

North Port Gateway West Vacation of Easements

(Petition No. VAC-24-045)

Resolution No. 2024-R-39



STAFF REPORT

From: David Brown, Planner I

Thru: Gabriel Quintas, AICP, CFM, Assistant Director, Development Services

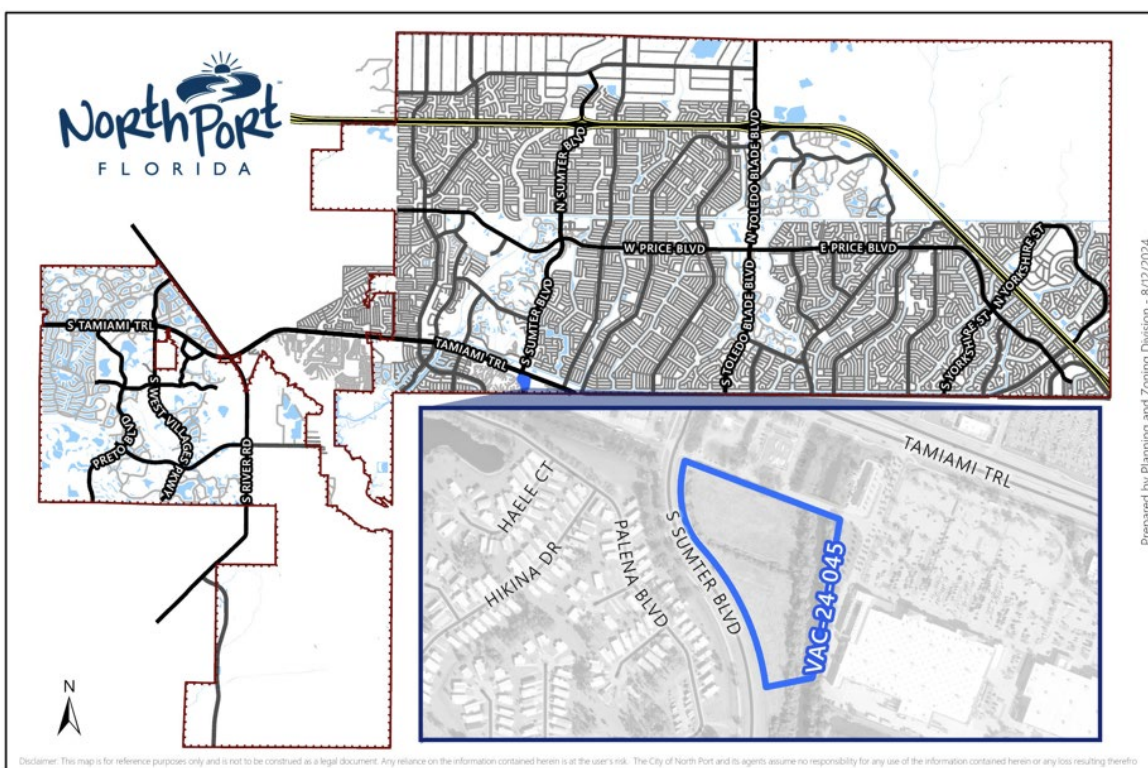
Thru: Lori Barnes, AICP, CPM, Assistant Director, Development Services

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: December 5, 2024



Prepared by Planning and Zoning Division - 8/12/2024

PROJECT: North Port Gateway West Vacation of Easements

REQUEST: Vacate the easements recorded in instrument numbers 2007080765 and 2007080766 to facilitate a replat.

APPLICANT: Todd Mathes – Benderson Development, Inc. (**Exhibit A, Affidavit**)

OWNERS: 5900 SBNP, LLC. (**Exhibit B, Warranty Deed**)

LOCATION: East side of South Sumter Boulevard, approximately 360 feet south of SR 41/Tamiami Trail and to the east of Holiday Park (1002-09-0010 and 1002-09-0020)

PROPERTY SIZE: ± 7.99 acres

ZONING: Activity Center 1

I. BACKGROUND

On March 13, 2024, the Planning and Zoning Division received an application accompanied by a notice of intent to vacate a 20-foot Public Drainage easement and a 20-foot Public Utility easement. As this application was submitted before the adoption of the Unified Land Development Code (ULDC) on October 28, 2024, it has been evaluated under the provisions of the 2010 ULDC.

The easements intended for vacation are depicted on the North Port Gateway West plat, which is recorded in Plat Book 43, Page 33, relating to Lots 1 and 2. The applicant aims to vacate the easements recorded under Instrument Numbers 2007080765 and 2007080766 in the Public Records of Sarasota County. The purpose of vacating these easements is to facilitate the replating of the subdivision and establish new easements, while the configurations of the lots will remain unchanged.

The subject property has a Future Land Use designation of Activity Center 1 and a zoning classification of Activity Center 1.

II. PROJECT SUMMARY

The property owner is requesting the complete vacation of the 20-foot Public Utility and 20-foot Public Drainage easements for Lots 1 and 2. These easements are recorded under Instruments #2007080765 (indicated in red on Figure 1 below) and #2007080766 (indicated in yellow on Figure 1 below).

The vacation of these easements is necessary because they were recorded under instrument numbers rather than being established through a platting process. A replat petition (PLF-24-044) has been submitted alongside this request to create new easements and make minor adjustments to the lot lines. Additionally, the City Stormwater Engineer has reviewed the relevant documents and approved the replat application, subject to specific conditions. These conditions are detailed in Section III, Review Process, Footnote 1, on page 3 of the staff report. These conditions apply to the assignment of easement information on the plat.

