

# Sunstone Village F3 Final Plat

(Petition No. PLF-23-256)



## STAFF REPORT

**From:** Austin Grubb, Planner III, AICP

**Thru:** Hank Flores, AICP, CFM, Planning & Zoning Manager

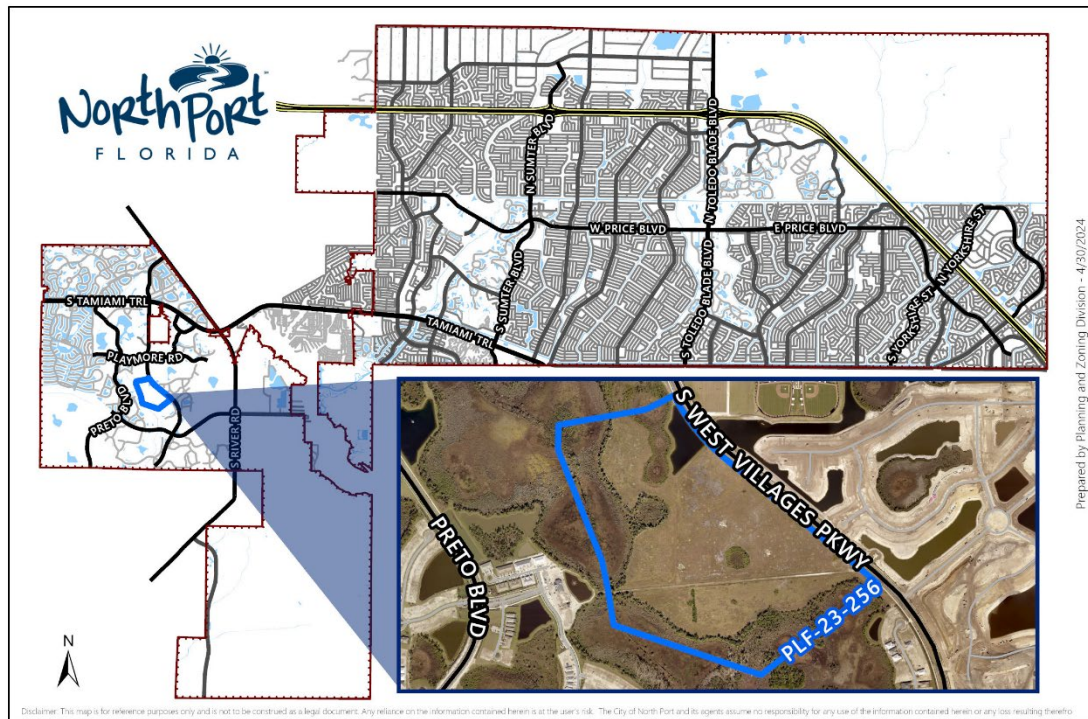
**Thru:** Lori Barnes, AICP, CPM, Development Services Assistant Director

**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:** May 16, 2024



Prepared by Planning and Zoning Division - 4/30/2024

<b>PROJECT:</b>	Sunstone Village F3, Wellen Park West Villages, Final Plat ( <b>Quasi-Judicial</b> )
<b>REQUEST:</b>	Consideration of Wellen Park Sunstone Village F3 Final Plat
<b>APPLICANT:</b>	Mattamy Tampa/Sarasota, LLC ( <b>Exhibit B, Affidavit</b> )
<b>OWNERS:</b>	Fourth Quarter Properties XXXII LLC ( <b>Exhibit C, Warranty Deed</b> )
<b>LOCATION:</b>	On the southwest side of West Villages Parkway, generally between Manasota Beach Road To the south and Playmore Road to the north
<b>PARCEL ID#:</b>	0800-00-1000
<b>PROPERTY SIZE:</b>	± 124.69 acres
<b>ZONING:</b>	Village (V)



## II. STAFF ANALYSIS AND FINDINGS

### 2023 Florida Statutes

Title XII MUNICIPALITIES, Chapter 177 LAND BOUNDARIES, Part I: PLATTING, Section 177.081 Dedication and Approval.

(1) Prior to approval by the appropriate governing body, the plat shall be reviewed for conformity to this chapter by a professional surveyor and mapper either employed by or under contract to the local governing body, the costs of which shall be borne by the legal entity offering the plat for recordation, and evidence of such review must be placed on such plat.

**Findings:** The contracted city surveyor reviewed and approved the Final Plat for conformance with Florida Statutes Chapter 177 LAND BOUNDARIES Part I.

**Conclusion:** PLF-23-256 meets the State's requirements for City review and approval of plats.

### Compliance with ULDC

Chapter 37 - Subdivision Regulations, Article II - Procedures for Securing Approvals, Section 37-8 Plat Submission Requirements.

B. Conformity with Approved Subdivision Plans. The plat shall incorporate all stipulations, easements, changes, and modifications required to ensure the approved subdivision and infrastructure plans meet these regulations.

**Findings:** The final plat was reviewed to ensure conformance with the approved Subdivision Plans (SCP-23-007) and Master Infrastructure Plans (INF-20-132 and INF-23-006).

