



STAFF REPORT

1328 Eastman Circle
(Petition No. PVAC-25-01810)
Resolution No. 2025-R-77

From: Adriana Silva, Planner II

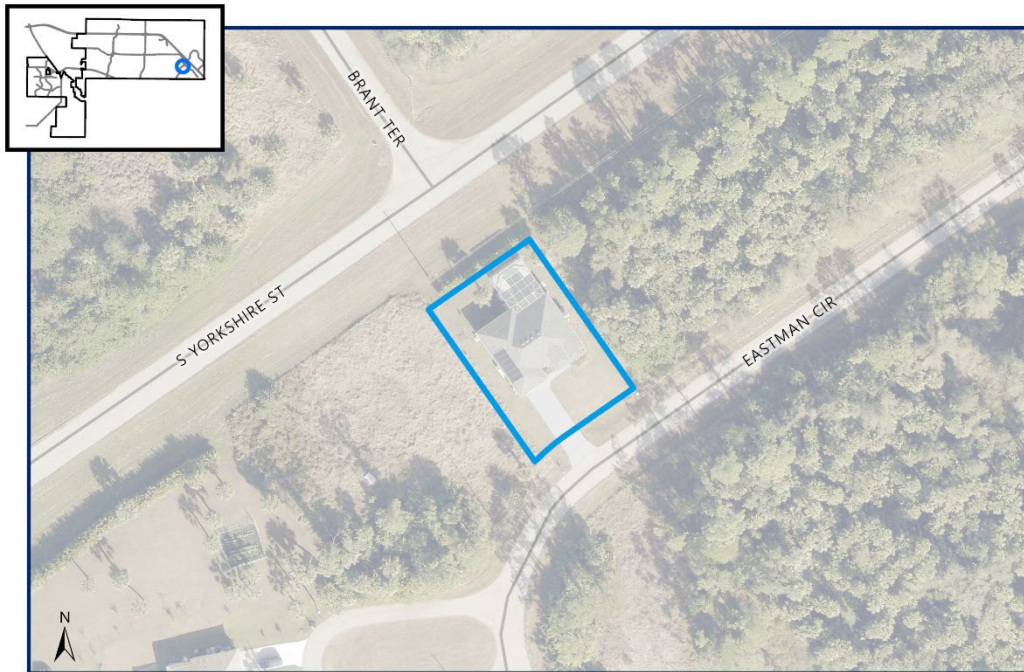
Thru: Lori Barnes, AICP, CPM, Development Services Assistant Director

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: October 28, 2025



PROJECT:	PVAC-25-01810, Vacation of Easement
REQUEST:	Vacate a portion of the platted rear 10-foot utility and drainage easement (±2,200 SQ. FT) easement located on Lot 27 Block 2096 45th Addition to the Port Charlotte Subdivision.
APPLICANT:	Ivan Dankanich (Exhibit A, Affidavit)
OWNERS:	Ivan Dankanich (Exhibit A, Warranty Deed)
LOCATION:	1134209627
PROPERTY SIZE:	± 0.25 acres
ZONING:	Activity Center 10 (AC-10)

I. BACKGROUND

On April 16, 2025, the Planning & Zoning Division received an application petitioning the City of North Port to grant a vacation of a portion of the platted rear 10-foot utility and drainage easement located on Lot 27 Block 2096 45th Addition to the Port Charlotte Subdivision. An in-ground swimming pool and screen enclosure was built within the existing easement by the former property owner in 2006. The purpose of this application is to bring the property into zoning compliance. The area to be vacated encompasses approximately 148.2 square feet. The subject property is zoned Activity Center 10 (AC-10) with a Future Land Use designation of Activity Center 10 (AC-10).

II. PROJECT SUMMARY

Ivan Dankanich is requesting the vacation of approximately 148.2 square feet of the platted 10-foot rear utility and drainage easement on Lot 27 to bring the property into compliance with the Unified Land Development Code. The in-ground swimming pool and screen enclosure, constructed in 2006, currently encroach into the easement area. The purpose of the vacation is to resolve this encroachment and ensure adherence to applicable easement requirements.

