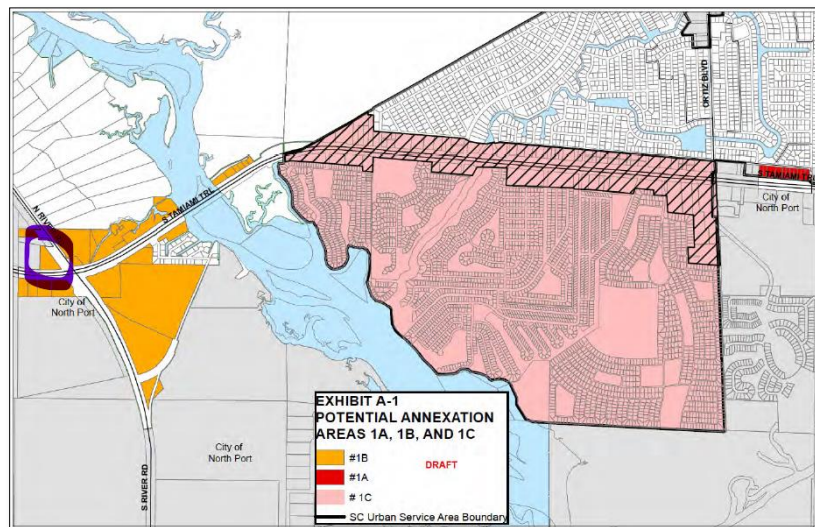


Figure 1-Potential Annexation Areas

Staff concludes that the proposed annexation is consistent with Policy 2.1.13 of the Future Land Use Element of the Comprehensive Plan.

Future Land Use Policy 6.6.2: Upon annexation of contiguous lands along US 41 as shown in Map 1 FLU Policy 2.1.13, the properties identified as Future Annexation Area/Future Urban Service Area Boundary will be eligible for urban services allowed by the USB.

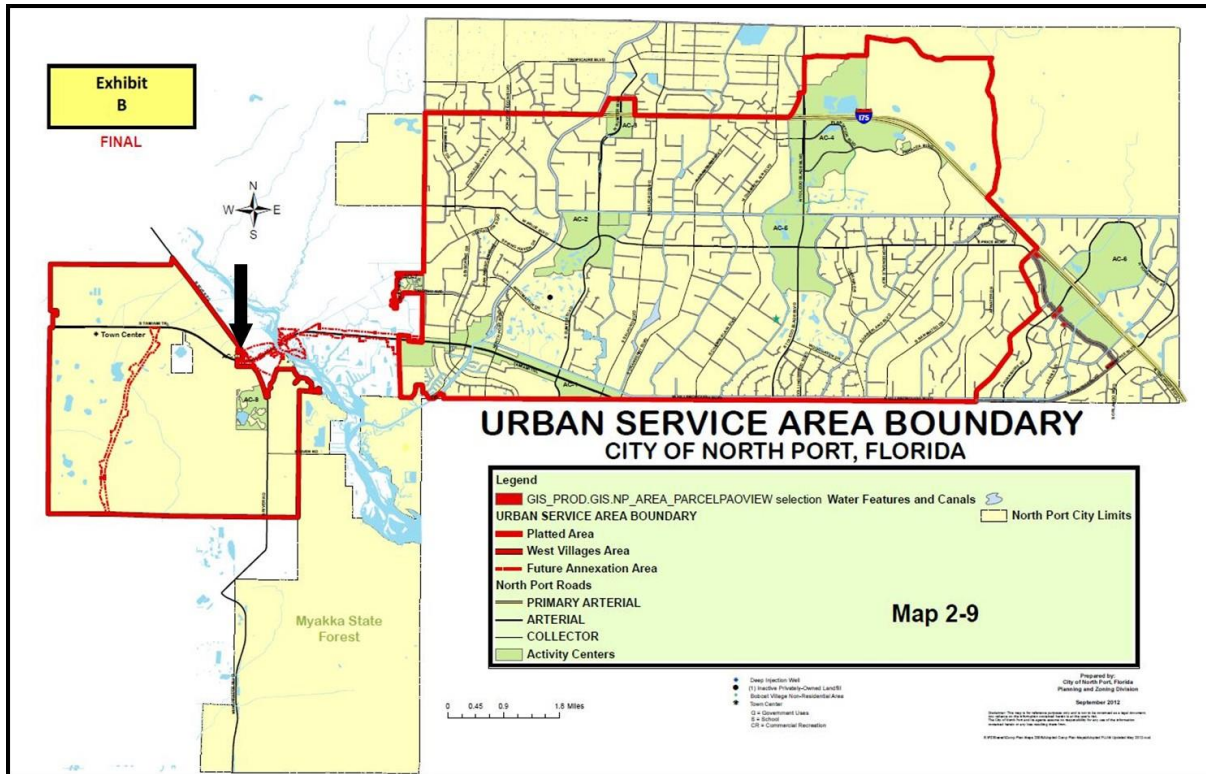


Figure 2 - Urban Service Area Boundary Map

Staff Findings: The subject property is located within the Urban Service Area Boundary per MAP 2-9. The Utilities Department has provided written confirmation through a willingness to serve letter that they have the capacity at both water and sewage treatment plants to provide City water and sewer to serve the development. In addition, the new Fire and Police substation is within 2 ½ miles and can serve the annexed property.

Staff concludes that the proposed annexation is consistent with Policy 6.6.2 of the Future Land Use Element of the Comprehensive Plan.

Unified Land Development Code (ULDC) Chapter 53—Zoning Regulations, Article 1—Map; Boundaries, Section 22—Annexations

ULDC Sec. 53-22 stipulates that annexations shall be by non-emergency ordinance and must meet Florida Statutes Chapter 171. As the annexation would change the City boundaries, this change must be reflected on the Official Zoning Map. The section also lists submission requirements for a complete annexation application packet and the review and public hearing processes.

Staff Findings: The annexation petition was submitted to the City and reviewed for sufficiency to ensure all appropriate supporting documents were included. Following the review process, the Planning and Zoning Advisory Board and City Commission will hear the annexation ordinance. Notification of the annexation petition was sent to the Sarasota County Board of County Commissioners and advertised weekly for two consecutive weeks. In addition, notice was sent to property owners within 1,320 feet of the subject property.

**Staff concludes that the proposed annexation is consistent with ULDC Sec. 53-22.**

## IV. FISCAL IMPACT ANALYSIS

Staff performed a fiscal impact analysis for the proposed annexation using data from the applicant and assumptions based on current market trends. Over five years, a net benefit of \$1,877,325 is realized. For this analysis, staff assumed this development would be done at its highest intensity for each of the allowed uses as permitted in the PCD zoning district (**Exhibit E – Fiscal Impact Analysis**).

## V. PUBLIC NOTICE & HEARING SCHEDULE

The ordinance was advertised in a newspaper of general circulation within the City of North Port on January 23, 2024, and January 30, 2024, under the provisions of Section 171.044(6), Florida Statutes, Section 7.01 (c) 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.

Notices of the public hearings were mailed to property owners within 1,320 feet of the subject property on January 16, 2024 (**Exhibit F - Notice to Property Owners**).

The Sarasota County Board of County Commissioners has been notified, according to Florida Statutes Chapter 171, of the City of North Port's intent to annex the subject parcel into the City.

<b>Public Hearing Dates</b>	
<b>Planning &amp; Zoning Advisory Board Public Hearing</b>	<b>February 15, 2024</b> 9:00 AM or as soon thereafter
<b>City Commission Public Hearing First Reading</b>	<b>February 27, 2024</b> 6:00 PM or as soon thereafter
<b>City Commission Public Hearing Second Reading</b>	<b>March 5, 2024</b> 10:00 AM or as soon thereafter

## **VI. RECOMMENDED MOTION**

The Planning & Zoning Division recommends that the Planning & Zoning Advisory Board recommend approval of Petition No. ANX-23-129, US-41 & Tamiami Trail, Voluntary Annexation via Ordinance No. 2024-02 and find that based on competent substantial evidence, the petition for voluntary annexation complies with the Florida Statutes Chapter 171, City of North Port Comprehensive Plan and the Unified Land Development Code.

## **VII. ALTERNATIVE MOTION**

### **DENY ANX-23-129, US-41 & Tamiami Trail, Voluntary Annexation**

I move to recommend the denial of Petition ANX-23- 129, US-41 & Tamiami Trail, Voluntary Annexation via Ordinance No. 2024-02, and find that based on competent substantial evidence, the petition for voluntary annexation does not comply with the Florida Statutes Chapter 171, City of North Port Comprehensive Plan and the Unified Land Development Code.

## VIII. EXHIBITS

A. Affidavit

B. Warranty Deed

C. Legal Advertisement

D. Notice to County Commissioners

E. Fiscal Impact Analysis

F. Notice to Property Owners

G. Business Impact Estimate

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**AFFIDAVIT**

I (the undersigned), US 41 & Tamiami Tr, LLC 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 16<sup>th</sup> day of March, 20 23

[Signature]  
Signature of Applicant or Authorized Agent  
JAMES L. HAUSER, Managing Member  
Print Name and Title

STATE OF ILLINOIS COUNTY OF DUPAGE

The foregoing instrument was acknowledged by me this 16<sup>th</sup> day of MARCH, 20 23, by JAMES L HAUSER who is personally known to me or has produced IL DL H260-4525-8360 as identification, and who

did/did not take an oath.