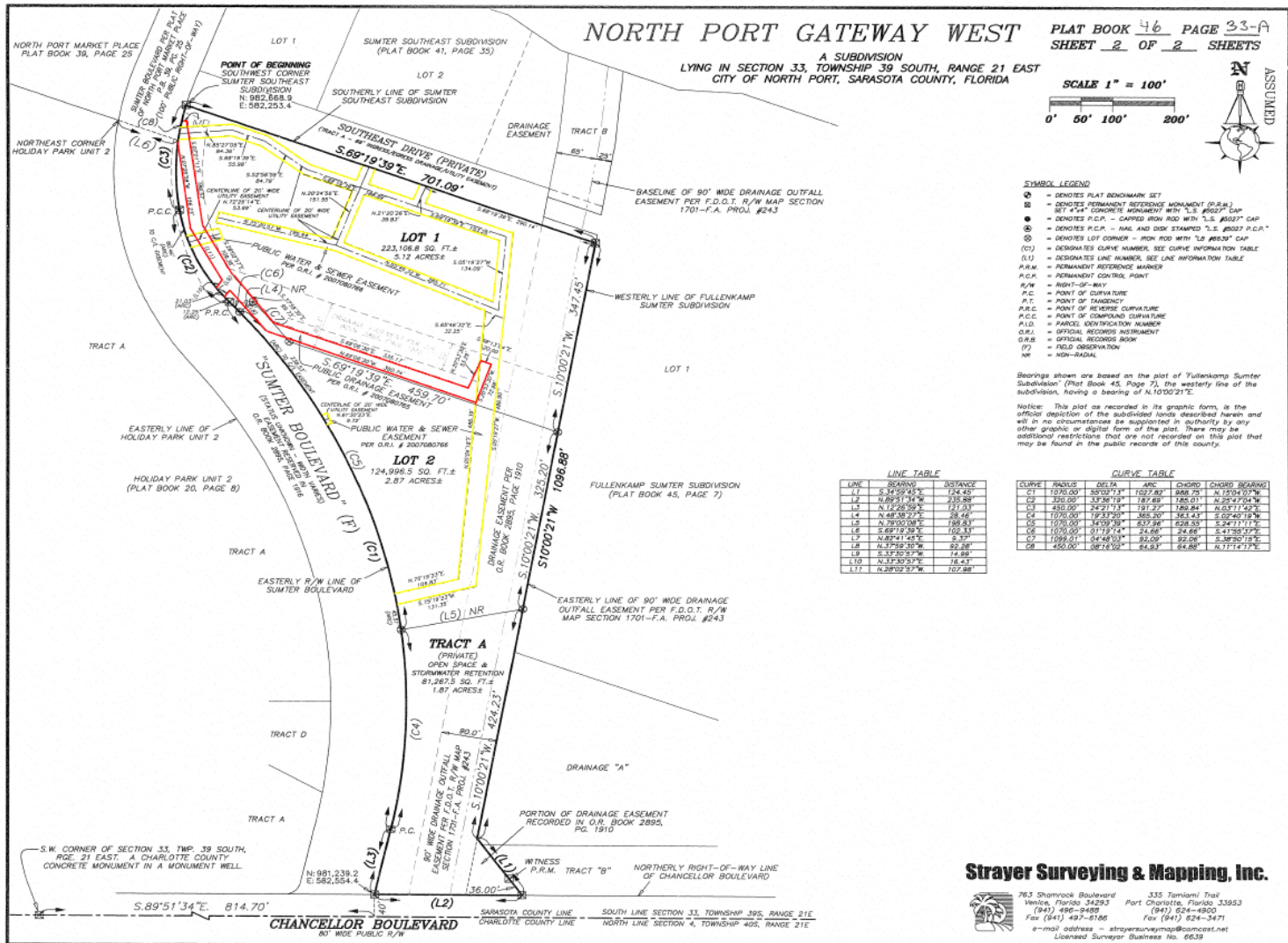


Figure 1. – existing easements to be vacated.

III. REVIEW PROCESS

The following agencies and departments have reviewed the request to vacate the 20-foot Public Utility easement and 20-foot Public Drainage easement and, through the written response, have granted their approval or approval with conditions. (**Exhibit C- Notification to Utility agencies and responses**).

Utility Review Summary	
Agency	Response
Amerigas	None
Comcast/Truenet Communications	Approved
Florida Power and Light	Approved
Frontier	Approved
North Port Fire/Rescue	Approved
North Port Public Works	Approved
North Port Stormwater	Approved with Conditions ¹
North Port Utilities	Approved
If no response is received within 10 days, it is assumed that there is no issue with the proposed vacation of easements.	

Conclusion

Based on the responses received, the request to vacate the easements meets the following:

1. It is a vacation of a public easement.
2. The easement is not needed to provide City service to any property.
3. No public utilities or City facilities are located or planned to be located in the areas.
4. 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.

1. On the replat, assign new Drainage Easements to the below various entities with specific language on who is the Operation and Maintenance entity of the flow conveyance through the Benderson property

- Near the north end, need drainage easement for discharge from City’s North Pond.
- Need drainage easement for the discharge from the Commercial strip stormwater system on the west side for Sumter Blvd and south side of US41. Please note the drainage easement may need to be assigned to all property owners in the Commercial strip as the property owner association is not active.
- At the south end near Chancellor, need to retain the 45ft Drainage easement for City South pond discharge.
- At the south end near Chancellor Discharge, need Drainage easement for the large 60” diameter outfall pipe from Holiday Park.