**Conclusion:** PLF-23-256 conforms with the ULDC.

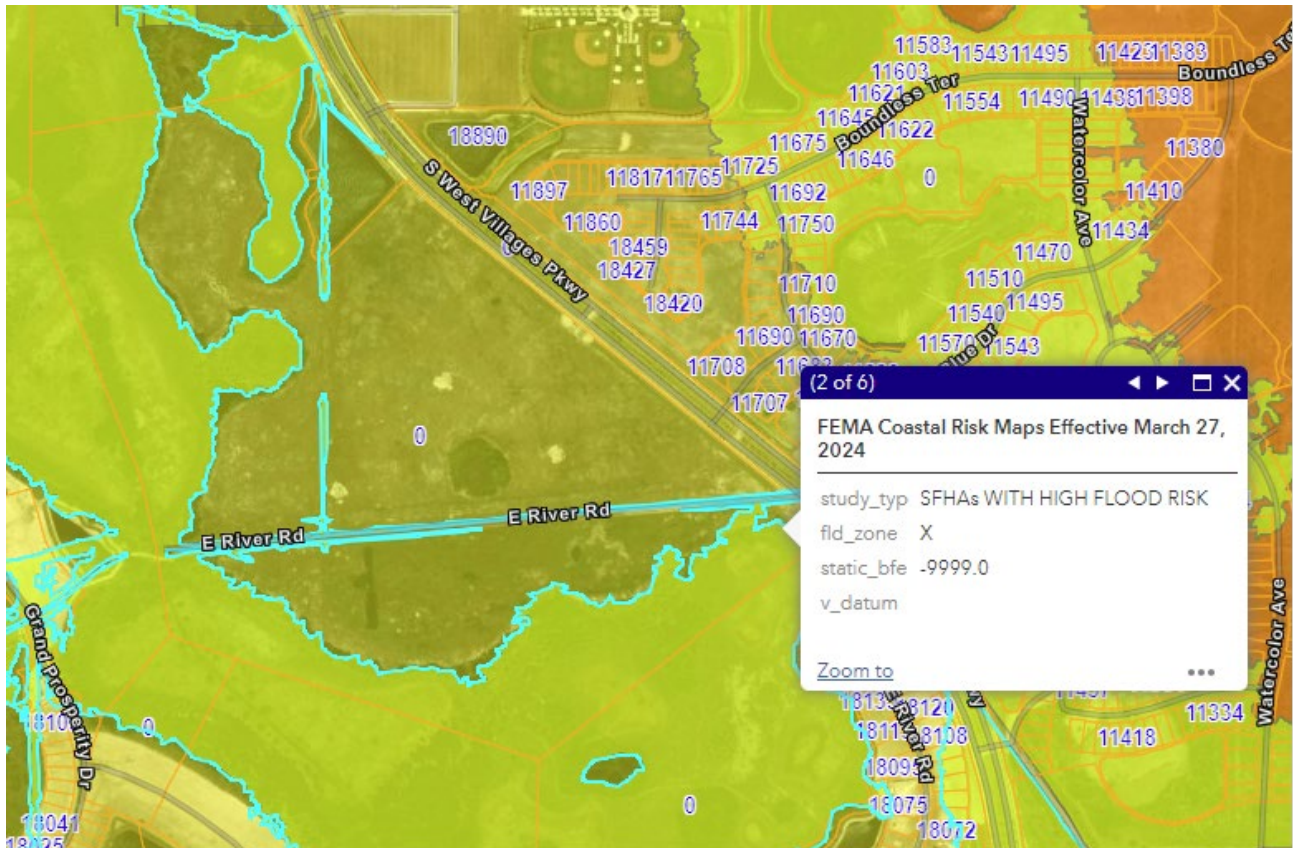
### Environmental

An Environmental Survey was completed on the site with the approved infrastructure plan and the site has been cleared. All permits will be issued in accordance with State and Federal standards.



## Flood Zone

The site is within Flood Zone X (Areas of Moderate Flood Risk), according to Flood Insurance Rate Map No. 12115C for Sarasota County, Community No. 120279, City of North Port, Florida, effective March 27, 2024. The developer is aware of the risk designation and is designing the development accordingly.



### III. STAFF RECOMMENDATION

**Staff Recommendation:** Staff recommends approval of Petition No. PLF-23-256, Sunstone at Wellen Park F3.

## IV. RECOMMENDED MOTION

### PLANNING & ZONING ADVISORY BOARD

MOTION TO APPROVE: I move to recommend approval of Sunstone Village F3 at Wellen Park Village F, Petition No. PLF-23-256, and that the City Commission finds that, based on the competent and substantial evidence, the plat is consistent with Florida Statutes Section 177.081, the Unified Land Development Code, and the North Port Comprehensive Plan.

### CITY COMMISSION

MOTION TO APPROVE: I move to approve the Sunstone at Wellen Park Village F, Petition No. PLF-23-256, and find that, based on the competent and substantial evidence, the plat is consistent with Florida Statutes Section 177.081, the Unified Land Development Code, and the North Port Comprehensive Plan.

## V. ALTERNATIVE MOTION

### PLANNING & ZONING ADVISORY BOARD

MOTION TO DENY: I move to recommend denial of the Wellen Park Village F, Tract 3 Replat, Petition No. PLF-23-256, and that the City Commission find that, based on the competent and substantial evidence, the Plat:

[include all applicable factors below]

1. Is NOT consistent with Florida Statutes Section 177.081 because \_\_\_\_\_ [include explanation of how the plat fails to meet each specific regulation];
2. Is NOT consistent with the Unified Land Development Code because \_\_\_\_\_ [include explanation of how the plat fails to meet each specific regulation];
3. Is NOT consistent with the North Port Comprehensive Plan because \_\_\_\_\_ [include explanation of how the plat fails to meet each specific regulation].