Peter Kamp  
Signature - Notary Public



**AFFIDAVIT**

**AUTHORIZATION FOR AGENT/APPLICANT**

I (we), US 41 & Tamiami Tr, LLC property owner(s), hereby authorize Martin Black to act as Agent/Applicant on our behalf to apply for this petition on the property described as (legal description) North West Corner of River Rd & Tamiami Trail Pld # 0787-13-0003

[Signature] Signature of Owner, Managing Member Date 2-7-2023

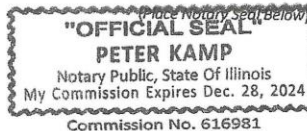
STATE OF ILLINOIS COUNTY OF DUPAGE

The foregoing instrument was acknowledged by me this 7<sup>th</sup> day of February, 20 23, by James Hauser who is personally known to me or has produced

ILLINOIS DRIVERS LICENSE as identification, and who did

not take an oath.

Peter Kamp  
Signature - Notary Public



RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2022174101 3 PG(S)

11/8/2022 1:58 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT

SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 2936983

THIS INSTRUMENT WAS PREPARED BY:  
G. JOSEPH HARRISON  
DYE HARRISON KIRLAND PETRUFF & PRATT, PLLC  
P. O. Box 408  
Bradenton, FL 34206

**CORRECTIVE  
WARRANTY DEED**

Doc Stamp-Deed: \$0.70

**THIS CORRECTIVE WARRANTY DEED**, made the 12 day of Nov, 2022, by, **CAROL RUTH HAUSER**, a single woman ("Grantor"), c/o 6400 Flotilla Drive, Holmes Beach, FL 34217, to **US 41 & Tamiami Tr., LLC**, a Florida limited liability company, whose address is 7901 4<sup>th</sup> St. N., St Petersburg, FL 33702, ("Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all of Grantor's interest in that certain land situate in Sarasota County, Florida:

See Exhibit "A" attached and by reference made a part hereof.

PIN #0787130003.

Subject to zoning and conditions, restrictions, limitations and easements of record.

**THIS CORRECTIVE DEED IS GIVEN TO CORRECT THE LEGAL DESCRIPTION CONTAINED WITHIN THAT CERTAIN DEED PREVIOUSLY RECORDED AS INSTRUMENT #2020067848, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, WHICH ORIGINAL DEED MISTAKENLY ATTACHED A LEGAL DESCRIPTION OF LANDS PREVIOUSLY CONVEYED BY THE GRANTOR NAMED HEREIN INSTEAD OF THE DESCRIPTION OF THOSE LANDS INTENDED TO BE CONVEYED BY GRANTOR. THE DEED CORRECTED HEREBY WAS INTENDED TO CONVEY TO THE GRANTEE NAMED THEREIN THE REMAINING LANDS OF SAID GRANTOR WHICH REMAINING LANDS ARE DESCRIBED ON EXHIBIT "A" ATTACHED.**

**THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH.**

Grantor warrants and represents that the subject property is not the homestead of Grantor nor any member of Grantor's family nor is such property contiguous or in close proximity thereto.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

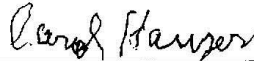
TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2021.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

  
Print Name: Simon Champier  
Witness

  
CAROL RUTH HAUSER

  
Print Name: BYRON FAERMARK  
Witness

STATE OF ILLINOIS  
COUNTY OF DuPage

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of MAY, 2022, by means of  physical presence or  online notarization, by CAROL RUTH HAUSER, \_\_\_\_\_, and \_\_\_\_\_,  who are personally known to me, or  who produced \_\_\_\_\_ as identification, and who acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

(Notary Seal)

  
Signature BYRON FAERMARK  
Print Name  
NOTARY PUBLIC-STATE OF ILLINOIS

My Commission Expires:

Commission No: \_\_\_\_\_

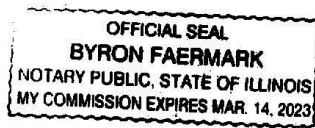


EXHIBIT "A"

Start at the intersection of the West line of the right of way of the West River Road with the North line of the right of way of State Road No. 5, Tamiami Trail, thence running Westerly 594.6 feet measured along the curve of the North line of said Tamiami Trail to a point; thence North 473 feet to a point; thence East 264 feet to an intersection with the West line of the right of way of West River Road; thence South 37° 18' East 541.7 feet along the West line of the right of way of the West River Road to the Point of Beginning, lying in the Southeast quarter of the Southwest quarter of the Northwest quarter of Section 34, Township 39 South, Range 20 East.

LESS AND EXCEPT that portion taken by the State of Florida Department of Transportation and Sarasota County for additional right of way, described as Parcel 119 in that certain Order of Taking recorded April 17, 1974 in Official Records Book 1039, Page 762, of the Public Records of Sarasota County, Florida.

LESS AND EXCEPT that portion taken by the State of Florida Department of Transportation and Sarasota County for additional right of way, described as Parcel 100 in that certain Order of Taking recorded July 25, 1979 in Official Records Book 1319, Page 906, of the Public Records of Sarasota County, Florida.

ALSO LESS AND EXCEPT that portion conveyed to Sarasota County, a political subdivision of the State of Florida, by that certain Warranty Deed recorded October 14, 2010 under Official Records Instrument Number 2010125997, of the Public Records of Sarasota County, Florida.

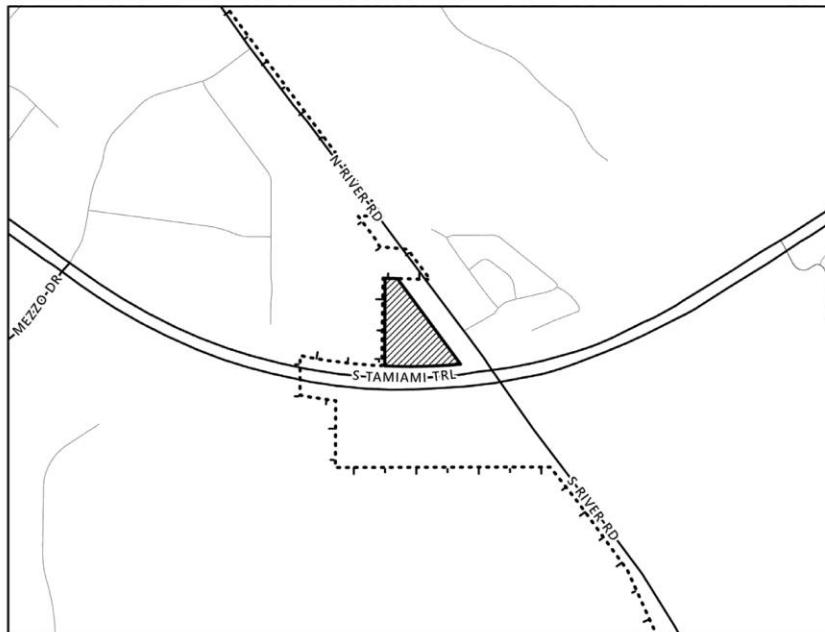


## PUBLIC HEARING NOTICE OF INTENT TO CONSIDER ANNEXATION PETITION NO. ANX-23-129 ORDINANCE NO. 2024-02

NOTICE IS HEREBY GIVEN that the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) will hold a public hearing at 9:00 a.m. or shortly thereafter, on **Thursday, February 15, 2024** in the City Chambers located at 4970 City Hall Boulevard, North Port, Florida to consider and act upon **Annexation Petition No. ANX-23-129**; voluntary annexation of  $\pm 2.491$  acres of land into the City of North Port.

NOTICE IS HEREBY GIVEN that the City Commission of the City of North Port will hold a first reading public hearing at 6:00 p.m. or shortly thereafter, on **Tuesday, February 27, 2024** and a second reading public hearing at 10:00 a.m., or shortly thereafter, on **Tuesday, March 5, 2024** in the City Chambers located at 4970 City Hall Boulevard, North Port, Florida to consider and act upon the adoption of the following proposed City Ordinance:

**AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ANNEXING  $\pm 2.491$  ACRES OF REAL PROPERTY LOCATED ON THE NORTHWEST CORNER OF NORTH RIVER ROAD AND SOUTH TAMIAMI TRAIL IN THE UNINCORPORATED AREA OF SARASOTA COUNTY, FLORIDA AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF NORTH PORT, FLORIDA; REDEFINING THE BOUNDARY LINES OF THE CITY OF NORTH PORT TO INCLUDE THE PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR ANNEXATION; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR ASSESSMENT AND TAXATION; PROVIDING FOR FILING OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**



Note: Proposed ANX-23-129 (boundary of the area) is depicted on this map. The site is generally located on the Northwest corner of North River Road and South Tamiami Trail. The proposed site contains  $\pm 2.491$  acres.