The City Attorney has reviewed the accompanying Resolution 2024-R-39 as to form and correctness.

IV. DATA AND ANALYSIS

2024 Florida Statutes Chapter 177

Chapter 177 of the Florida Statutes provides requirements that regulate and control the platting of lands. Furthermore, Chapter 177.101 of the Florida Statutes lists the actions needed in making an application for vacation of plats either in whole or in part. The individual requesting a partial vacation of plat must give notice of their intention to apply to the governing body to vacate the plat by publishing a legal notice in a newspaper of general circulation in the county in which the tract or parcel of land is located, in not less than two weekly issues of said paper, and must attach to the petition for vacation the proof of said publication, together with proof that taxes have been paid.

Findings & Conclusion: The warranty deed provided to the City as a part of the application established that the applicant owns the fee simple title of the subject property. Based on staff review (detailed as a part of Section III of this document), as well as the due-diligence correspondence with Utility agencies, including the City of North Port Stormwater Manager, it is determined that this vacation of the 20-foot Public Utility and 20-foot Public drainage Easements do not affect the ownership or right of convenient access of persons owning any other parts of the subdivision. The property owners filed a notice of intent to petition the City of North Port to vacate a portion of the rear drainage maintenance easement by publishing a legal notice in the North Port Sun newspaper for two consecutive weeks. (**Exhibit D—Notice of Intent**). Additionally, the applicants provided to the City of North Port Planning and Zoning Division, an application to request a vacation of the 20-foot Public Utility and 20-foot Public Drainage easements, a Publisher’s Affidavit, certification that taxes have been paid, and all other requisite documents (**Exhibit E— Certification that all applicable taxes have been paid**).

**ULDC CHAPTER
53 Zoning
Regulations**

The Unified Land Development Code (ULDC) contains regulations that govern the development and land use within the incorporated area of the City of North Port, Florida. Chapter 53 of the ULDC, Part 4. Administrative Provisions, Article XXVIII. Administration and Enforcement, Sec. 53-267.D. allows for a vacation of platted easements provided that platted easements shall be vacated in accordance with Florida Statutes Chapter 177.

Findings & Conclusion: Staff reviewed the Petition VAC-24-045 relative to ULDC Chapter 53 Zoning Regulations. Pursuant to the provisions in Florida Statutes Chapter 177.101, the property owners did file a notice of intent to apply to the City of North Port Planning & Zoning Division for two weekly issues. Additionally, the applicants provided to the City of North Port Planning and Zoning Division, an application to request a vacation of the 20-foot Public Utility and 20-foot Public Drainage easements, a Publisher’s Affidavit, certification that taxes have been paid, and all requisite documents.

Staff concludes that the proposed Petition VAC-24-045 is consistent with Chapter 53 of the ULDC.

V. RECOMMENDED MOTION

PLANNING & ZONING ADVISORY BOARD

MOTION TO APPROVE: I move to recommend approval to the City Commission of Resolution No. 2024-R-39, as presented.

CITY COMMISSION

MOTION TO APPROVE: I move to approve Resolution No. 2024-R-39, as presented.

VI. ALTERNATIVE MOTION

PLANNING & ZONING ADVISORY BOARD

MOTION TO DENY: I move to recommend denial to the City Commission of Resolution No. 2024-R-39.

CITY COMMISSION

MOTION TO DENY: I move to deny Resolution No. 2024-R-39.

VII. PUBLIC HEARING SCHEDULE

Planning & Zoning Advisory Board Public Hearing	December 5, 2024 9:00 AM or as soon thereafter
City Commission Public Hearing	January 14, 2025 10:00 AM or as soon thereafter

VIII. EXHIBITS

A.	Affidavit
B.	Warranty Deed
C.	Notification to Utility Agencies and Responses
D.	Notice of intent
E.	Certification that all applicable taxes have been paid

AFFIDAVIT

I (the undersigned), Todd Mathes, Director of Land Development being first duly sworn, depose and say that I am the owner, attorney, attorney-in-fact, agent, lessee or representative of the owner of the property described and which is the subject matter of the proposed application; 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 accurate to the best of my knowledge and belief. I understand this application must be complete and accurate before the application can be processed or hearing can be advertised, and that I am authorized to sign the application by the owner or owners. I authorize City of North Port staff and agents to visit the site as necessary for proper review of this application. *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 7th day of March, 2024

Todd Mathes
Signature of Applicant or Authorized Agent

Todd Mathes, Director of Land Development
Print Name and Title

STATE OF FLORIDA COUNTY OF MANATEE

The foregoing instrument was acknowledged by me this 7th day of March, 2024, by Todd Mathes who is personally known to me or has produced _____ as identification.

Julie Lapidés Daniel
Signature - Notary Public
Julie Lapidés Daniel

(Place Notary Seal Below)
JULIE LAPIDES DANIEL
MY COMMISSION #HH278568
EXPIRES: JUN 21, 2026
Bonded through 1st State Insurance

**AFFIDAVIT
AUTHORIZATION FOR AGENT/APPLICANT**

I, Stephen C. Scalione, as Manager of 5900 SBNP, LLC, a Florida limited liability company, property owner, hereby authorize Todd Mathes to act as Agent on our behalf to apply for this application on the property described as (legal description) Lots 1 and 2, North Port Gateway West

Owner _____ Date _____
STATE OF FLORIDA COUNTY OF MANATEE

The foregoing instrument was acknowledged by me this 7th day of March, 2024, by Stephen C. Scalione, as Manager of 5900 SBNP, LLC, a Florida limited liability company who is personally known to me or has produced _____ as identification.