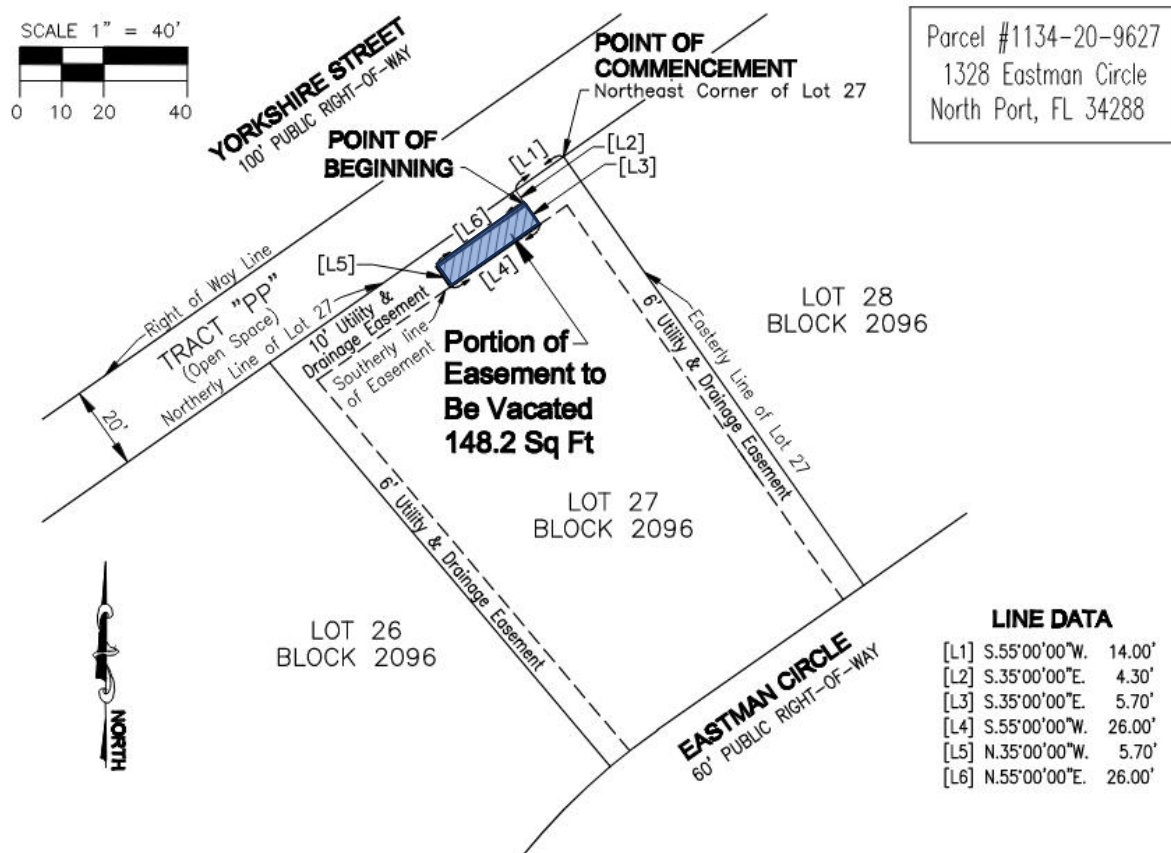


Figure 1. Area of easement to be vacated.

III. REVIEW PROCESS

The following agencies have reviewed the request to vacate a portion of the platted 10-foot rear utility and drainage easement and, through written response, have granted their approval or approval with conditions. (**Exhibit B- Notification to Utility agencies and responses**).

Utility Review Summary	
Agency	Response
Amerigas	None
Comcast/Truenet Communications	None
Florida Power and Light	Approved
Frontier	Approved
North Port Fire/Rescue	Approved
North Port Public Works	Approved
North Port Utilities	Approved
If a Utility Agency does not respond within 10 days of notification the vacation of easement request is deemed uncontested.	

Conclusion

Based on the responses received, the request to vacate a portion of the 10-foot rear Utility and Drainage Easement 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.

Legal Review

The City Attorney has reviewed the accompanying Resolution 2025-R-77 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 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 property owners filed a notice of intent to petition the City of North Port to vacate a portion of the drainage maintenance easement by publishing a legal notice in the North Port Sun newspaper for two consecutive weeks. (**Exhibit C—Notice of Intent**). Additionally, the applicants provided to the City of North Port Planning and Zoning Division, an application to request a vacation a portion of platted utility and drainage easement, a Publisher's Affidavit, certification that taxes have been paid, and all other requisite documents (**Exhibit D— Certification that all applicable taxes have been paid**). 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.