This notice is published pursuant to the requirements of Section 171.044 Voluntary Annexation Florida Statutes; accordingly, the publication of same must be accomplished once a week for two (2) consecutive weeks prior to the meeting at which the above Ordinance is to be considered and acted upon. The proposed Ordinance with complete legal description by metes and bounds is on file in the Office of the City Clerk for inspection by the public between the hours of 8 a.m. to 4 p.m. Monday through Friday. The files pertinent to ANX-23-129 is on files in the City of North Port Development Services Department, Planning & Zoning Division for inspection by the public between the hours of 8 a.m. to 4 p.m. Monday through Friday.

All interested parties may attend the meeting and be heard with respect to the proposed Petition/Ordinance.

This public hearing may be continued from time to time.

No stenographic record by a certified court reporter is made of these meetings. Accordingly, anyone seeking to appeal any decisions 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.

**AMERICANS WITH DISABILITIES ACT OF 1990** - The North Port City Hall is wheelchair accessible. Special parking is available on the west side of City Hall and the building may be accessed from the parking area. Persons with hearing difficulties should contact the City Clerk to obtain a hearing device for use during meetings.

/s/  
Heather Faust, MMC  
City Clerk

Publish: Tuesday, January 23, 2024 and Tuesday, January 30, 2024



January 12, 2023

Mr. Ron Cutsinger, Chair – Sarasota County Board of County Commissioners  
1660 Ringling Blvd  
Sarasota, FL 34236  
Via Certified Mail

**RE: Notification of Voluntary Annexation by the City of North Port (ANX-23-129)**

Dear Commissioner Cutsinger:

Due to errors in the previous annexation transmittal (August 11, 2023), the City of North Port is retransmitting this notification pursuant to F.S. 171.041(6). Pursuant to the Statutes, this letter is provided to notify Sarasota County of the City of North Port's intent to annex one parcel totaling approximately 2.491 acres, contiguous to the City of North Port. The property is described as follows:

**PID 0787130003:** Start at the intersection of the West line of the right of way of the West River Road with the North line of the right of way of State Road No. 5., Tamiami Trail, thence running Westerly 594.6 feet measured along the curve of the North line of said Tamiami Trail to a point; thence North 473 feet to a point; thence East 264 feet to an intersection with the West line of the right of way of West River Road; thence South 37° 18' East 541.7 feet along the West line of the right of way of the West River Road to the Point of Beginning. lying in the Southeast quarter of the Southwest quarter of the Northwest quarter of Section 34., Township 39 South, Range 20 East.

LESS AND EXCEPT that portion taken by the State of Florida Department of Transportation and Sarasota County for additional right of way, described as Parcel 119 in that certain Order of Taking recorded April 17, 1974, in Official Records Book 1039, Page 762, of the Public Records of Sarasota County, Florida.

LESS AND EXCEPT that portion taken by the State of Florida Department of Transportation and Sarasota County for additional right of way described as Parcel 100 in that certain Order of Taking recorded July 25, 1979, in Official Records Book 1319, Page 906, of the Public Records of Sarasota County, Florida.

ALSO LESS AND EXCEPT that portion conveyed to Sarasota County. A political subdivision of the State of Florida, by that certain Warranty Deed recorded October 14, 2010 under Official Records Instrument Number 2010125997. of the Public Records of Sarasota County, Florida.

At this time, the public hearings for this annexation are scheduled for February 15, 2024, at 9:00 a.m. (Planning and Zoning Advisory Board) and February 27, 2024, at 6:00 p.m. (City Commission) and the second reading on March 5, 2024. Meetings are held in the North Port City Hall Commissions Chambers, 4970 City Hall Blvd. North Port, FL 34286.

The notices for this annexation will be published on January 23, 2024, and January 30, 2024. All notices will be published in the *North Port Sun*.

If you have any questions or concerns regarding this annexation, please contact me at 941-429-7156 or via email at [aray@northportfl.gov](mailto:aray@northportfl.gov).

Sincerely,

Alaina Ray, AICP, Neighborhood Development Services Director

Enc: Draft Ordinance  
Draft Legal Advertisement



## City of North Port

### ORDINANCE NO. 2023-02

**AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ANNEXING ± 2.491 ACRES OF REAL PROPERTY LOCATED ON THE NORTHWEST CORNER OF NORTH RIVER ROAD AND SOUTH TAMIAMI TRAIL IN THE UNINCORPORATED AREA OF SARASOTA COUNTY, FLORIDA AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF NORTH PORT, FLORIDA; REDEFINING THE BOUNDARY LINES OF THE CITY OF NORTH PORT TO INCLUDE THE PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR ANNEXATION; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR ASSESSMENT AND TAXATION; PROVIDING FOR FILING OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on April 26, 2023, Martin Black of SRI GMR Properties, LLC, in its capacity as agent of US 41 & Tamiami TR, LLC ("Petitioner"), submitted Petition No. ANX-23-129 for the voluntary annexation of certain real property into the corporate limits of the City of North Port, Florida (the "Petition"). The Petition is attached as "Exhibit A" and bears the signature of the property owner; and

**WHEREAS**, the Petition relates to ± 2.491 acres of real property, identified in the legal description and boundary survey attached as "Exhibit B" (the "Property"); and

**WHEREAS**, the location of the Property is identified on the map attached as "Exhibit C"; and

**WHEREAS**, in compliance with Section 53-22.E(1) of the Unified Land Development Code ("ULDC"), the City has prepared a fiscal impact analysis, attached as "Exhibit D"; and

**WHEREAS**, the Planning and Zoning Advisory Board, designated as the local planning agency, held a properly noticed public hearing on February 15, 2024, to receive public comment on the subject matter of this ordinance and to make its recommendation to the City Commission; and

**WHEREAS**, the City Commission of the City of North Port held properly noticed public hearings at the first and second reading of this ordinance to review the recommendations of the Planning and Zoning Advisory Board and the administrative report, and to receive public comment on the subject matter of this ordinance; and

**WHEREAS**, the City Commission determined that its action 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:  
SECTION 1 – FINDINGS**

- 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business impact estimate on the City's website on or before the date the newspaper published notice of this ordinance's final reading.
- 1.03 The City Commission makes the following additional findings:
  - a. The Property is wholly located in an unincorporated area of Sarasota County, is contiguous to the boundaries of the City of North Port, and is reasonably compact.
  - b. Annexing the Property will not result in the creation of enclaves.
  - c. The City is equipped to extend urban services to the Property on the date of annexation on substantially the same basis and in the same manner as those services provided within the municipality prior to annexation.
  - d. The City is equipped to supply municipal water and sewer services to the Property so that, when services are provided, property owners can secure public water and sewer service according to the City's policies for extending water and sewer lines to individual lots or subdivisions.
  - e. The Petition and the Property meet all requirements of Florida Statutes Chapter 171 pertaining to voluntary annexations.
  - f. The Petition and the Property meet all requirements of ULDC Section 53-22 pertaining to annexations.
  - g. All procedural and notice requirements mandated by state law; the Code of the City of North Port, Florida; and the ULDC have been followed and satisfied.
- 1.04 All identified exhibits are incorporated in this ordinance by reference.

**SECTION 2 – ANNEXATION AND OFFICIAL ZONING MAP**

- 2.01 The City Commission approves the Petition to voluntarily annex the Property. The Property is hereby annexed into the corporate limits of the City of North Port, Florida and the boundary lines of the City are hereby redefined to include the Property.
- 2.02 The Property is designated as Future Annexation Area on the City of North Port's Comprehensive Plan Future Land Use Map. The Property will be designated a land use on the City's Comprehensive Plan Future Land Use Map at a later date, and the map will be redefined to include the Property at that time.



- 2.03 The City Commission approves the amendment to the City’s Official Zoning Map revised Official Zoning Map, attached as “Exhibit E,” incorporating the Property with a zoning designation of “No Zoning Designation.”

**SECTION 3 – ASSESSMENT AND TAXATION**

- 3.01 The City will assess and tax the Property as permitted under the law as of the effective date of this ordinance.

**SECTION 4 – FILING OF DOCUMENTS**

- 4.01 Upon this ordinance taking effect, the City Clerk is directed to place in the City Clerk’s files an updated Official Zoning Map in accordance with the requirements of ULDC Sections 53-14, 53-16, and 53-17, State of Florida’s Office of Economic and Demographic Research specifying the population census effect and the affected land area, with Petitioner paying all related filing costs.

**SECTION 5 – CONFLICTS**

- 5.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance 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 ordinance 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 ordinance.

**SECTION 7 – EFFECTIVE DATE**

- 7.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida in public session on \_\_\_\_\_, 2024.

ADOPTED by the City Commission of the City of North Port, Florida on the second and final reading in public session on \_\_\_\_\_, 2024.

CITY OF NORTH PORT, FLORIDA

\_\_\_\_\_  
ALICE WHITE  
MAYOR

ATTEST

\_\_\_\_\_  
HEATHER FAUST, MMC  
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

\_\_\_\_\_  
AMBER L. SLAYTON, B.C.S.  
CITY ATTORNEY

**Exhibit A**



**CITY OF NORTH PORT**  
Neighborhood Development Services  
Planning Division  
Planninginfo@cityofnorthport.com

**Annexation Packet**

The following items are to be included in the submission:

- Annexation Application
- Affidavit(s)
- Annexation Checklist
- Annexation Fee Sheet
- Billable Fee Payment Agreement

**\*Note\***

Please be advised that each application is considered a separate petition and will be reviewed as such. Packets will not be processed if incomplete or missing requested information.