### CITY COMMISSION

MOTION TO DENY: I move to deny the Sunstone at Wellen Park F3 Village F, Petition No. PLF-23-256, and find that, based on the competent and substantial evidence, the Plat:

[include all applicable factors below]

4. Is NOT consistent with Florida Statutes Section 177.081 because \_\_\_\_\_  
[include explanation of how the plat fails to meet each specific regulation];
5. Is NOT consistent with the Unified Land Development Code because \_\_\_\_\_  
[include explanation of how the plat fails to meet each specific regulation];
6. Is NOT consistent with the North Port Comprehensive Plan because \_\_\_\_\_  
[include explanation of how the plat fails to meet each specific regulation].

## VI. PUBLIC HEARING SCHEDULE

<b>Planning &amp; Zoning Advisory Board Public Hearing</b>	<b>May 16, 2024</b> <b>9:00 AM</b> or as soon thereafter
<b>City Commission Public Hearing</b>	<b>May 28, 2024</b> <b>6:00 PM</b> or as soon thereafter

## VII. EXHIBITS

<b>A.</b>	Map Gallery
<b>B.</b>	Affidavit
<b>C.</b>	Warranty Deed
<b>D.</b>	Title Assurance
<b>E.</b>	City Surveyor's Approval



# Aerial Location

PLF-23-256, Sunstone Village F3

Exhibit A Map Gallery



Prepared on 4/30/2024  
by Planning & Zoning  
Development Services

- Petition Boundary
- Streets

Disclaimer: This map is for reference purposes only and is not to be construed as a legal document. Any reliance on the information contained herein is at the user's risk. The City of North Port and its agents assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

0 180 360 540 Feet





# Current Zoning


PLF-23-256, Sunstone Village F3


(V) Village

Exhibit A Map Gallery



Prepared on 4/30/2024  
by Planning & Zoning  
Development Services

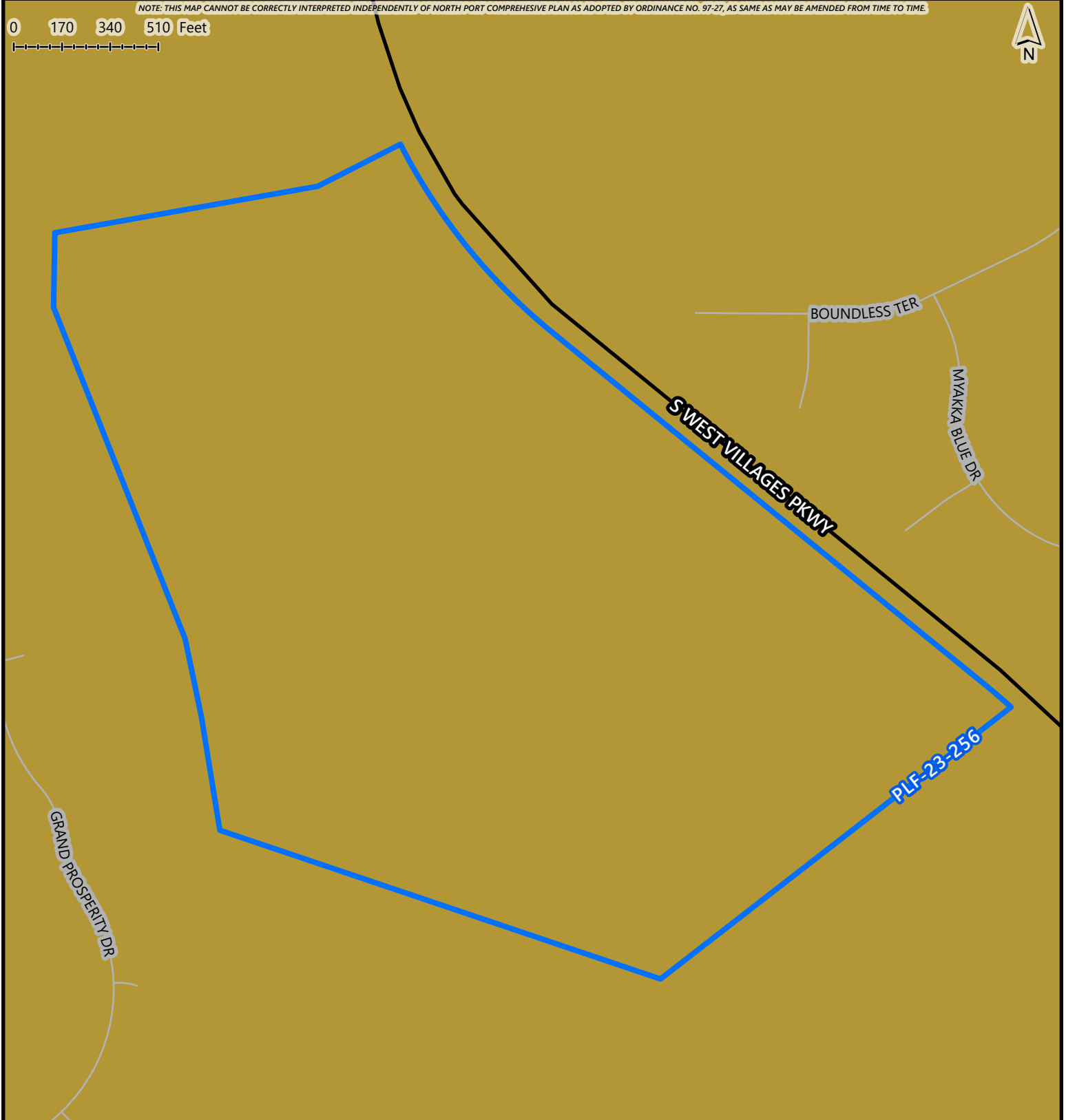
 Petition Boundary

 (V) Village

Disclaimer: This map is for reference purposes only and is not to be construed as a legal document. Any reliance on the information contained herein is at the user's risk. The City of North Port and its agents assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