Julie Lapidés Daniel
Signature - Notary Public
Julie Lapidés Daniel

(Place Notary Seal Below)
JULIE LAPIDES DANIEL
MY COMMISSION #HH278568
EXPIRES: JUN 21, 2026
Bonded through 1st State Insurance

4/18/2016 12:18 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 1974280

Prepared by:
Alicia H. Gayton
Benderson Development Company, LLC
7978 Cooper Creek Blvd., SUITE 100
University Park, FL 34201

Doc Stamp-Deed: \$4,865.00

Return to:
Juanita M. Schuster
Fidelity National Title Group
2400 Maitland Center Pkwy, Suite 200
Maitland, FL 32751
5087109
415 606 81 35

Parcel I.D. Number: 1002090010 & 1002090020

SPECIAL WARRANTY DEED

THIS WARRANTY DEED made as of the 12 of April, 2016, by **FIFTH THIRD BANK**, an Ohio Banking Corporation ("**Grantor**"), whose address is 8100 Burlington Pike, 3rd Floor, Florence KY 41042 and **5900 SBNP, LLC**, a Florida limited liability company, whose address is 7978 Cooper Creek Blvd., Suite 100, University Park, FL 34201 ("**Grantee**"),

WITNESSETH, that the Grantor, for and in consideration of the sum of **SIX HUNDRED NINETY-FIVE DOLLARS (\$1.00)** and other valuable Considerations, receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold, remised, released, conveyed and confirmed unto said "Grantee", their successors and assigns forever, following described land, situate, lying and being in the County of Sarasota, State of Florida more particularly described as:

LOT 1 and LOT 2 of NORTH PORT GATEWAY WEST, according to the map or plat thereof, as recorded in Plat Book 46, Page(s) 33, of the Public Records of Sarasota County, Florida.

SUBJECT, however, to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances imposed by governmental authorities, if any.

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 Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; and that said land is free of all encumbrances except taxes accruing subsequent to 2015. That it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantor has hereunto set his\her hand and seal.

Signed, sealed and delivered in our presence:

Emily J. Simpson

Witness
Printed Name Emily J. Simpson
Gregory A. Kelly

Witness
Printed Name Gregory A. Kelly

FIFTH THIRD BANK
an Ohio Banking Corporation
Deane Osborne

Name: Deane Osborne
Title: Vice President

STATE OF Kentucky
COUNTY OF Boone

The foregoing instrument was acknowledged before me this 12 day of April, 2016, by Terry Osborne, as Vice President of FIFTH THIRD BANK an Ohio Banking Corporation. She/He is personally known to me, or () has produced _____ as identification, and did not take an oath.

WENDI M. MERRITT
NOTARY PUBLIC
Kentucky, State At Large
My Commission Expires 6/25/2016
I.D. # 469258

Wendi Merritt
Notary Public
Notary Seal

FIFTH THIRD BANK
an Ohio Banking Corporation

Emily J. Simpson
Witness
Printed Name Emily J. Simpson

Elizabeth Raleigh
Name: Elizabeth Raleigh
Title: ASST Vice President

Mary Kelly
Witness
Printed Name Gregory A Kelly

STATE OF Kentucky
COUNTY OF Boone

The foregoing instrument was acknowledged before me this 12 day of April, 2016, by Elizabeth Raleigh, as Asst. Vice President of FIFTH THIRD BANK an Ohio Banking Corporation. She/He is personally known to me, or () has produced _____ as identification, and did not take an oath.

WENDI M. MERRITT
NOTARY PUBLIC
Kentucky, State At Large
My Commission Expires 6/25/2016
I.D. # 469258

Wendi Merritt
Notary Public
Notary Seal

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2016046188 2 PG(S)

4/18/2016 12:18 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 1974280

Prepared by:
Alicia H. Gayton
Benderson Development Company, LLC
7978 Cooper Creek Blvd., SUITE 100
University Park, FL 34201

Doc Stamp-Deed: \$0.70

Return to:
Juanita M. Schuster
Fidelity National Title Group
2400 Maitland Center Pkwy, Suite 200
Maitland, FL 32751
5087109
4016066935
Parcel I.D. Number: 1002090021

QUIT CLAIM DEED

THIS INDENTURE, made as of the 12 of April, 2016, by **FIFTH THIRD BANK**, an Ohio Banking Corporation ("Grantor"), whose address is 8100 Burlington Pike, 3rd Floor, Florence KY 41042 and **5900 SBNP, LLC**, a Florida limited liability company, whose address is 7978 Cooper Creek Blvd., Suite 100, University Park, FL 34201 ("Grantee")

WITNESSETH, that the Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00), and other valuable consideration, receipt of which is hereby acknowledged, hereby sells, remises, and quitclaims unto the Grantee, Grantee's heirs, successors and assigns forever, all of its right, title and interest in and to the all that certain land, lying and being in the County of Sarasota, State of Florida more particularly described as:

TRACT A of NORTH PORT GATEWAY WEST, according to the map or plat thereof, as recorded in Plat Book 46, Page(s) 33, of the Public Records of Sarasota County, Florida.