If there is more than one property owner of the subject property, all owners must complete an affidavit.

There are additional costs included with this application. Fees for legal advertisements and adjacent property owner notifications will be billed to the applicant at actual cost. These costs shall be paid in full before any development orders/orders of approval are issued.

Exhibit A



CITY OF NORTH PORT
Neighborhood Development &
Planning Division
4970 City Hall Boulevard
North Port, FL 34286-4100
www.cityofnorthport.com
Phone (941) 429-7154

DATE RECEIVED - DATE STAMP

RECEIVED
By Joy McRae-Fox at 8:37 am, Apr 18, 2023

APPROVED
By kmuhammad at 3:17 pm, Apr 26, 2023

VOLUNTARY ANNEXATION AMENDMENT APPLICATION

Upon making any application to the City for any reason, the applicant agrees to comply with all the requirements of the Unified Land Development Code and further agrees to allow authorized city staff and personnel to enter and inspect the property during normal business hours

Date Application Received: Accepted by: Project No: - -

Above to Be Completed by Planning Staff

P.P. \_\_\_\_\_

Project Name: US 41 & TAMIAMI TR LLC Annexation

Name of Applicant: SRI GMR PROPERTIES, LLC (AGENT: MARTIN BLACK) contract purchaser

Name of Corporation/LLC (if Applicable): SRI GMR PROPERTIES, LLC

Street Address: 1190 SHOREVIEW DR

City: ENGLEWOOD State: FL Zip Code: 34223

Phone: 9419153435 FAX No. E-mail: MARTYBLACK@OUTLOOK.COM

Name of Property Owner: (if different from the applicant above) US 41 & TAMIAMI TR LLC

Street Address: 7901 4TH ST N, ST PETERSBURG, FL, 33702

City: State: Zip Code:

Phone: 9419153435 FAX No. E-mail: martyblack@outlook.com

Name of Architect: (if Applicable) NA

Street Address:

City: State: Zip Code:

Phone: FAX No. E-mail:

Name of Engineer: (if Applicable) NA

Street Address:

City: State: Zip Code:

**Exhibit A**

Phone: \_\_\_\_\_ FAX No. \_\_\_\_\_ E-mail: \_\_\_\_\_

Name of Attorney: (If Applicable) NA

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX No. \_\_\_\_\_ E-mail: \_\_\_\_\_

Name of Surveyor: (If Applicable) \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX No. \_\_\_\_\_ E-mail: \_\_\_\_\_

Name of Contractor: (If Applicable) NA

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX No. \_\_\_\_\_ E-mail: \_\_\_\_\_

Property Description: (Please list additional PID's on a separate sheet of paper) (Information can be found at <http://www.sc-pa.com/testsearch/>)

Parcel I.D. No(s): 1. 0787130003 - \_\_\_\_\_ 2. \_\_\_\_\_

Legal: Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ Addition: \_\_\_\_\_ Tract or Parcel: \_\_\_\_\_

Subdivision: \_\_\_\_\_

Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ Acreage: \_\_\_\_\_

Street Address: \_\_\_\_\_

Purpose of Application: Please briefly state what the intended use of the property will be or why you are making this application (e.g. general project description). Annexation, to be followed with applicable applications to allow City Future Land Use

and Zoning petitions to be filed for proposed commercial and office uses.

Has this property undergone previous City development review and approval?

No:  Yes: \_\_\_\_\_ If yes, when? (Month/Date/Year) \_\_\_\_\_

**Exhibit A**

Existing land use (e.g., house, commercial structure, vacant): Vacant

**Surrounding existing land uses/zoning of adjacent properties:**

North: VACANT/PCD

South: VACANT/US41

East: VACANT/COMMERCIAL

West: VACANT/PCD

**Is the property designated as a "Future Annexation Area" on the Comprehensive Plan's Future Land Use Map?**

No: \_\_\_\_\_ Yes: X

Is property located near a Gateway? No: X Yes: \_\_\_\_\_ (distance) \_\_\_\_\_ feet

Adopted Future Land Use Map Designation: ACTIVITY CENTER

Proposed Future Land Use Map Designation: ACTIVITY CENTER

Adopted Zoning Map Designation: COUNTY ZONING

Proposed Zoning Map Designation: CITY - PCD

**Provide the following information relative to the proposed annexation: If Property to be annexed has existing development, please provide a detailed written narrative describing the existing uses on the site.**

\_\_\_\_\_ Total acres

0 Total wetland acres

**FIRE & RESCUE:**

Nearest Fire Hydrant: 200 (feet)

**TRAFFIC:**

List the Roadways **immediately** serving the site:

RIVER ROAD US41

List the Roadways serving this site with existing or anticipated curb-cuts (driveways) and if any, designate on site plan:

NA - will be provided in subsequent site and development applications

Nearest Traffic Control Light: 50 (feet) Stop Sign: NA (feet)

**UTILITIES:**

**How will Potable Water service be provided? Please contact North Port Utilities (941) 240-8000.**

\_\_\_\_\_ Private Well (Submit a letter or application from the Sarasota County Department of Health.)

X North Port Utilities (Please provide a letter from the service provider stating that the proposed development is within their service area and that they have adequate capacity to serve the proposed development.)

**Exhibit A**

**How will Sanitary Sewer service be provided?** Please contact North Port Utilities (941) 240-8000.

- Private Septic System (If property is located in the Conservation Restricted Overlay Zone a class 1 aerobic water treatment system is required for single family home sites. Submit a letter or application the Sarasota County Department of Health.)
- North Port Utilities (Please provide a letter from the service provider stating that the proposed development is within their service area and that they have adequate capacity to serve the proposed development.)

**STORMWATER:** Please contact the City Stormwater Manager/Environmentalist at (941) 240-8321.  
(Flood Information can be found at <http://www.cityofnorthport.com> Search: Flood Update)

Is the application site in a FEMA Hazardous Flood Zone? No:  Yes:   
If yes, what zone? \_\_\_\_\_

Is the application site in the Conservation Restricted Zone? No:  Yes:   
If yes, what zone? \_\_\_\_\_

Is the application site in the Big Slough Watershed Flood Zone? No:  Yes:   
If yes, what is the 100-year 1-day flood elevation? \_\_\_\_\_ ft. NGVD

Does the application site contain wetlands? Yes  No  If yes, existing wetland acres: \_\_\_\_\_

Has the Department of Environmental Protection been notified of wetlands? Yes  No

Is the property located in the Myakka River Protection Zone? No:  Yes:

Is the property adjacent to the Myakka River jurisdictional wetlands? No:  Yes:

(If yes, please provide acreage and map of the area and schedule a meeting with City Stormwater Manager/Environmentalist.)

**ENVIRONMENTAL:**

**Are there any known Historical or Archaeological sites on the property?**  
(If unsure, please contact Sarasota County – Division of Historical Resources, (941) 316-1115.)

No:  Yes:  Please describe: \_\_\_\_\_  
\_\_\_\_\_

**Has an Environmental Assessment Report/Review been prepared for this property?**  
No:  Yes:  Date survey was conducted: \_\_\_\_\_

Does the property contain gopher tortoise burrows, scrub jay habit, or any plant or animal species listed as “rare”, “threatened”, “endangered”, or “species of special concern” by State and /or Federal agencies? If yes, the applicant will be required to produce documents on how listed species or habitats will be protected or managed at the Site Development stage.

No:  Yes:  Please indicate which ones: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Exhibit A**

\*All of the information provided on this application is true and correct to the best of my knowledge.

  
\_\_\_\_\_  
Signature of Applicant

JANUARY 25, 2023  
\_\_\_\_\_  
Date

MARTIN P BLACK (agent)  
\_\_\_\_\_  
Print Applicant Name



**Exhibit A**

**Checklist of Required Submittal Items:**

**ANNEXATION**

**Please collate seven (7) packets of each of the following for distribution to reviewers:**

- Exhibit A: Project Narrative**
- Exhibit B: Area Map**
- Exhibit C: Boundary survey** (A legal description and boundary survey signed and sealed by a registered land surveyor in the State of Florida.)
- Exhibit D- Deed or Title**
- Exhibit E- Articles of Corporation/Articles of Organization** (If Corporation or LLC is applicable)
- Exhibit F: Site Plan** (Plus 1 additional landscape plan)
- Exhibit G: Environmental Assessment**
- Exhibit H: Certification of payment of taxes and assessments**
- Exhibit I: Title Assurance**
- Exhibit J: Utilities availability letter**
- Exhibit K: Transportation Impact Analysis**
- Exhibit L: Pre-Annexation Agreement**
- Exhibit M: Fiscal Impact Analysis**
- Digital files:** The entire submittal package in PDF format on a CD. Also, please submit all project related spatial information in either CAD .dwg , GIS Shapefile or File Geodatabase format on the disk as well. The data must have coordinates in at least 4 corners of the petition area. The Coordinate system must be: A Projected Coordinate System, State Plane, NAD 1983 StatePlane Florida West FIPS 0902 (US Feet).

