



City of North Port

RESOLUTION NO. 2025-R-67

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, VACATING THE UTILITY AND DRAINAGE EASEMENTS FOR LOTS 32 AND 33 OF BLOCK 329 OF THE FIFTH ADDITION TO PORT CHARLOTTE SUBDIVISION; PROVIDING FOR FINDINGS; PROVIDING FOR RECORDING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

SECTION 1 – FINDINGS

- 1.01 The above recitals are true and correct and are incorporated in this resolution.
- 1.02 In reliance upon Petition VAC-25-03060, as well as testimony and other evidence presented at the quasi-judicial hearing, the City Commission makes the following findings of fact:
 - (a) Iurii Covaljiu and Margarita Covaljiu own fee simple title to Lots 32 and 33 of Block 329 of the fifth addition to Port Charlotte Subdivision;
 - (b) Fifth Addition to Port Charlotte Subdivision recorded at Plat Book 11, Pages 33, through 33-R inclusive of the official records of Sarasota County, Florida grants to the City of North Port, Florida 6 feet for the purpose of utility and drainage easements along the interior side lot lines of Lots 32 and 33 of Block 329 of the plat (“Easements”);
 - (c) The petition requests that the City vacate the entirety of the platted six-foot (6’) utility and drainage easements;
 - (d) The Easements are not needed to provide City service to any property;

- (e) Other than as identified in this resolution, no public utilities or City facilities are located or planned to be located in the area;
- (f) The Easements are not necessary to any logical extension of public utility service, sanitary sewer service, drainage, or other City services to any property in the future, or an alternate and equally acceptable easement of such extension has been dedicated to the City; and
- (g) The vacation requested will not affect the ownership or right of convenient access of persons owning other parts of the subdivision; and
- (h) The City notified affected utilities, and the utilities have provided written responses recommending approval of the petition; and
- (i) The petition included evidence of the publication of a Notice of Intent, documentation of ownership, and certification that all taxes due have been paid by the current property owners.

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

SECTION 2 – VACATION OF EASEMENTS

2.01 The City Commission approves Petition VAC-25-03060 to the extent provided in this resolution.

2.02 The City Commission vacates a ±1,380.00 square foot portion of its existing platted 6 - foot-wide utility and drainage easements, as described below and depicted in the survey attached as Exhibit A:

Begin at the Southeasterly corner of said Lot 33; said corner also being on the Northwestern right of way line of Emporia Terrace (a 50 foot platted right of way); thence S22°25'55"W, along the Southeasterly line of said Lot 32, a distance of 6.00 feet; thence N67°34'05"W, along a line lying 6.00 feet Southwesterly of and parallel with the Northeasterly line of said Lot 32, a distance of 115.00 feet; thence N22°25'55"E, along a line lying 10.00 feet Southeasterly of and parallel with the Northwestern line of said Lot 32 and Lot 33, a distance of 12.00 feet; thence S67°34'05"E, along a line lying 6.00 feet Northeasterly of and parallel with the Southwesterly line of said Lot 33, a distance of 115.00 feet to the Southeasterly line of said Lot 33; thence S22°25'55"W, along the Southeasterly line of said Lot 33, a distance of 6.00 feet to the Point of Beginning. (Containing 1,380 square feet more or less).

SECTION 3 – RECORDING

3.01 The City Clerk or designee is directed to record the fully executed resolution including exhibits with the Sarasota County Clerk of the Circuit Court.

SECTION 4 – CONFLICTS

4.01 In the event of any conflict between the provisions of this resolution and any other resolution, in whole or in part, the provisions of this resolution will prevail to the extent of the conflict.

SECTION 5 – SEVERABILITY

- 5.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this resolution is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the resolution.

SECTION 6 – EFFECTIVE DATE

- 6.01 This resolution takes effect immediately.

ADOPTED by the City Commission of the City of North Port, Florida, in public session on September 9th, 2025.

CITY OF NORTH PORT, FLORIDA

PHIL STOKES
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

MICHAEL GOLEN, CPM
INTERIM CITY ATTORNEY