TO HAVE AND TO HOLD the above described premises, with the appurtenances thereto unto Grantee, Grantee's heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set his/her hand and seal.

Signed, sealed and delivered in our presence:

FIFTH THIRD BANK
an Ohio Banking Corporation

Emily J. Simpson
Witness

Printed Name Emily J. Simpson

Terry Osborne

Name: Terry Osborne

Title: Vice President

Mary A Kelly
Witness

Printed Name Mary A Kelly

STATE OF Kentucky
COUNTY OF Boone

The foregoing instrument was acknowledged before me this 12 day of April, 2016, by Terry Osborne, as Vice President of FIFTH THIRD BANK an Ohio Banking Corporation. She(He) is personally known to me, or () has produced _____ as identification, and did not take an oath.

WENDI M. MERRITT
NOTARY PUBLIC
Kentucky, State At Large
My Commission Expires 6/25/2016
I.D. # 469258

Wendi M Merritt
Notary Public
Notary Seal

Signed, sealed and delivered in our presence:

Emily J. Simpson
Witness

Printed Name Emily J. Simpson

Gregory A. Kelly
Witness

Printed Name Gregory A. Kelly

FIFTH THIRD BANK
an Ohio Banking Corporation

Elizabeth Kaleigh

Name: Elizabeth Kaleigh

Title: Asst Vice President

STATE OF Kentucky
COUNTY OF Boone

The foregoing instrument was acknowledged before me this 12 day of April, 2016, by Elizabeth Kaleigh, as Asst. Vice President of FIFTH THIRD BANK an Ohio Banking Corporation. (She) He is personally known to me, or () has produced _____ as identification, and did not take an oath.

Wendi Merritt

Notary Public
Notary Seal

WENDI M. MERRITT
NOTARY PUBLIC
Kentucky, State At Large
My Commission Expires 6/25/2016
I.D. # 469258



City of North Port
PLANNING DIVISION
Neighborhood Development Services
4970 City Hall Boulevard
North Port, FL 34286
Office: 941.429.7229
Fax: 941.429.7154



VACATION OF EASEMENT

DATE: April 17, 2024

PETITION NO: VAC-24-045

TO:

North Port Public Works
Amerigas
Florida Power and Light
Planning & Zoning

North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

Please review the attached the information concerning the vacation of 2007080765 & 2007080766 VAC-24-045 Gateway easements. Page 1 has the easements proposed to be vacated, highlighted in yellow and red.

Attached are the legal descriptions for each easement. Please review this information and respond your approval or denial.

The vacation of the easements (Please check the appropriate response)

[checked] Is Granted [] Is not Granted [] Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

Please respond by April 24, 2024 If a response is not received by April 24, 2024, it will be assumed there is no issue with the vacation of easements.

Christopher Plank Digitally signed by Christopher Plank Date: 2024.04.22 15:13:02 -04'00'

4-24-24

Signature
574-808-8943

Date
Comcast

Phone No.

Name of Utility

Please email responses to

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If you received this in error or do not receive all the pages, please contact the Planning Division at 941.429.7156



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The vacation of the easements (Please check the appropriate response)

Checked box

Is Granted

Empty box

Is not Granted

Empty box

Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

April 24, 2024

Please respond by April 24, 2024. If a response is not received by April 24, 2024, it will be assumed there is no issue with the vacation of easements.

Peter J. Marietti III Digitally signed by Peter J. Marietti III
Date: 2024.04.22 16:10:47 -04'00'

Signature

941.240.8180

Phone No.

April 22, 2024

Date

North Port Fire Rescue District

Name of Utility

Please email responses to

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The vacation of the easements (Please check the appropriate response)

Checked box

Is Granted

Empty box

Is not Granted

Empty box

Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

April 24, 2024

Please respond by April 24, 2024. If a response is not received by April 24, 2024, it will be assumed there is no issue with the vacation of easements.

Bradley Brenner

Digitally signed by Bradley Brenner
Date: 2024.04.18 08:47:35 -04'00'

04/18/2024

Signature

941-423-4847

Date

FPL

Phone No.

Name of Utility

Please email responses to

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TO:

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Amerigas
Florida Power and Light
Planning & Zoning

North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

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North Port Gateway West Plat

The vacation of the easements (Please check the appropriate response)

Checked checkbox

Is Granted

Unchecked checkbox

Is not Granted

Unchecked checkbox

Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

April 24, 2024

Please respond by April 24, 2024. If a response is not received by April 24, 2024, it will be assumed there is no issue with the vacation of easements.

Stephen A. Waidley

Digitally signed by Stephen A. Waidley
Date: 2024.04.22 16:02:22 -04'00'

4/22/2024

Signature

(941) 266-9218

Date

Frontier Florida LLC

Phone No.

Name of Utility

Please email responses to

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North Port Utilities
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The vacation of the easements (Please check the appropriate response)

Checked box

Is Granted

Unchecked box

Is not Granted

Unchecked box

Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

Horizontal line for response

Please respond by April 24, 2024. If a response is not received by April 24, 2024, it will be assumed there is no issue with the vacation of easements.

Signature: Anthony C. Payne

Date: 4/18/2024

Name of Utility: NPPW

Phone No.

Name of Utility

Please email responses to

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From: [Elizabeth Wong](#)
To: [Sherry Willette](#)
Cc: [Todd Mathes](#); [Julie Daniel](#); [Clint Cuffle \(ccuffle@wraengineering.com\)](#)
Subject: RE: Vacation of Easements VAC-24-045 Gateway
Date: Monday, April 29, 2024 10:26:15 AM
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Sherry I am okay with the vacation of easement as long as the following are addressed in the Replat.