Staff concludes that the proposed Petition PVAC-25-01810 is consistent with Florida Statutes Section 177.101.

ULDC CHAPTER 2 Development Review

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 2 of the ULDC, Article II. Development Application Types, Sec. 2.2.17 allows for a vacation of platted easements provided that platted easements shall be vacated in accordance with Florida Statutes Chapter 177. In addition, Section 2.2.17.B. includes Decision Criteria for the City Commission to approve a Vacation, as follows:

Decision Criteria. City Commission shall determine whether and the extent to which the vacation:

- (1). Involves land that Is currently occupied by public facilities.
- (2). Necessitates additional easements for future public facilities.
- (3). Impairs or eliminates access to any lot of record.
- (4). Adversely impacts the existing road network or substantially alters travel patterns.

Findings & Conclusion: Staff reviewed the Petition VAC-25-01810 relative to ULDC Chapter 2 Development Review. 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 platted utility and drainage easement, a Publisher's Affidavit, certification that taxes have been paid, and all requisite documents.

The primary intent of the platted 10-foot rear Utility and Drainage Easement is to ensure that sufficient area is reserved along the rear of parcels to provide proper drainage flow. The vacation of easement will not harm public welfare. No utility agencies provide an objection to the request for vacation during their review period.

Staff concludes that the proposed Petition PVAC-25-01810 is consistent with Chapter 2 of the ULDC.

V. RECOMMENDED ACTION

CITY COMMISSION

Recommended Action

Option 1: Approve Resolution No. 2025-R-77 as presented.

City Commission Options

Option 1: Approve Resolution No. 2025-R-77 as presented.

- Pros: The vacation brings the subject property into compliance with the Unified Land Development Code (ULDC).
- Cons: The comprehensive staff analysis concluded that there are no identifiable drawbacks to the approval of Resolution No. 2025-R-77.

Option 2: Deny Resolution No. 2025-R-77.

- Pros: The easement will remain as platted, consistent with the area.
- Cons: The property will remain in violation of the ULDC and required easements. The burden of zoning non-compliance for the property owner persists.

VIII. EXHIBITS

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

IX. PUBLIC HEARING SCHEDULE

City Commission Public Hearing	October 28, 2025 6:00 PM or as soon thereafter
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**RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2023094392 2 PG(S)**

After Recording Return to:
Lauren Alcazar
Siesta Title and Escrow Services, LLC
866 Tamiami Tr
Unit 1
Port Charlotte, FL 33953

6/12/2023 3:42 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
SIMPLIFILE Receipt # 3044250

This Instrument Prepared by:
Lauren Alcazar
Siesta Title and Escrow Services, LLC
866 Tamiami Tr
Unit 1
Port Charlotte, FL 33953
as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.

Doc Stamp-Deed: \$1,960.00

Property Appraisers Parcel I.D. (Folio) Number(s):
1134209627
File No.: 20235943W

WARRANTY DEED

This Warranty Deed, Made the 12th day of June, 2023, by **David Michael Anderson a married person, individually and as Trustee of the Karl E. G. Anderson, Sr. Revocable Living Trust u/a/d 05/17/2006**, whose post office address is: **3031 Rivershore Lane, Port Charlotte, FL 33953**, hereinafter called the "Grantor", to **Ivan Dankanich, a married person**, whose post office address is: **3759 Radcliffe Avenue, North Port, FL 34287**, hereinafter called the "Grantee".

WITNESSETH: That said Grantor, for and in consideration of the sum of **Ten Dollars and No Cents (\$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 that certain land situate in **Sarasota** County, Florida, to wit:

LOT 27, BLOCK 2096, FORTY-FIFTH ADDITION TO PORT CHARLOTTE SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 19, PAGES 38, 38A THROUGH 38GG, inclusive, of the Public Records of Sarasota County, Florida.

The property is not the homestead of the Grantor(s) under the laws and constitution of the state of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside thereon.

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 is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully 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 2023, reservations, restrictions and easements of record, if any.