Exhibit A



**CITY OF NORTH PORT**  
Annexation  
Fee Sheet

Property Location (Address): RIVER ROAD AND US41  
PID(s) #: 0787130003

Annexation Calculation

Fees	Total
10 acres or less \$1,200	
Over 10 acres and up to 50 acres \$1,600	
Over 50 acres \$2,500	
<b>TOTAL</b>	<b>\$1200.00</b>

-All fees should be made payable to the City of North Port. Fees must be paid prior to the processing of the submittal.

-Other billable fees will be assessed and will be required to be paid by the applicant as stated on the billable fee agreement.

Please contact Planning Staff if you have any questions, 941.429.7156

Exhibit A

**BILLABLE FEE PAYMENT AGREEMENT**

I/WE agree to pay all the costs associated with processing this application petition. Payment is due within 10 days of receipt of an invoice, and all processing of the petition will stop if payments are not made within 10 days.

Name(s): SRI GMR PROPERTIES LLC  
Billing Address: 1190 SHOREVIEW DR, ENGLEWOOD, FL, 34223  
Contact Number: 941-468-6114  
Contact E-mail: sailendra.upendram@gmail.com

I understand and agree to the conditions outlined in this agreement, and certify that all the information provided is correct.

Signature: *MP Black*                      Witness: *Mary Dougherty*  
Print Name: Martin P Black                      Print Name: Mary Dougherty  
Date: April 28 2023                      Date: April 28 2023

Applicants are billed for Legal Advertisement costs and actual postage costs for Adjacent Property Owner notifications. Fees will vary based on size of advertisement selected by the local newspaper, and amount of property owners to be notified.

To be filled out by Planning Staff  
Petition Number: \_\_\_\_-\_\_\_\_-\_\_\_\_

Exhibit A

AFFIDAVIT

I (the undersigned), US 41 & Tamiami Tr, LLC 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 16th day of March, 2023.

[Signature] Signature of Applicant or Authorized Agent JAMES L HAUSER, Managing Member Print Name and Title

STATE OF ILLINOIS COUNTY OF DUPAGE

The foregoing instrument was acknowledged by me this 16th day of March, 2023, by JAMES L HAUSER who is personally known to me or has produced IL DL H260-4525-8360 as identification, and who

did/did not take an oath.

Peter Kamp Signature - Notary Public



AFFIDAVIT

AUTHORIZATION FOR AGENT/APPLICANT

I (we), US 41 & Tamiami Tr, LLC, property owner(s),

hereby authorize Martin Black to act as Agent/Applicant on our behalf

to apply for this petition on the property described as (legal description) North West Corner of

River Rd & Tamiami Trail Pld# 0787-13-0003

[Signature] Signature of Owner Managing Member J-7-2023 Date

STATE OF ILLINOIS COUNTY OF DUPAGE

The foregoing instrument was acknowledged by me this 27th day of February, 2023, by

James Hauser who is personally known to me or has produced

ILLINOIS DRIVERS LICENSE as identification, and who did

not take an oath.

Peter Kamp Signature - Notary Public

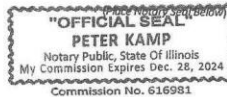


Exhibit B

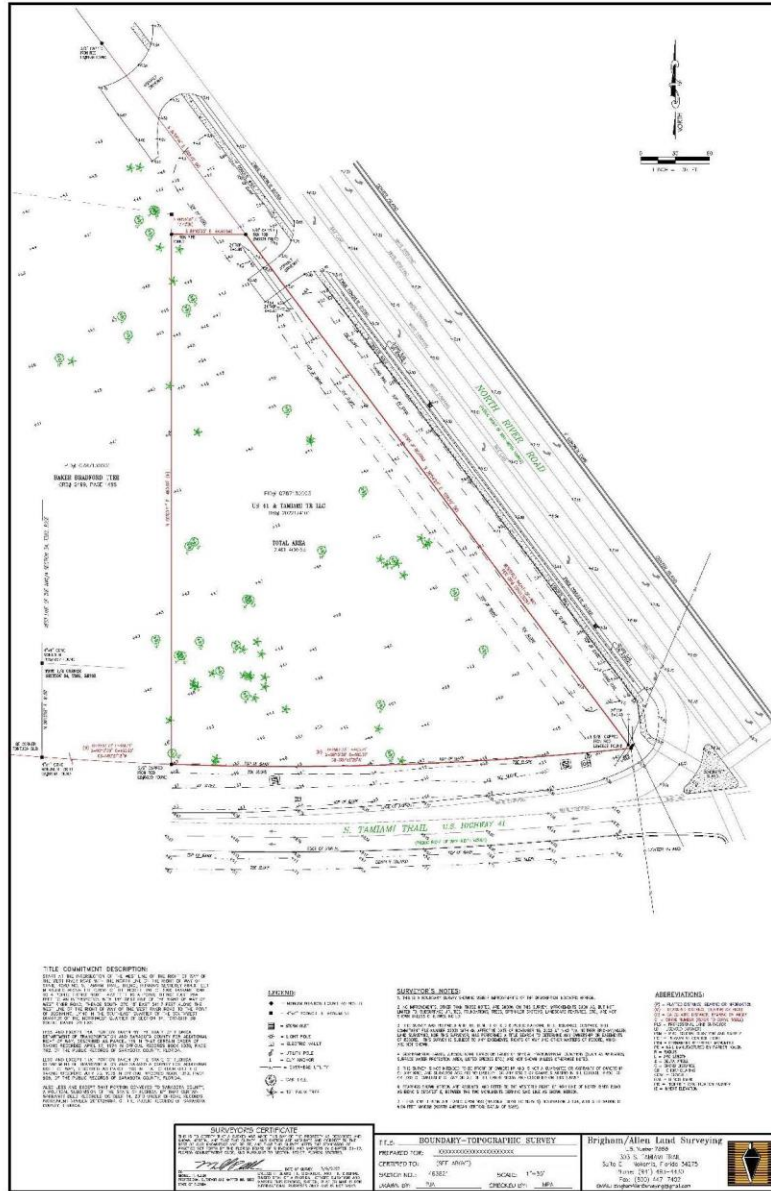
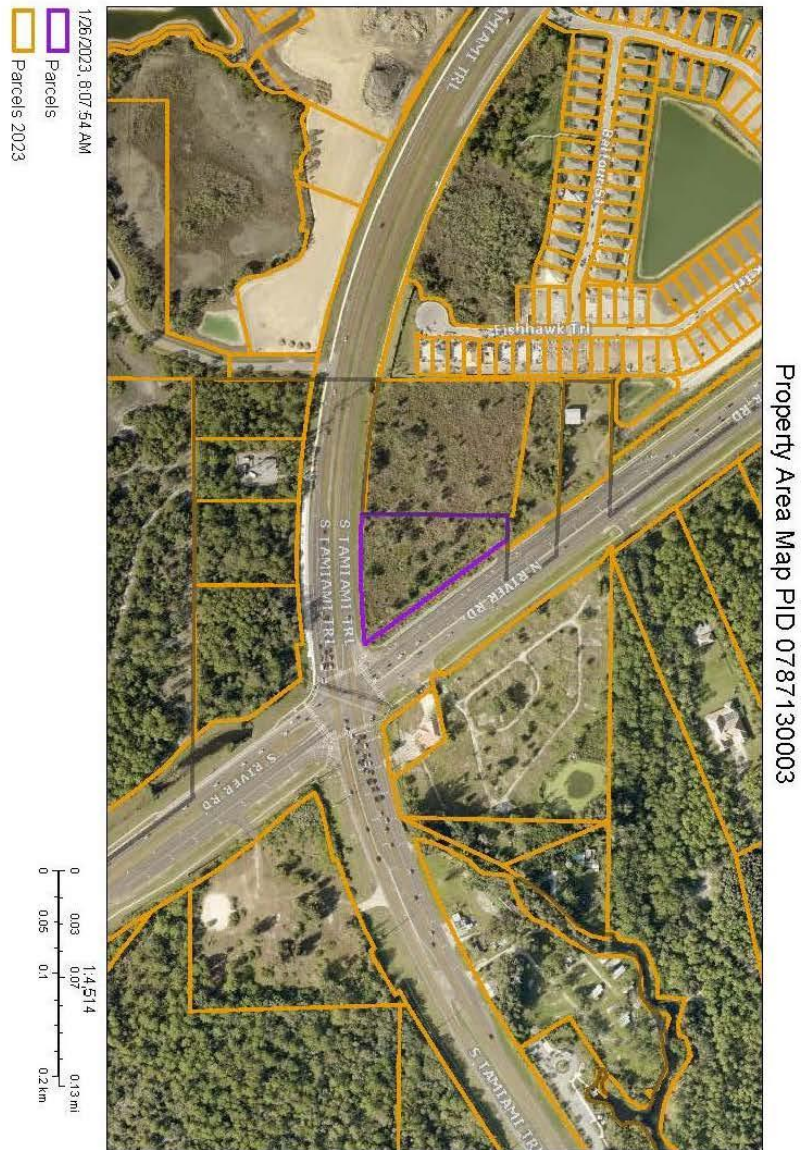


Exhibit C





February 3, 2023

Marty Black, AICP, ICMA-CM  
Land and P-3 Advisors  
602 84<sup>th</sup> Street NW  
Palma Sola, FL 34209

**Willingness to Serve Water, Sewer and eventually Reclaimed Water**

**RE: Property at PIDs 0787-13-0003 & 0787-14-0006**

Dear Mr. Black:

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 not within the City Limits; However, the parcel is within the City's anticipated or projected utility service area as well as the US 41 corridor service area and the City of North Port Utilities Department is willing to work with the Owner/Engineer to provide service to the project. The City is willing to provide water, sanitary sewer and eventually reclaimed water capacity to the project and currently has the capacity at its water treatment plant and sewage treatment plant for this project. The capacity will be made available at the time of payment for capacity, and if applicable 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 must be completed by the owner/developer and accepted by the City prior to water and wastewater service being available to this specific site.