NOTE: THIS MAP CANNOT BE CORRECTLY INTERPRETED INDEPENDENTLY OF NORTH PORT COMPREHESIVE PLAN AS ADOPTED BY ORDINANCE NO. 97-27, AS SAME AS MAY BE AMENDED FROM TIME TO TIME.

0 170 340 510 Feet  



# Future Land Use


PLF-23-256, Sunstone Village F3

VILLAGE

Exhibit A Map Gallery




Prepared on 4/30/2024  
by Planning & Zoning  
Development Services

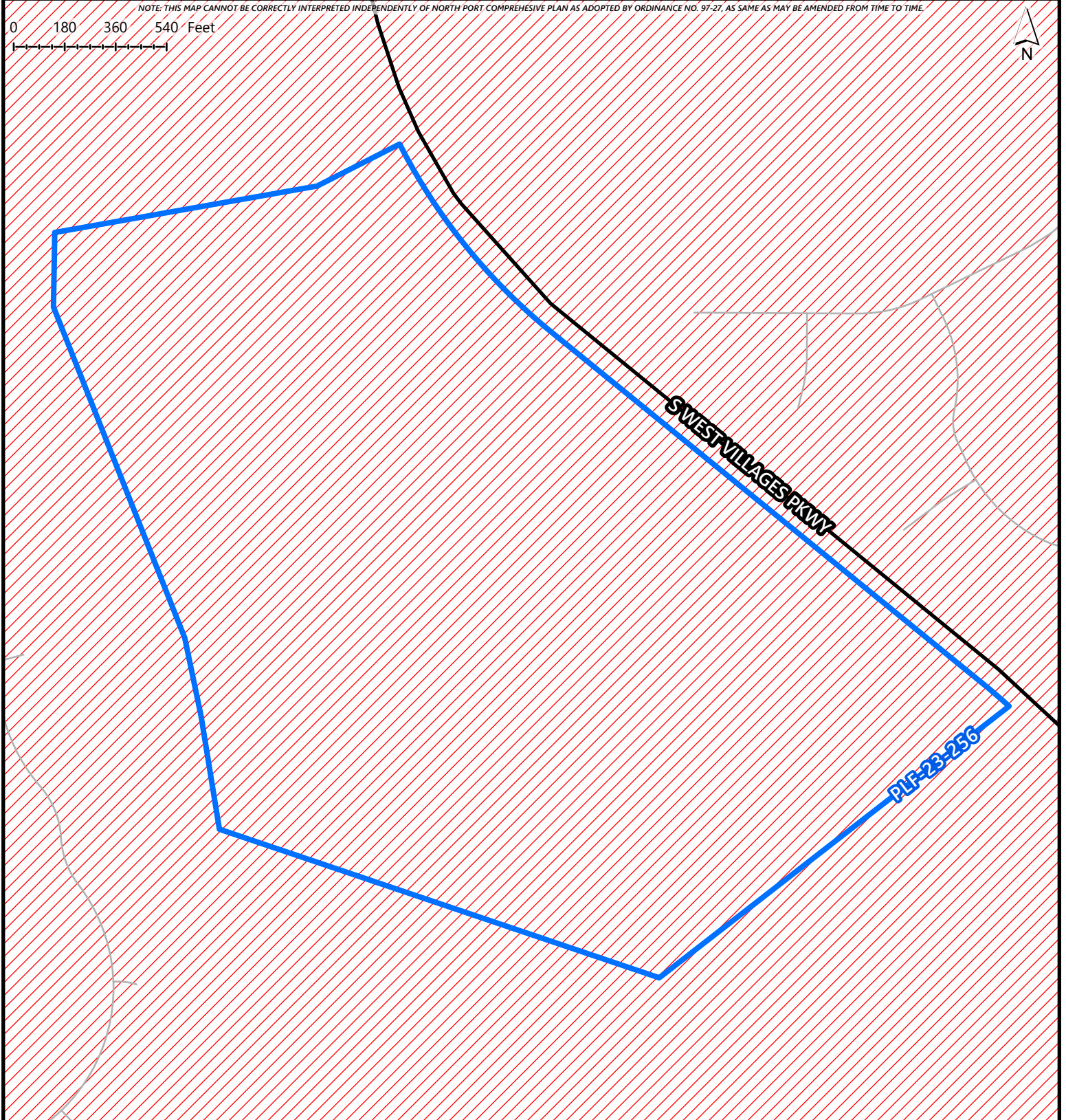
 Petition Boundary

 VILLAGE

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0 180 360 540 Feet  




**AFFIDAVIT**

Exhibit B Affidavit

I (the undersigned), Thomas Griggs, V.P., Mattamy Tampa/Sarasota LLC 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 25 day of September, 2023

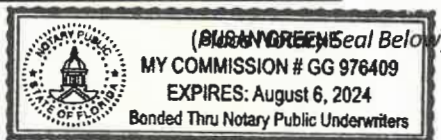
[Signature]  
Signature of Applicant or Authorized Agent