(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES
TWO SEPARATE DISINTERESTED WITNESSES REQUIRED

Witness Signature: _____

Printed Name: _____

Lauren Alcazar
David Michael Anderson

David Michael Anderson, Individually and as Trustee
Of the Karl E.G. Anderson, Sr. Revocable Living
Trust u/a/d 05/17/2006.

Witness Signature: _____

Printed Name: _____

Jacquelyn McBride
Jacquelyn McBride

State of Florida
County of Charlotte

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this *24th* day of June, 2023 by David Michael Anderson a married person, Individually and as Trustee of the Karl E. G. Anderson, Sr. Revocable Living Trust u/a/d 05/17/2006. He/She/They is/are ☐ Personally Known OR ☒ Produced *Dr.* as Identification.

Notary Public Signature _____

(SEAL)

Printed Name: Lauren Alcazar

My Commission Expires: _____

☐ Online Notary (Check Box if acknowledgment done by Online Notarization)



LAUREN ALCAZAR
Commission # GG 964030
Expires March 25, 2024
Bonded Thru Budget Notary Services



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: _____

PETITION NO: _____

TO:

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

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

Please see the attached information concerning the request for vacation of easement for the property described as:

Lots _____, Block _____, of the _____ to the Port Charlotte Subdivision, according to Plat
thereof recorded in Plat Book _____, Page _____, of the Public Records of Sarasota County, Florida,
also known as street address: _____.

The vacation of the easement **(Please check the appropriate response)**

☐ 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 _____ which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Signature

Date

Phone No.

Name of Utility

Please e-mail 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.

e-mail: shremshocksurveying@comcast.net



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: _____

PETITION NO: _____

TO:

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

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

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Lots _____, Block _____, of the _____ to the Port Charlotte Subdivision, according to Plat
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e-mail: shremshocksurveying@comcast.net



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VACATION OF EASEMENT

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Planning & Zoning

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

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Lots _____, Block _____, of the _____ to the Port Charlotte Subdivision, according to Plat
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also known as street address: _____.

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☐ Is Granted

☐ Is not Granted

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Signature

Date

Phone No.

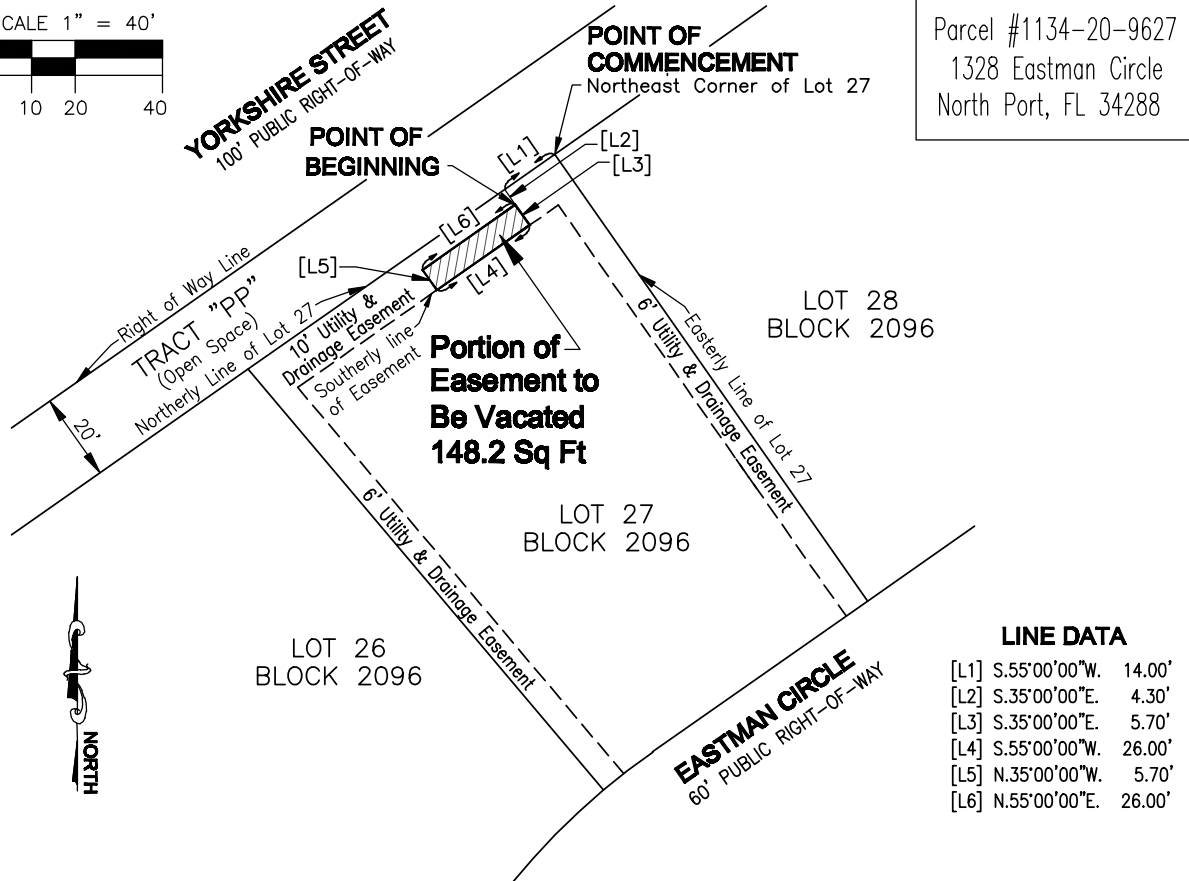
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Sketch & Description for Partial Vacation of Easement