On the replat, assign new Drainage Easements to the below various entities with specific language on who is the Operation and Maintenance entity of the flow conveyance through the Benderson property

1. Near the north end, need drainage easement for discharge from City's North Pond.
2. Need drainage easement for the discharge from the Commercial strip stormwater system on the west side for Sumter Blvd and south side of US41. Please note the drainage easement may need to be assigned to all property owners in the Commercial strip as the property owner association is not active .
3. At the south end near Chancellor, need to retain the 45ft Drainage easement for City South pond discharge.
4. At the south end near Chancellor Discharge, need Drainage easement for the large 60" diameter outfall pipe from Holiday Park,

Clint please feel free to schedule TEAMS with me on this. Please note I have not yet reviewed MAS-23-198 Cocoplum Addition – Medical, which relates to size and location of drainage easements needed.



Elizabeth Wong, P.E.

Stormwater Manager

Public Works Department, Engineering Division

1100 N. Chamberlain Blvd, North Port, FL 34286

O: 941.240.8321 C: 941.628.1475



From: Sherry Willette <swillette@northportfl.gov>
Sent: Monday, April 29, 2024 9:50 AM
To: Todd Mathes <ToddMathes@benderson.com>; Julie Daniel <jrd@benderson.com>
Cc: Elizabeth Wong <ewong@northportfl.gov>
Subject: FW: Vacation of Easements VAC-24-045 Gateway

Todd,

Please see Elizabeth's comments below. These need to be addressed on the replat, including dedications, etc. I know Elizabeth has revised her comments to include these items.

Sherry

From: Elizabeth Wong <ewong@northportfl.gov>
Sent: Thursday, April 18, 2024 10:51 AM
To: Sherry Willette <swillette@northportfl.gov>
Cc: Mike Vork <mvork@northportfl.gov>; Peter Marietti III <pmarietti@northportfl.gov>; Scott Titus <stitus@northportfl.gov>; Tony Payne <tpayne@northportfl.gov>; Robert W. Needy <rneedy@northportfl.gov>; Darrell Smith <dsmith@northportfl.gov>; Danny Quick <dquick@northportfl.gov>; Gary Slusar <gslusar@northportfl.gov>; Brandon Peschel <bpeschel@northportfl.gov>
Subject: RE: Vacation of Easements VAC-24-045 Gateway

Sherry,

At the south end near Chancellor , the attached does not show the 45ft Drainage easement for City South pond discharge (see attached pdf)

Where is the new proposed drainage easement exhibit? Need easements for the following:

1. Near the north end, drainage easement for discharge from City's North Pond
 2. For the discharge from the Commercial strip stormwater system on the west side for Sumter Blvd and south side of US41
 3. At the south end near Chancellor 45ft Drainage easement for City South pond discharge
 4. At the south end near Chancellor Discharge for the large 60" diameter outfall pipe from Holiday Park



Elizabeth Wong, P.E.

Stormwater Manager

Public Works Department, Engineering Division

1100 N. Chamberlain Blvd, North Port, FL 34286

O: 941.240.8321 C: 941.628.1475



From: Sherry Willette <swillette@northportfl.gov>

Sent: Wednesday, April 17, 2024 5:06 PM

To: Bradley Brenner <bradley.brenner@fpl.com>; Cherylyn Marple <cmarple@truenetcommunications.com>; Darrell Smith <dsmith@northportfl.gov>; douglas.clark@amerigas.com; lawrence.anthony@amerigas.com; joseph.vandermark@amerigas.com; joseph.skelton@amerigas.com; Murphy, Kevin <kevin_murphy4@comcast.com>; kyle_sullivan3@comcast.com; kyle.tompkins@fpl.com; michael.e.little@ftr.com; Mike Vork <mvork@northportfl.gov>; Paul Brown <Brown_Paul@comast.com>; Peter Marietti III <pmarietti@northportfl.gov>; Scott Titus <stitus@northportfl.gov>; Sherry Willette <swillette@northportfl.gov>; stephen.waidley@ftr.com; Tony Payne <tpayne@northportfl.gov>; Robert W. Needy <rneedy@northportfl.gov>; Elizabeth Wong <ewong@northportfl.gov>

Subject: Vacation of Easements VAC-24-045 Gateway

Importance: High

Dear Reviewers,

Please review the attached request to vacate the vacation of 2007080765 and 2007080766 easements. The easements proposed to be vacated are highlighted in yellow and red on page 1.

Please respond to me on the attached document by April 24, 2024.

Best,



Sherry Willette-Grondin Planner III

Development Services Department Planning and Zoning Division

4970 City Hall Blvd., North Port, FL 34286

C: 941.218.3563

E-mail: swillette@northportfl.gov

E-mail messages sent or received by City of North Port officials and employees in connection with official City business are public records subject to disclosure under the Florida Public Records Act.



City of North Port
PLANNING DIVISION
Neighborhood Development Services
4970 City Hall Boulevard
North Port, FL 34286
Office: 941.429.7229
Fax: 941.429.7154



VACATION OF EASEMENT

DATE: April 17, 2024

PETITION NO: VAC-24-045

TO:

North Port Public Works
Amerigas
Florida Power and Light
Planning & Zoning

North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

Please review the attached the information concerning the vacation of 2007080765 & 2007080766 VAC-24-045 Gateway easements. Page 1 has the easements proposed to be vacated, highlighted in yellow and red.