Thomas Griggs, Vice President  
Print Name and Title

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged by me this 25 day of September, 2023, by Thomas Griggs, Vice President, Mattamy Tampa/Sarasota LLC who is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
Signature - Notary Public



**AFFIDAVIT  
AUTHORIZATION FOR AGENT/APPLICANT**

I, Thomas Griggs, V.P., Mattamy Tampa/Sarasota LLC, property owner, hereby authorize Clearview Land Design, P.L. - Chris Fisher to act as Agent on our behalf to apply for this application on the property described as (legal description) \_\_\_\_\_

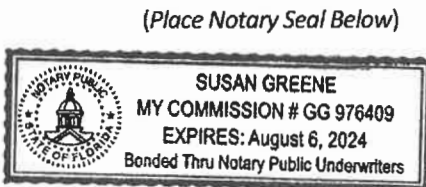
[Signature]  
Owner

9/25/2023  
Date

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged by me this 25 day of September, 2023, by Thomas Griggs, V.P., Mattamy Tampa/Sarasota LLC who is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
Signature - Notary Public



Purchase Price: \$38,677,000  
Additional Consideration: \$3,781,000  
Doc Tax: \$297,206  
Record: \$ 69,500

Doc Stamp-Deed: \$297 206 00



√ Prepared by and return to:  
Patrick W. Ryskamp, Esq.  
Williams Parker Harrison Dietz & Getzen  
200 S. Orange Avenue  
Sarasota, FL 34236

### SPECIAL WARRANTY DEED

THIS INDENTURE is made and entered into as of May 28, 2014, by and between **FOURTH QUARTER PROPERTIES XXXII, LLC**, a Georgia limited liability company (hereinafter referred to as "Grantor"), having an address of 45 Ansley Drive, Newnan, Georgia 30263, and **THOMAS RANCH LAND PARTNERS NORTH PORT, LLLP**, a Florida limited liability limited partnership (hereinafter referred to as "Grantee"), having an address of 400 Park Avenue S., Suite 220, Winter Park, Florida 32789, Attn: David Koon.

### WITNESSETH:

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, its successors and assigns, all that tract or parcel of land lying and being in Sarasota County, Florida, and being more fully described in **Exhibit "A"**, attached hereto and made a part hereof by reference (the "**Property**").

Tax Parcel Identification Numbers: 0783-00-1000, 0784-00-4010, 0785-00-1050, 0785-00-2100, 0785-00-3000, 0786-00-2000, 0788-05-0001, 0797-00-1000, 0799-00-1000, 0801-00-1000, 0804-00-1000, 0805-00-1000, 0807-00-1000, 0809-00-1000, 0811-00-1000.

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, and easements which are more fully described in the **Exhibit "B,"** attached hereto and made a part hereof by reference, and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any, affecting the Property (the "**Permitted Exceptions**").

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 Grantee that it is lawfully seized of the Property in fee simple; that it has good, right and lawful authority to sell and convey the Property; that it hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, subject to the Permitted Exceptions.

*[Signatures appear on the following page]*



IN WITNESS WHEREOF, Grantor has signed and sealed these presents as of the date first set forth above.


**GRANTOR:**

Signed, sealed and delivered in the presence of:


**FOURTH QUARTER PROPERTIES XXXII, LLC, a Georgia limited liability company**



Print  
Name: Lesli L. Leberman

By:  (SEAL)