In addition, because this property is in the County and outside City limits, in order for the City to provide water and sewer service the Owner/Engineer must provide a letter from Sarasota County Utilities acknowledging that the City of North Port may provide service to the subject parcel until such time that the property is annexed into the City limits. The letter shall be provided to the City of North Port Utility Department.

The City does not guarantee or reserve capacity to any project unless the owner/developer enters into a Utility Agreement with the City, which may require voluntary annexation into the City, and will require approval by the City Commission.

Before a building permit can be issued, an application for service, capacity fees, US 41 corridor surcharge recovery fee, and deposits will be required, and the builder must provide a plumbing plan, which is required on any non-residential structures to the City's Utility Department for calculation of appropriate capacity fees and meter size. The City will not release a building permit until the required fees have been paid.

Our staff looks forward to working with you in the future 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  
Michelle Tipp  
Utilities Business Manager



Achieve Anything

[www.cityofnorthport.com](http://www.cityofnorthport.com)

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

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2022174101 3 PG(S)

11/8/2022 1:58 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT

SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 2936983

THIS INSTRUMENT WAS PREPARED BY:  
G. JOSEPH HARRISON  
DYE HARRISON KIRLAND PETRUFF & PRATT, PLLC  
P. O. Box 408  
Bradenton, FL 34206

**CORRECTIVE  
WARRANTY DEED**

Doc Stamp-Deed: \$0.70

**THIS CORRECTIVE WARRANTY DEED**, made the 12 day of Nov, 2022, by, **CAROL RUTH HAUSER**, a single woman ("Grantor"), c/o 6400 Flotilla Drive, Holmes Beach, FL 34217, to **US 41 & Tamiami Tr., LLC**, a Florida limited liability company, whose address is 7901 4<sup>th</sup> St. N., St Petersburg, FL 33702, ("Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all of Grantor's interest in that certain land situate in Sarasota County, Florida:

See Exhibit "A" attached and by reference made a part hereof.

PIN #0787130003.

Subject to zoning and conditions, restrictions, limitations and easements of record.

**THIS CORRECTIVE DEED IS GIVEN TO CORRECT THE LEGAL DESCRIPTION CONTAINED WITHIN THAT CERTAIN DEED PREVIOUSLY RECORDED AS INSTRUMENT #2020067848, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, WHICH ORIGINAL DEED MISTAKENLY ATTACHED A LEGAL DESCRIPTION OF LANDS PREVIOUSLY CONVEYED BY THE GRANTOR NAMED HEREIN INSTEAD OF THE DESCRIPTION OF THOSE LANDS INTENDED TO BE CONVEYED BY GRANTOR. THE DEED CORRECTED HEREBY WAS INTENDED TO CONVEY TO THE GRANTEE NAMED THEREIN THE REMAINING LANDS OF SAID GRANTOR WHICH REMAINING LANDS ARE DESCRIBED ON EXHIBIT "A" ATTACHED.**

**THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH.**

Grantor warrants and represents that the subject property is not the homestead of Grantor nor any member of Grantor's family nor is such property contiguous or in close proximity thereto.

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 said Grantee that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2021.



IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]  
Print Name: Byron Faermak  
Witness

[Signature]  
CAROL RUTH HAUSER

[Signature]  
Print Name: BYRON FAERMARK  
Witness

STATE OF ILLINOIS  
COUNTY OF DuPage

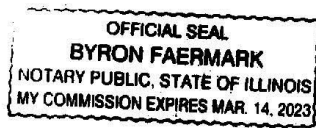
The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of MAY, 2022, by means of  physical presence or  online notarization, by CAROL RUTH HAUSER, \_\_\_\_\_, and \_\_\_\_\_,  who are personally known to me, or  who produced \_\_\_\_\_ as identification, and who acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

(Notary Seal)

[Signature]  
Signature BYRON FAERMARK  
Print Name  
NOTARY PUBLIC-STATE OF ILLINOIS

My Commission Expires:

Commission No: \_\_\_\_\_



## EXHIBIT "A"

Start at the intersection of the West line of the right of way of the West River Road with the North line of the right of way of State Road No. 5, Tamiami Trail, thence running Westerly 594.6 feet measured along the curve of the North line of said Tamiami Trail to a point; thence North 473 feet to a point; thence East 264 feet to an intersection with the West line of the right of way of West River Road; thence South 37° 18' East 541.7 feet along the West line of the right of way of the West River Road to the Point of Beginning, lying in the Southeast quarter of the Southwest quarter of the Northwest quarter of Section 34, Township 39 South, Range 20 East.

LESS AND EXCEPT that portion taken by the State of Florida Department of Transportation and Sarasota County for additional right of way, described as Parcel 119 in that certain Order of Taking recorded April 17, 1974 in Official Records Book 1039, Page 762, of the Public Records of Sarasota County, Florida.

LESS AND EXCEPT that portion taken by the State of Florida Department of Transportation and Sarasota County for additional right of way, described as Parcel 100 in that certain Order of Taking recorded July 25, 1979 in Official Records Book 1319, Page 906, of the Public Records of Sarasota County, Florida.

ALSO LESS AND EXCEPT that portion conveyed to Sarasota County, a political subdivision of the State of Florida, by that certain Warranty Deed recorded October 14, 2010 under Official Records Instrument Number 2010125997, of the Public Records of Sarasota County, Florida.

Exhibit D for ANX-23-129



**Bill Furst**  
**SARASOTA COUNTY**  
**PROPERTY APPRAISER**

**Property Record Information for 0787130003**

**Ownership:**

US 41 & TAMIAMI TR LLC  
 7901 4TH ST N, ST PETERSBURG, FL, 33702  
**Situs Address:**  
 TAMIAMI TRL VENICE, FL, 34293

**Land Area:** 116,553 Sq.Ft.  
**Municipality:** Sarasota County  
**Subdivision:** 0000 - NOT PART OF A SUBDIVISION  
**Property Use:** 0000 - Residential vacant site  
**Status:** OPEN  
**Sec/Twp/Rge:** 34-39S-20E  
**Census:** 121150027342  
**Zoning:** OUE1 - OPEN USE ESTATE (1UNIT/5ACRE) = OUE  
**Total Living Units:** 0

**Parcel Description:** BEG AT INTRS OF WLY RAW OF RIVER RD & N RAW OF TAMIAMI TRL TH WLY 584.6 FT ALG THE NLY LINE OF RAW OF SAID TAMIAMI TRAIL TH N 473 FT TH E 264 FT TO INTRS WITH WLY RAW OF W RIVER RD TH S 37-18 E 541.7 FT ALG WLY RAW OF W RIVER RD TO POB, LESS RD RAW IN OR 1054/1753 & OR 1319/807 & ORI 2010125997, SUBJ TO 14069 SF DRAINAGE ESMT TO SARASOTA COUNTY AS DESC IN ORI 2010125998, BEING SAME LANDS AS DESC IN ORI 2022174101

**Buildings**

Vacant Land

**Extra Features**

There are no extra features associated with this parcel

**Values**

Year	Land	Building	Extra Feature	Just	Assessed	Exemptions	Taxable	Cap
2022	\$350,500	\$0	\$0	\$350,500	\$73,740	\$0	\$73,740	\$276,760
2021	\$174,100	\$0	\$0	\$174,100	\$67,036	\$0	\$67,036	\$107,064
2020	\$297,500	\$0	\$0	\$297,500	\$60,942	\$0	\$60,942	\$236,558
2019	\$172,700	\$0	\$0	\$172,700	\$55,402	\$0	\$55,402	\$117,298
2018	\$172,700	\$0	\$0	\$172,700	\$50,365	\$0	\$50,365	\$122,335
2017	\$172,700	\$0	\$0	\$172,700	\$45,786	\$0	\$45,786	\$126,914
2016	\$172,700	\$0	\$0	\$172,700	\$41,624	\$0	\$41,624	\$131,076
2015	\$155,800	\$0	\$0	\$155,800	\$37,840	\$0	\$37,840	\$117,960
2014	\$34,400	\$0	\$0	\$34,400	\$34,400	\$0	\$34,400	\$0
2013	\$32,700	\$0	\$0	\$32,700	\$32,700	\$0	\$32,700	\$0

**Current Exemptions**

There are no exemptions associated with this parcel.