Attached are the legal descriptions for each easement. Please review this information and respond your approval or denial.

The vacation of the easements (Please check the appropriate response)

Is Granted (checked) Is not Granted Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

Please respond by April 24, 2024 If a response is not received by April 24, 2024, it will be assumed there is no issue with the vacation of easements.

Signature [Handwritten Signature]

Phone No. 270 8021

Date 04-18-24

Name of Utility NP UTILITIES

Please email responses to

NOTICE: The information contained in this document may be confidential and/or legally privileged information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any copying, dissemination or distribution of confidential or privileged information is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone.

If you received this in error or do not receive all the pages, please contact the Planning Division at 941.429.7156

**Sun Newspapers
 Legal Advertising
 23170 Harborview Rd
 Port Charlotte, FL 33980**

03/05/24

**NOTICE OF INTENT
 CITY OF NORTH PORT, SARASOTA
 COUNTY,
 FLORIDA**

TO WHOM IT MAY CONCERN:

Phone:(941) 206-1025 Email:legals@yoursun.com

Notice is hereby given pursuant to the provisions of Chapter 177, Florida Statutes, that 5900 SBNP, LLC, a Florida limited liability company, the property owner, intends to petition the City of North Port to vacate the public drainage and public utility ease-ments shown on the plat of North Port Gateway West, recorded in Plat Book 46, Page 33, and as depicted in the Official Records as Instruments #2007080765 and #2007080766, Public Records of Sarasota County, Florida. All of the above lying and being in the City of North Port, Sarasota County, Florida. Publish: 3/12/24, 3/19/24
 435922 3922155

Acct#: 435922 JULIE DANIEL BENDERSON DEVELOPMENT 7978 COOPER CREEK BLVD STE 100 UNIVERSITY PARK, FL 34201 Telephone: (941) 360-7253	Date: 03/05/24 Ad Date: 03/12/24 Class: 3138 Ad ID: 3922155 Ad Taker: ADOUGLAS Sales Person: 200 Words: 112 Lines: 27 Agate Lines: 30 Depth: 3.194 Inserts: 2 Description: Notice of Intent -
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Other Charges:	\$0.00	Gross:	\$77.22
Discount:	\$0.00	Paid Amount:	- \$0.00
Surcharge:	\$0.00	Amount Due:	\$77.22
Credits:	\$0.00		
Bill Depth:	3.194		

Publication	Start	Stop	Inserts	Cost
Charlotte Sun (CS)	03/12/24	03/19/24	2	\$77.22

Ad Note:

Customer Note:

*We Appreciate Your Business!
 Thank You JULIE DANIEL!*

Sarasota County Tax Collector

generated on 3/3/2024 9:12:08 AM EST

Tax Record

Last Update: 3/3/2024 9:12:08 AM EST

Register for eBill

Ad Valorem Taxes and Non-Ad Valorem Assessments

The information contained herein does not constitute a title search and should not be relied on as such.

Account Number	Type Tax	Tax Year						
1002090010	REAL ESTATE	2023						
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Mailing Address 5900 SBNP LLC 7978 COOPER CREEK BLVD #100 UNIVERSITY PARK FL 34201</td> <td style="width: 50%; border: none;">Property Address 5900 SUMTER BLVD S 005</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;">Old Account Number 1002-09-0010</td> </tr> </table>			Mailing Address 5900 SBNP LLC 7978 COOPER CREEK BLVD #100 UNIVERSITY PARK FL 34201	Property Address 5900 SUMTER BLVD S 005		Old Account Number 1002-09-0010		
Mailing Address 5900 SBNP LLC 7978 COOPER CREEK BLVD #100 UNIVERSITY PARK FL 34201	Property Address 5900 SUMTER BLVD S 005							
	Old Account Number 1002-09-0010							
Base Exempt Amount	Taxable Value							
see below	see below							
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Exemption Detail NO EXEMPTIONS</td> <td style="width: 33%;">Millage Code 0500</td> <td style="width: 34%;">Escrow Code</td> </tr> <tr> <td colspan="3">Legal Description 5900 SUMTER BLVD S LOT 1, SUBJ TO 32008 C-SF DRAINAGE ESMT TO CITY OF NORTH PORT AS DESC IN ORI 2008110175, NORTH PORT GATEWAY WEST</td> </tr> </table>			Exemption Detail NO EXEMPTIONS	Millage Code 0500	Escrow Code	Legal Description 5900 SUMTER BLVD S LOT 1, SUBJ TO 32008 C-SF DRAINAGE ESMT TO CITY OF NORTH PORT AS DESC IN ORI 2008110175, NORTH PORT GATEWAY WEST		
Exemption Detail NO EXEMPTIONS	Millage Code 0500	Escrow Code						
Legal Description 5900 SUMTER BLVD S LOT 1, SUBJ TO 32008 C-SF DRAINAGE ESMT TO CITY OF NORTH PORT AS DESC IN ORI 2008110175, NORTH PORT GATEWAY WEST								
Ad Valorem Taxes								
Taxing Authority	Rate	Assessed Value	Exemption Amount	Taxable Value	Taxes Levied			
Sarasota Co. General Revenue	3.2653	393,100	0	\$393,100	\$1,283.59			
Bonds-Debt Service	0.0799	393,100	0	\$393,100	\$31.41			
Sarasota Co. Legacy Trl	0.0469	393,100	0	\$393,100	\$18.44			
Mosquito Control	0.0460	393,100	0	\$393,100	\$18.08			
Sarasota Co. Hospital Dist.	1.0420	393,100	0	\$393,100	\$409.61			
SW FL Water Management Dist.	0.2043	393,100	0	\$393,100	\$80.31			
West Coast Inland Navigation	0.0394	393,100	0	\$393,100	\$15.49			
Sarasota School Board								
School Board - State	2.9320	393,100	0	\$393,100	\$1,152.57			
School Board - Local	3.2480	393,100	0	\$393,100	\$1,276.79			
City of North Port	3.7667	393,100	0	\$393,100	\$1,480.69			
Total Millage		14.6705	Total Taxes		\$5,766.98			
Non-Ad Valorem Assessments								
Code	Levying Authority	Amount						
F093	North Port Fire & Rescue	\$156.20						
R097	North Port Road & Drainage	\$814.48						
R197	North Port R&D Capital Improve	\$46.00						
Total Assessments					\$1,016.68			
Taxes & Assessments					\$6,783.66			
If Paid By				Amount Due				
				\$0.00				