Name: Stanley E. Thomas  
Title: Manager

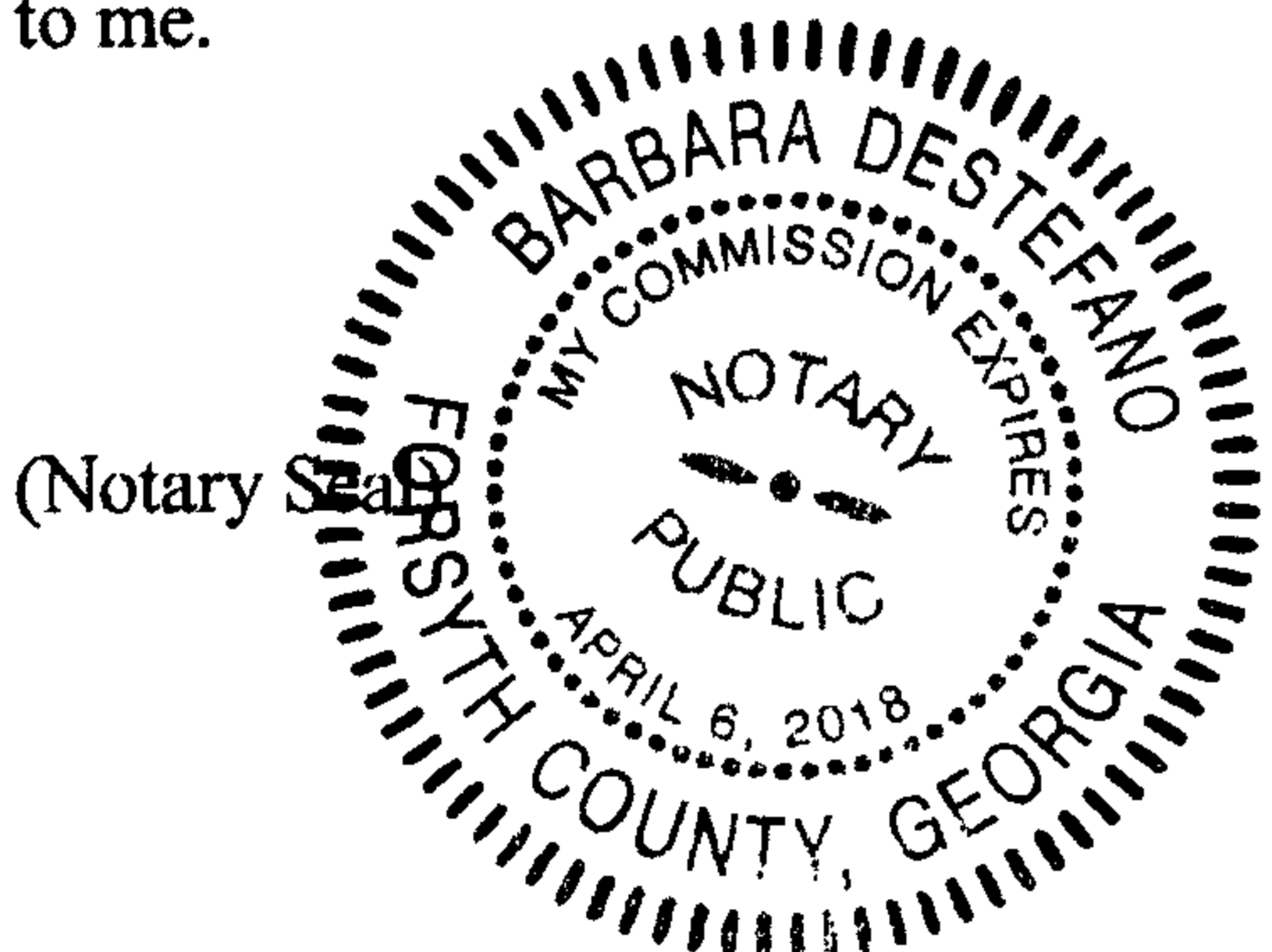


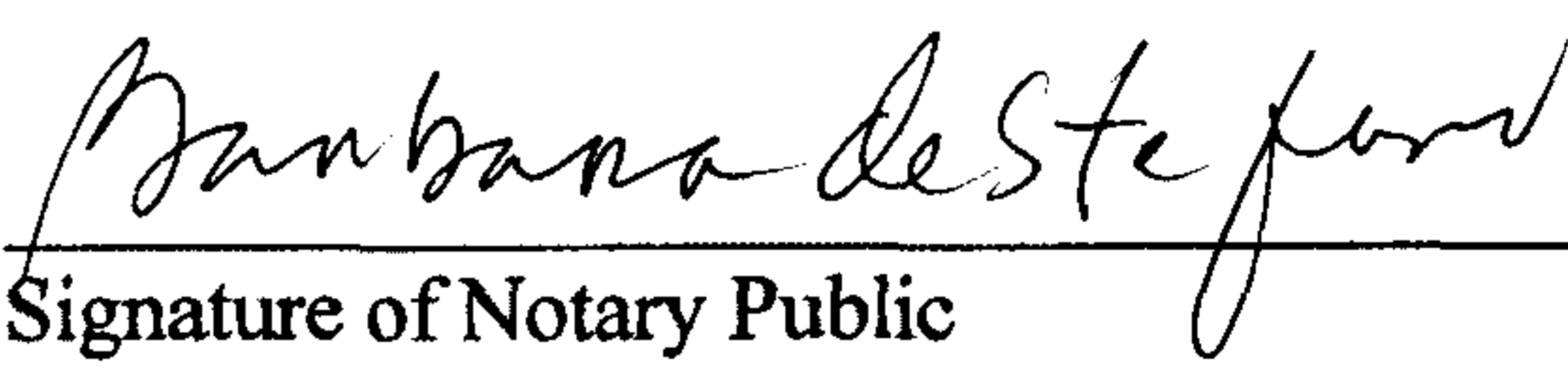
Print  
Name: Lori L. Scott

**STATE OF GEORGIA**

**COUNTY OF Fulton**

The foregoing instrument was acknowledged before me this 22 day of MAY 2014 by Stanley E. Thomas, as Manager of **FOURTH QUARTER PROPERTIES XXXII, LLC**, a Georgia limited liability company on behalf of the company. The above-named person is personally ~~known to me or has produced~~ \_\_\_\_\_ as identification. If no type of identification is indicated, the above-named person is personally known to me.



  
Signature of Notary Public

BARBARA DESTEFANO  
Print Name of Notary Public

I am a Notary Public of the State of Georgia, and my commission expires on 4/6/18.

**EXHIBIT "A"**

Tract C

LANDS LOCATED IN TOWNSHIP 39 SOUTH, RANGE 20 EAST, SARASOTA COUNTY, FLORIDA:

That part of Section 32, lying easterly of the easterly Right of Way Line of West Villages Parkway as described in Official Records Instrument No. 2009155882, and 2010059621, less and except the following:

The right-of-way for U.S. Highway No. 41 (State Road No. 45), pursuant to Order of Taking recorded in Official Records Book 1039, Page 762, of the Public Records of Sarasota County, Florida;

That portion of lands conveyed to the District Board of Trustees of Manatee Junior College, recorded in Official Records Book 1571, Page 2172, of the Public Records of Sarasota County, Florida;

All of Section 33, lying South of U.S. Highway No. 41 (State Road No. 45), less and except the following:

The right-of-way for U.S. Highway No. 41 (State Road No. 45), pursuant to Order of Taking recorded in Official Records Book 1039, Page 762, of the Public Records of Sarasota County, Florida;

That portion of lands conveyed to the District Board of Trustees of Manatee Junior College, recorded in Official Records Book 1571, Page 2172, of the Public Records of Sarasota County, Florida;

Lands conveyed to County of Sarasota in Official Records Book 2389, Page 528 of the Public Records of Sarasota County, Florida;

Lands conveyed to John H. Nevins, as Bishop of the Diocese of Venice, recorded in Official Records Instrument No. 1998166154, of the Public Records of Sarasota County, Florida;

Lands conveyed to West Villages Improvement District in Official Records Instrument No. 2005281157 of the Public Records of Sarasota County, Florida.