**Sales & Transfers**

Transfer Date	Recorded Consideration	Instrument Number	Qualification Code	Grantor/Seller	Instrument Type
5/22/2022	\$100	2022174101	11	HAUSER CAROL R	WD
8/24/1990	\$100	2241/1635	11	ERIKSON ROSE	PR
7/1/1985	\$0	1798/998	11		NA

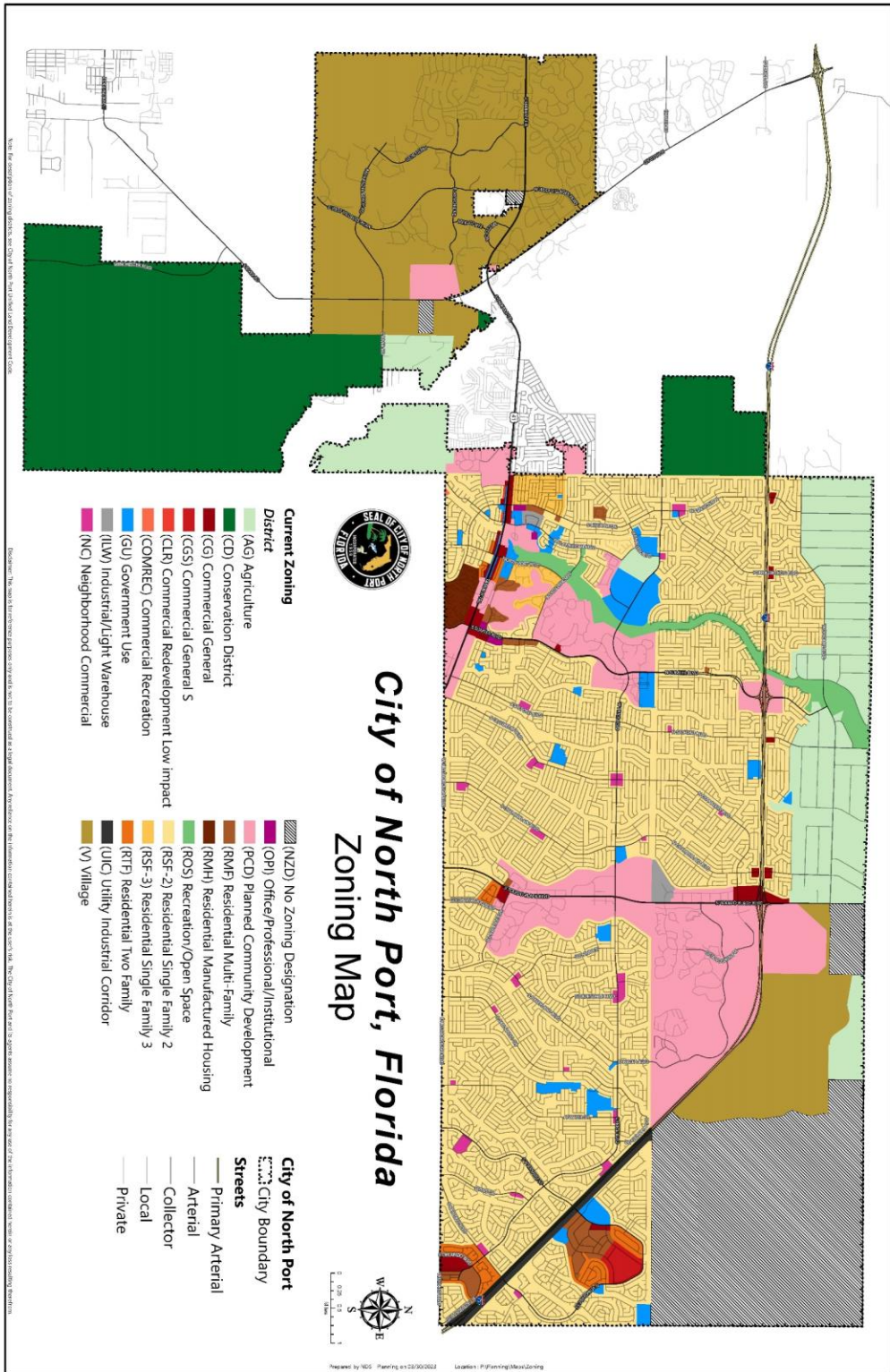
**Associated Tangible Accounts**

There are no associated tangible accounts for this parcel

Property record information last updated on: 1/25/2023

Flood Zone (Data provided by Sarasota County Government as of 1/23/2023)  
 Different portions of a property can be in different flood zones. Please click on MAP link below to see the flood zones.





---

**PUBLIC NOTICE - CITY OF NORTH PORT  
NOTICE OF PUBLIC HEARINGS FOR THE  
VOLUNTARY ANNEXATION OF CERTAIN PROPERTY  
INTO THE CITY OF NORTH PORT**

**NOTICE IS HEREBY GIVEN**, pursuant to Chapters 171, Part I of the Florida Statutes, Section 7.01(c) of the Charter of the City of North Port, Florida, and Section 53-22, of the Unified Land Development Code (ULDC), that the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) will hold a public hearing for consideration of voluntary annexation of ±2.491 acres of land into the City of North Port via ANX-23-129 on **Thursday, February 15, 2024, at 9:00 a.m.** or as may be continued thereafter.

A Public Hearing for the first reading of Ordinance No. 2024-02 will be held before the North Port City Commission on **Tuesday, February 27, 2024, at 6:00 p.m.**, or as soon thereafter as the matter may be heard to consider Ordinance No. 2024-02.

The second reading and final reading by the City Commission will be held on **Tuesday, March 5, 2024, at 10:00 a.m.** or as may be continued at the discretion of the Commission. The proposed annexation ordinance is described as follows:

**Ordinance No. 2024-02:** An Ordinance of the City of North Port, Florida, Annexing ± 2.491 acres of real property located on the Northwest corner of North River Road and South Tamiami Trail in the unincorporated area of Sarasota County, Florida and contiguous to the existing city limits of the City of North Port, Florida; redefining the boundary lines of the City of North Port to include the property; providing for findings; providing for annexation; amending the official zoning map; providing for assessment and taxation; providing for filing of documents; providing for conflicts; providing for severability; and providing an effective date.

All Public Hearings will be held in the **North Port City Hall Commission Chambers located on the second floor, 4970 City Hall Boulevard, North Port, Florida, 34286.**

## Insert Map

Note: Proposed ANX-23-129 (boundary of the area) is depicted on this map. The proposed site contains ± 2.491 acres.

The complete legal description by metes and bounds and the ordinance can be obtained from the office of the City Clerk.

The site is generally located on the Northwest corner of North River Road and South Tamiami Trail. All interested parties are invited to appear and be heard in respect to this Annexation at the

public hearings in the City Hall Commission Chambers. Written comments filed with the City Commission will be heard and considered and will be made a matter of public record at the meeting. These public hearings may be continued from time to time as announced at the hearings, as may be found necessary. The files pertinent to ANX-23-129 may be inspected by the public at the City of North Port Neighborhood Development Services Department, Planning & Zoning 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).

**NONDISCRIMINATION:** The City of North Port does not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status in administration of its programs, activities or services.

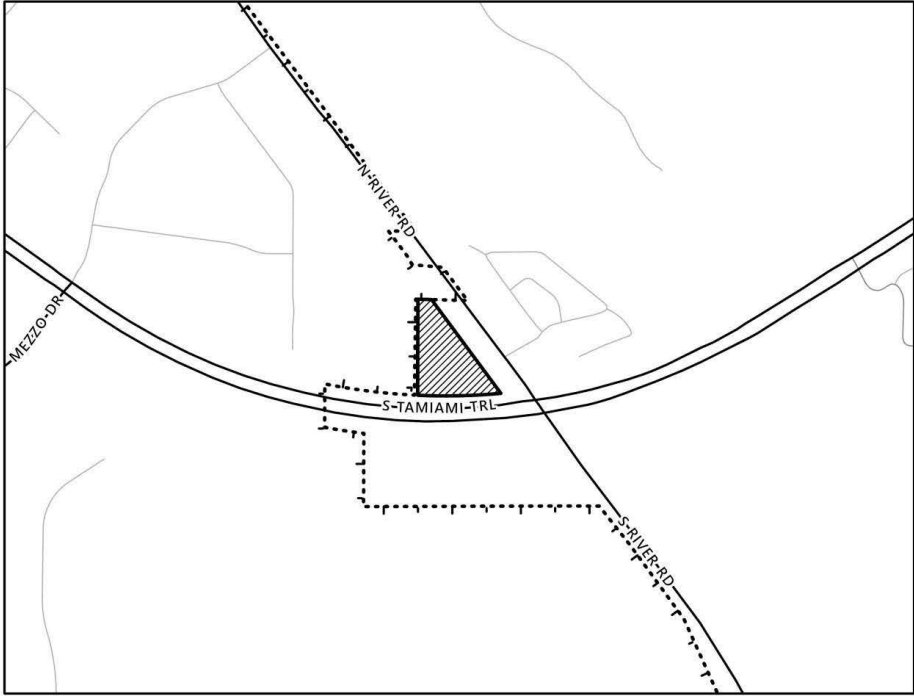
**AMERICAN WITH DISABILITIES ACT OF 1990** - The North Port City Hall is wheelchair accessible. Special parking is available on the west side of City Hall and the building may be accessed from the parking area. Persons with hearing difficulties should contact the City Clerk to obtain a hearing device for use during meetings.