This is Not a Boundary Survey



Description

A portion of a 10 foot wide Utility & Drainage Easement lying over and across the Northerly 10' of Lot 27, Block 2096, Forty-Fifth Addition to Port Charlotte Subdivision, according to the plat thereof, recorded in Plat Book 19, pages 38, 38-A through 38-GG, inclusive, of the public records of Sarasota County, Florida, and being more particularly described as follows:

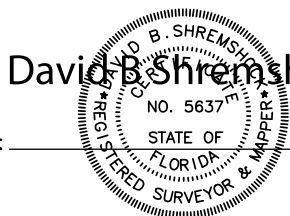
Commencing at the Northeast corner of said Lot 27; thence S.55°00'00\"W. along the Northerly Line of said Lot 27, a distance of 14.00'; thence S.35°00'00\"E., a distance of 4.30' to the Point of Beginning; thence continue S.35°00'00\"E., a distance of 5.70' to the intersection with the Southerly line of said 10' Utility & Drainage Easement; thence S.55°00'00\"W. along said Southerly line of the 10' Utility & Drainage Easement and parallel with said Northerly line of said Lot 27, a distance of 26.00'; thence N.35°00'00\"W., a distance of 5.70'; thence N.55°00'00\"E., a distance of 26.00' to the Point Beginning, and containing 148.2 Square Feet, More or Less.

David B. Shremshock

Digitally signed by David B Shremshock
Date: 2025.03.27 11:28:32 -04'00'

BY: _____

DATE: 3/27/25



DAVID B. SHREMSHOCK
Registered Surveyor and Mapper
#5637 State of Florida

SHREMSHOCK SURVEYING, INC. LB #7747

UNLESS IT BEARS THE SIGNATURE AND
THE ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND
MAPPER THIS DRAWING, SKETCH, PLAT
OR MAP IS FOR INFORMATIONAL
PURPOSES ONLY AND IS NOT VALID.

Shremshock Surveying, Inc.

Land Surveyors
5265 Alamos Terr.
North Port, Florida 34288
ph. (941) 423-8875 fax (941) 423-4365
e-mail: shremshocksurveying@comcast.net



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: _____

PETITION NO: _____

TO:

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

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

Please see the attached information concerning the request for vacation of easement for the property described as:

Lots _____, Block _____, of the _____ to the Port Charlotte Subdivision, according to Plat
thereof recorded in Plat Book _____, Page _____, of the Public Records of Sarasota County, Florida,
also known as street address: _____.

The vacation of the easement **(Please check the appropriate response)**

☐ 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 _____ which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Signature

Date

Phone No.

Name of Utility

Please e-mail responses to

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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: _____

PETITION NO: _____

TO:

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

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

Please see the attached information concerning the request for vacation of easement for the property described as:

Lots _____, Block _____, of the _____ to the Port Charlotte Subdivision, according to Plat
thereof recorded in Plat Book _____, Page _____, of the Public Records of Sarasota County, Florida,
also known as street address: _____.

The vacation of the easement **(Please check the appropriate response)**

☐ 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 _____ which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Anthony C. Payne

Signature

Date

Phone No.