The Southwest 1/4 of Section 34, lying West of County Road No. 777, less and except the following:

The North 1/2 of the NW 1/4 of the SW 1/4;

The maintained right-of-way of South River Road (County Road No. 777);

The right-of-way for COUNTY ROAD NO. 777 (as realigned), pursuant to Order of Taking recorded in Official Records Book 2679, Page 2750, of the Public Records of Sarasota County, Florida;

Lands conveyed to Sarasota County, recorded in Official Records Instrument No. 1999111833, of the Public Records of Sarasota County, Florida;

Lands conveyed to River Road Office Park, Inc., recorded in Official Records Instrument No. 2000002794, of the Public Records of Sarasota County, Florida;

Lands conveyed to Sarasota County, recorded in Official Records Instrument No. 2008060371, of the Public Records of Sarasota County, Florida;



Lands conveyed to West Villages Improvement District recorded in Official Records Instrument No. 2011005442, of the Public Records of Sarasota County, Florida.

LANDS LOCATED IN TOWNSHIP 40 SOUTH, RANGE 20 EAST, SARASOTA COUNTY, FLORIDA:

The West Half of Section 3, less and except the following:

The right-of-way for COUNTY ROAD NO. 777 (as realigned), pursuant to Order of Taking recorded in Official Records Book 2679, Page 2750, of the Public Records of Sarasota County, Florida;

Lands conveyed to River Road Office Park, Inc., recorded in Official Records Instrument No. 2000002794, of the Public Records of Sarasota County, Florida;

Lands conveyed to Sarasota County, recorded in Official Records Instrument No. 2008060371 and 2008060374, of the Public Records of Sarasota County, Florida;

Lands conveyed to West Villages Improvement District, recorded in Official Records Instrument No. 2009021691, of the Public Records of Sarasota County, Florida.

All of Section 4, less and except the following:

Lands conveyed to River Road Office Park, Inc., recorded in Official Records Instrument No. 2000002794, of the Public Records of Sarasota County, Florida.

All of Section 5, less and except the following:

Lands conveyed to DiVosta Homes, L.P., recorded in Official Records Instrument No. 2004012753, of the Public Records of Sarasota County, Florida;

Lands conveyed to West Villages Improvement District, recorded in Official Records Instrument No. 2007188871, of the Public Records of Sarasota County, Florida;

That part of Section 5, lying northerly of West Villages Parkway as described in Official Records Instrument No. 2007188871, of the Public Records of Sarasota County, Florida.

All of Section 6, less and except the following:

Lands conveyed to DiVosta Homes, L.P., recorded in Official Records Instrument No. 2004012753, of the Public Records of Sarasota County, Florida.

All of Section 7;

All of Section 8;

All of Section 9.

The West Half of Section 10, less and except the following:

Lands conveyed to Sarasota County, recorded in Official Records Instrument No. 2008060371 and 2008060374, of the Public Records of Sarasota County, Florida.

Tract contains 4265.6842 Acres, more or less.



**EXHIBIT "B"**

## Permitted Exceptions for Tract C

Taxes for the year 2014 and subsequent years, not yet due and payable.

The following matters (which are reflected in the title commitment 16-2013-000351 Issued through Old Republic National Title Insurance Company):