Date Paid	Transaction	Receipt	Item	Amount Paid

11/30/2023	PAYMENT	5011546.0001	2023	\$6,512.31
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Prior Year Taxes Due				
NO DELINQUENT TAXES				

Sarasota County Tax Collector

generated on 3/3/2024 9:13:27 AM EST

Tax Record

Last Update: 3/3/2024 9:13:28 AM EST

Register for eBill

Ad Valorem Taxes and Non-Ad Valorem Assessments

The information contained herein does not constitute a title search and should not be relied on as such.

Account Number	Type Tax	Tax Year						
1002090020	REAL ESTATE	2023						
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Mailing Address 5900 SBNP LLC 7978 COOPER CREEK BLVD #100 UNIVERSITY PARK FL 34201</td> <td style="width: 50%; border: none;">Property Address 5950 SUMTER BLVD S 005</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;">Old Account Number 1002-09-0020</td> </tr> </table>			Mailing Address 5900 SBNP LLC 7978 COOPER CREEK BLVD #100 UNIVERSITY PARK FL 34201	Property Address 5950 SUMTER BLVD S 005		Old Account Number 1002-09-0020		
Mailing Address 5900 SBNP LLC 7978 COOPER CREEK BLVD #100 UNIVERSITY PARK FL 34201	Property Address 5950 SUMTER BLVD S 005							
	Old Account Number 1002-09-0020							
Base Exempt Amount	Taxable Value							
see below	see below							
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Exemption Detail NO EXEMPTIONS</td> <td style="width: 33%;">Millage Code 0500</td> <td style="width: 33%;">Escrow Code</td> </tr> <tr> <td colspan="3">Legal Description 5950 SUMTER BLVD S LOT 2, SUBJ TO 32344 C-SF DRAINAGE ESMT TO CITY OF NORTH PORT AS DESC IN ORI 2008110175, NORTH PORT GATEWAY WEST</td> </tr> </table>			Exemption Detail NO EXEMPTIONS	Millage Code 0500	Escrow Code	Legal Description 5950 SUMTER BLVD S LOT 2, SUBJ TO 32344 C-SF DRAINAGE ESMT TO CITY OF NORTH PORT AS DESC IN ORI 2008110175, NORTH PORT GATEWAY WEST		
Exemption Detail NO EXEMPTIONS	Millage Code 0500	Escrow Code						
Legal Description 5950 SUMTER BLVD S LOT 2, SUBJ TO 32344 C-SF DRAINAGE ESMT TO CITY OF NORTH PORT AS DESC IN ORI 2008110175, NORTH PORT GATEWAY WEST								
Ad Valorem Taxes								
Taxing Authority	Rate	Assessed Value	Exemption Amount	Taxable Value	Taxes Levied			
Sarasota Co. General Revenue	3.2653	209,000	0	\$209,000	\$682.45			
Bonds-Debt Service	0.0799	209,000	0	\$209,000	\$16.70			
Sarasota Co. Legacy Trl	0.0469	209,000	0	\$209,000	\$9.80			
Mosquito Control	0.0460	209,000	0	\$209,000	\$9.61			
Sarasota Co. Hospital Dist.	1.0420	209,000	0	\$209,000	\$217.78			
SW FL Water Management Dist.	0.2043	209,000	0	\$209,000	\$42.70			
West Coast Inland Navigation	0.0394	209,000	0	\$209,000	\$8.23			
Sarasota School Board								
School Board - State	2.9320	209,000	0	\$209,000	\$612.79			
School Board - Local	3.2480	209,000	0	\$209,000	\$678.83			
City of North Port	3.7667	209,000	0	\$209,000	\$787.24			
Total Millage		14.6705	Total Taxes		\$3,066.13			
Non-Ad Valorem Assessments								
Code	Levying Authority	Amount						
F093	North Port Fire & Rescue	\$156.20						
R097	North Port Road & Drainage	\$488.46						
R197	North Port R&D Capital Improve	\$46.00						
Total Assessments					\$690.66			
Taxes & Assessments					\$3,756.79			
If Paid By				Amount Due				
				\$0.00				

Date Paid	Transaction	Receipt	Item	Amount Paid

11/30/2023	PAYMENT	5011545.0001	2023	\$3,606.52
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Prior Year Taxes Due				
NO DELINQUENT TAXES				