Name of Utility

Please e-mail responses to

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4970 City Hall Boulevard
North Port, FL 34286
Office: 941.429.7229
Fax: 941.429.7154



VACATION OF EASEMENT

DATE: 7/22/2025

PETITION NO: PVAC-25-01810

TO:

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

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

Please see the attached information concerning the request for vacation of easement for the property described as:

Lots 27, Block 2096, of the 44th addition to the Port Charlotte Subdivision, according to Plat thereof recorded in Plat Book 19, Page 38, of the Public Records of Sarasota County, Florida, also known as street address: 1328 EASTMAN CIR NORTH PORT, FL, 34288.

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



Is Granted



Is not Granted



Is Granted with Conditions

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

Please respond by 8/1/2025 which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Signature

Phone No.

246 8021

Date

Name of Utility

07-22-25

NP UTILITIES

Please e-mail responses to

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



Notice to intent
City of North Port,
Sarasota County
Florida

To whom it may concern:
Notice is hereby given pursuant to the provision of Chapter 177, Florida Statutes, that Ivan M Dankanich, the property owner, intends to petition the City of North Port to vacate a portion of the 20-foot plated rear drainage maintenance easement located on lot 27, Block 2096, 45th Addition to Port Charlotte subdivision, according to the plat thereof as recorded on plat book 19, pages 38, 38A, through 38GG, of the public records of Sarasota County, Florida. I am requesting 6 feet from 20 feet maintenance easement.
Publish: 04/27/25, 05/04/25
395956 3958797

**PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA COUNTY
OF CHARLOTTE:**

Before the undersigned authority personally appeared Jill Kelli Di Benedetto, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

04/27/25, 05/04/25

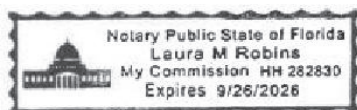
as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Sworn and subscribed before me this 5th day of
May, 2025

(Signature of Notary Public)



Personally known X OR Produced Identification

 Print Record

Mailing Address:
Dankanich Ivan
3759 Radcliff Ave
North Port Fl 34287-5129

Escrow Code:
N/A

Legal Description:
LOT 27 BLK 2096 45TH ADD TO PORT CHARLOTTE

Taxing Authority	Millage Rate	Assessed Value	Exemption Amount	Taxable Value	Taxes Levied
Sarasota Co. General Revenue	3.2288	\$322,400.00	\$0.00	\$322,400.00	\$1,040.97
Bonds-Debt Service	0.0712	\$322,400.00	\$0.00	\$322,400.00	\$22.95
Sarasota Co. Legacy Trl	0.0396	\$322,400.00	\$0.00	\$322,400.00	\$12.77
Mosquito Control	0.0460	\$322,400.00	\$0.00	\$322,400.00	\$14.83
Sarasota Co. Hospital Dist.	1.0420	\$322,400.00	\$0.00	\$322,400.00	\$335.94
SW FL Water Management Dist.	0.1909	\$322,400.00	\$0.00	\$322,400.00	\$61.55
West Coast Inland Navigation	0.0394	\$322,400.00	\$0.00	\$322,400.00	\$12.70
School Board - State	2.8830	\$322,400.00	\$0.00	\$322,400.00	\$929.48
School Board - Local	3.2480	\$322,400.00	\$0.00	\$322,400.00	\$1,047.16
City of North Port	3.7667	\$322,400.00	\$0.00	\$322,400.00	\$1,214.38
	Total Millage				Total Taxes
	14.5556				\$4,692.73

Levying Authority	Amount
North Port Fire & Rescue	\$330.28

Levying Authority	Amount
North Port Solid Waste	\$302.50
North Port Road & Drainage	\$253.16
North Port R&D Capital Improve	\$46.00
	Total Assessments
	\$931.94

Total Payable: \$0.00

2024 PAID			
Status	Amount Due	Amount Due If Paid By Date	Paid
● Paid	⊕ \$5,399.68	⊕ \$0.00	\$5,399.68

Mail Payments to: Sarasota County Tax Collector, PO BOX 30332 Tampa FL 33630-3332

Payment Details

Year	Date Paid	Receipt Number	Paid
2024	11/13/24	5518331.0006	\$5,399.68