/s/  
Heather Faust, MMC  
City Clerk

**Publish:** Tuesday, January 23, 2024 and Tuesday, January 30, 2024  
**Ad Size:** headline 18-point, size 4 x 10  
**E-mailed to NP Sun:** Monday, January 15, 2024

**Please publish in legal section.**  
**Please furnish proof of publication to [cbenge@northportfl.gov](mailto:cbenge@northportfl.gov) ; [mdipompo@northportfl.gov](mailto:mdipompo@northportfl.gov)**

Exhibit D for ANX-23-129



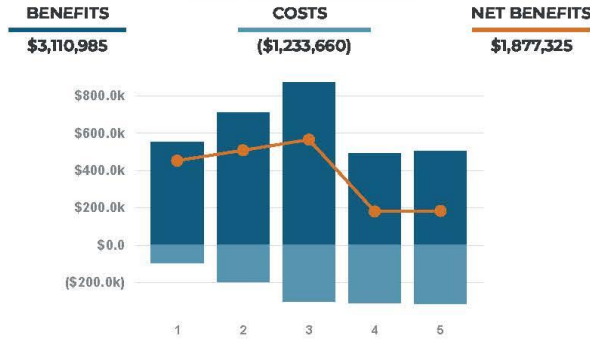




**IMPACT REPORT**  
**FISCAL ANALYSIS**  
 ANX-23-129 US 41 & Tamiami Trl

New/Startup  Fiscal Analysis

**City of North Port**



**JOBS**

**138.0**  
Direct

**SALARIES**

**\$67,508 Avg**  
Direct

**CAPITAL INVEST.**

**\$22.9M**  
Buildings + FF&E

**RESIDENTIAL DEV.**

**1.4 Homes**  
**13.8 Relocations**

**NET BENEFITS** **\$1,877,325**  
 Present Value **\$1,661,559**

**BENEFITS**

Sales Taxes	\$52,655
Real Property Taxes	\$279,284
FF&E Property Taxes	\$13,856
New Residential Property Taxes	\$5,825
Impact Fees	\$1,153,603
Building Permits and Fees	\$0
Utility Revenue	\$519,518
Utility Franchise Fees	\$51,668
Miscellaneous Taxes and User Fees	\$976,189
Communications Services Taxes	\$26,761
Other Benefits	\$31,626
<b>Benefits Subtotal</b>	<b>\$3,110,985</b>

**COSTS**

Cost of Government Services	(\$669,714)
Cost of Utility Services	(\$563,946)
<b>Costs Subtotal</b>	<b>(\$1,233,660)</b>

**NET BENEFITS OVER 5 YEARS**

<b>CITY</b>	<b>\$1,877,325</b>
COUNTY	\$497,189
SCHOOL DISTRICT	\$424,531
OTHER	\$106,946



City of North Port  
 Neighborhood Development Services  
 Planning & Zoning Division  
 4970 City Hall Boulevard  
 North Port, FL 34286

**PUBLIC HEARING  
 NOTICE OF INTENT TO CONSIDER  
 ANNEXATION PETITION NO. ANX-23-129  
 ORDINANCE NO. 2024-02**

NOTICE IS HEREBY GIVEN, that the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) will hold a public hearing at 9:00 a.m. or shortly thereafter, on **Thursday, February 15, 2024** in the City Chambers located at 4970 City Hall Boulevard, North Port, Florida to consider and act upon **Annexation Petition No. ANX-23-129**; voluntary annexation of ±2.491 acres of land into the City of North Port.

NOTICE IS HEREBY GIVEN that the City Commission of the City of North Port will hold a first reading public hearing at 6:00 p.m. or shortly thereafter, on **Tuesday, February 27, 2024** and a second reading public hearing at 10:00 a.m., or shortly thereafter, on **Tuesday, March 5, 2024** in the City Chambers located at 4970 City Hall Boulevard, North Port, Florida to consider and act upon the adoption of the following proposed City Ordinance:

**AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ANNEXING ±2.491 ACRES OF REAL PROPERTY LOCATED ON THE NORTHWEST CORNER OF NORTH RIVER ROAD AND SOUTH TAMIAMI TRAIL IN THE UNINCORPORATED AREA OF SARASOTA COUNTY, FLORIDA AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF NORTH PORT, FLORIDA; REDEFINING THE BOUNDARY LINES OF THE CITY OF NORTH PORT TO INCLUDE THE PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR ANNEXATION; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR ASSESSMENT AND TAXATION; PROVIDING FOR FILING OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

«NAME1»  
 «NAME\_ADD2»  
 «NAME\_ADD3»  
 «NAME\_ADD4»  
 «NAME\_ADD5»  
 «CITY», «STATE» «ZIP»  
 «COUNTRY»

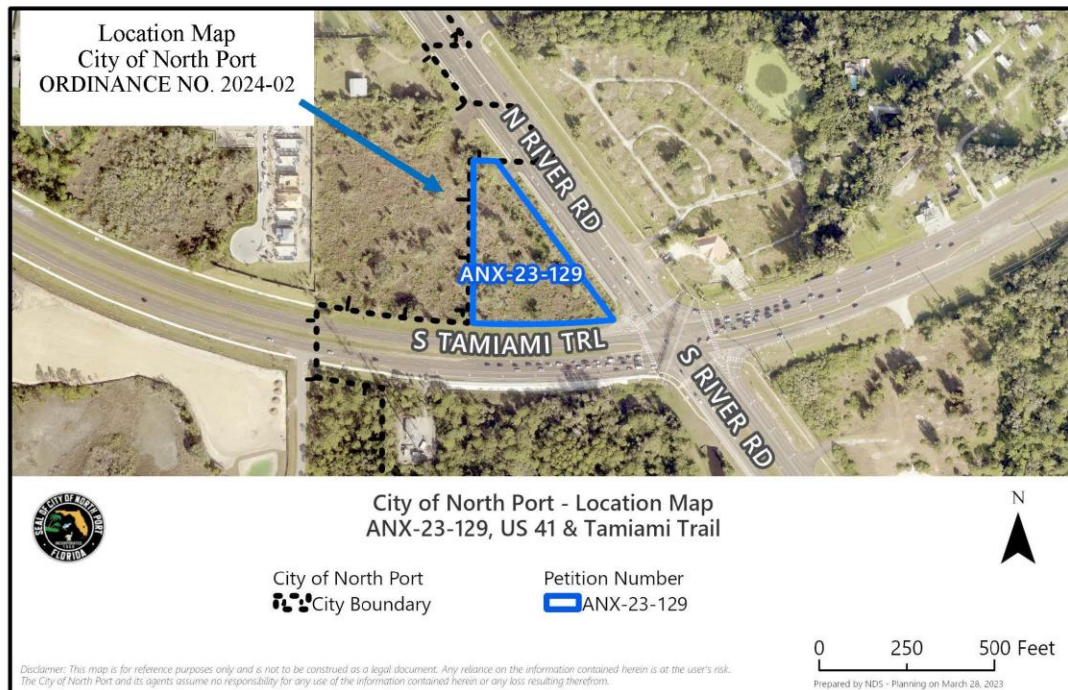


EXHIBIT "G"



## **Business Impact Estimate**

*This Business Impact Estimate is provided in accordance with Florida Statutes Section 166.041(4).*

### **ORDINANCE NO. 2024-02**

**AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ANNEXING ± 2.491 ACRES OF REAL PROPERTY LOCATED ON THE NORTHWEST CORNER OF NORTH RIVER ROAD AND SOUTH TAMiami TRAIL IN THE UNINCORPORATED AREA OF SARASOTA COUNTY, FLORIDA AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF NORTH PORT, FLORIDA; REDEFINING THE BOUNDARY LINES OF THE CITY OF NORTH PORT TO INCLUDE THIS PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR ANNEXATION; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR ASSESSMENT AND TAXATION; PROVIDING FOR FILING OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

#### **1. Summary of the proposed ordinance**

This ordinance proposes the voluntary annexation of approximately 2.491± acres of certain contiguous real property into the corporate limits of the City of North Port, Florida in accordance with Florida Statutes Chapter 171 and the Unified Land Development Code Section 53-22.

The public purpose of the ordinance is to serve the health, safety, morals, and welfare of the citizens of the City of North Port, Florida. The property subject to this annexation request is vacant land. Annexation of the property is required for future connection to the City's water and wastewater utility upon development. Providing utility services to the future business development of this site serves the public and ensures public health will be maintained. Annexation of the property into the City limits will enhance the short-term property value and diversify the City's tax base in the long term as the property develops to its potential. Diversifying the tax base helps minimize the tax burden on residential property owners. Increased ad-valorem revenue to the City will supplement capital improvement projects to serve the community.

#### **2. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any, including:**

- (a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;**
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and**
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.**

This proposed ordinance imposes no direct compliance costs on businesses and imposes no new charges or fees on those businesses.

EXHIBIT "G"

**3. The City's good faith estimate of the number of businesses likely to be impacted by the proposed ordinance.**

None. The property is undeveloped.

**4. Additional information the governing body deems useful, if any.**

Annexation of the subject site has been anticipated by the North Port Comprehensive Plan since 2009. Annexation and future development of this site will add to the diversity of the City's tax base.