4. Easements in favor of Florida Power & Light Company recorded in Deed Book 98, Page 314, of the Public Records of Sarasota County, Florida.
5. Telephone Distribution Easement Deed in favor of GTE Incorporated, a Florida corporation recorded in Official Records Book 2793, Page 172, of the Public Records of Sarasota County, Florida.
6. Easements in favor of Sarasota County for the purposes of water supply distribution and sewerage collection and related matters recorded in Official Records Book 2702, Page 2442 and Subordination of Utility Interest and Agreement for Reimbursement for Additional Facility Relocations recorded in Official Records Book 2758, Page 642 ; of the Public Records of Sarasota County, Florida.
7. Easements in favor of Sarasota County Public Hospital Board recorded in Official Records Book 2785, Page 641 ; Official Records Book 3065, Page 606 and Official Records Book 3108, Page 2455 together with Amendment recorded under Instrument # 2007026896, of the Public Records of Sarasota County, Florida.
8. (Intentionally omitted).
9. Easements in favor of Englewood Water District recorded in Official Records Book 1320, Page 2150, of the Public Records of Sarasota County, Florida.
10. Access and Drainage Easements, and use restrictions in favor of the District Board of Trustees of Manatee Junior College as set forth in that certain Warranty Deed recorded in Official Records Book 1571, Page 2172, of the Public Records of Sarasota County, Florida .
11. (Intentionally omitted).
12. Access and Drainage Easements in favor of Sarasota County, together with covenants, limitations and conditions, as set forth in that certain Warranty Deed recorded in Official Records Book 2389, Page 528, of the Public Records of Sarasota County, Florida.
13. Terms and conditions contained in that certain Easement Agreement (Stormwater Drainage and Flowage) in favor of TAYLOR RANCH, LTD., a Florida limited partnership recorded in Official Records Book 3065, Page 615, of the Public Records of Sarasota County, Florida.
14. Reclaimed Water Agreement by and between TAYLOR RANCH, LTD., a Florida limited partnership and TAYLOR RANCH, INC., a Florida corporation and Sarasota County Public Hospital Board recorded in Official Records Book 3108, Page 2433, together with Affidavit recorded in Instrument # 2005257196, as amended in Instrument # 2007026896, of the Public Records of Sarasota County, Florida.
15. Declaration of Utility Easement by TAYLOR RANCH, INC., a Florida corporation recorded in Instrument # 1998166153, of the Public Records of Sarasota County, Florida.
16. Easement and right-of-way for ingress and egress, utilities and drainage in favor of John J. Nevins, as Bishop of the Diocese of Venice recorded in Instrument # 1998166155, of the Public Records of Sarasota County, Florida.
17. Terms and conditions contained in that certain Grant of Perpetual Non-Exclusive Easement In favor of TAYLOR RANCH, LTD., a Florida limited partnership; TAYLOR RANCH, INC., a Florida corporation and Venetian Development, Inc., a Florida corporation, for the purposes of access and underground utilities recorded in Instrument # 1999044368, of the Public Records of Sarasota County, Florida.
18. Conservation Easement in favor of Southwest Florida Water Management District recorded in Instrument # 1999044370, of the Public Records of Sarasota County, Florida.



19. Easements in favor of River Road Office Park, Inc., a Florida corporation recorded in Instrument # 2000002796 (33-39-20) and Instrument # 2000002797, of the Public Records of Sarasota County, Florida.
20. Terms and conditions contained in that certain Perpetual, Non-Exclusive Access and Utility Easement Agreement in favor of TAYLOR RANCH, INC., recorded in Instrument # 2000002798, of the Public Records of Sarasota County, Florida.
21. (Intentionally omitted).
22. Notice of Option to Purchase Lands in Section 32-39-20 in favor of SARASOTA COUNTY PUBLIC HOSPITAL BOARD, as Buyer, recorded in Official Records Book 2785, Page 650, of the Public Records of Sarasota County, Florida.
23. Declaration of Covenants, Conditions, Easements and Restrictions recorded in Instrument # 2004216589, as amended in Instrument # 2005257191 and 2007018906 of the Public Records of Sarasota County, Florida.
24. Declaration of Covenants, Conditions, Easements and Restrictions recorded in Instrument # 2005197548 as amended under Instrument # 2008099652 of the Public Records of Sarasota County, Florida.
25. Amended and Restated Utility Agreement recorded in Instrument # 2007064870 of the Public records of Sarasota County, Florida.
26. Water and Wastewater Interim Utilities Agreement recorded in Instrument # 2005089520, Public Records of Sarasota County, Florida.
27. Easement Agreement recorded in Instrument # 2007150241, of the Public Records of Sarasota County, Florida.
28. Easement Agreement recorded in Instrument # 2006215897, Public Records of Sarasota County, Florida.
29. Easement Agreement recorded in Instrument # 2007024930, of the Public Records of Sarasota County, Florida.
30. (Intentionally omitted).
31. (Intentionally omitted).
32. Easement in favor of Florida Power & Light Company recorded in Official Records Book 986, Page 905, together with consent agreement recorded in Instrument # 2006126669, of the Public Records of Sarasota County, Florida.
33. Easements in favor of Florida Power & Light Company recorded in Official Records Book 2940, Page 1363 and Official Records Book 3002, Page 1261, of the Public Records of Sarasota County, Florida.
34. Right of Way Resolution recorded in Official Records Book 2254, Page 2241, of the Public Records of Sarasota County, Florida.
35. (Intentionally omitted).
36. (Intentionally omitted).
37. Easement in favor of West Villages Improvement District recorded in Instrument # 2005089339, of the Public Records of Sarasota County, Florida.
38. (Intentionally omitted).
39. (Intentionally omitted).
40. (Intentionally omitted).
41. Easement in favor of the City of North Port recorded in Instrument # 2008019264, of the Public Records of Sarasota County, Florida.
42. Easement in favor of Sarasota County recorded in Instrument # 2008019265, of the Public Records of Sarasota County, Florida.
43. Easement in favor of the City of North Port, West Villages Improvement District, and Sarasota County recorded in Instrument # 2008019266, as re-recorded in Instrument # 2008029381, of the Public Records of Sarasota County, Florida.

44. (Intentionally omitted).
45. Easement in favor of Florida Power & Light Co. recorded in Instrument # 2008096395, of the Public Records of Sarasota County, Florida.
46. Notice of Establishment of West Villages Improvement District, Declaration of Consent to Jurisdiction, Agreement between West Villages Improvement District and Fourth Quarter Properties XXXII, LLC, and other instruments pertaining to said District recorded in Instrument #s 2004223490, 2006023618, 2007048565, 2007086623, 2007176566, 2008055051, of the Public Records of Sarasota County, Florida.
47. (Intentionally omitted).
48. (Deleted)
49. Slope, Drainage, Gateway Feature and Landscape Easement Agreement recorded in Instrument # 2009155886, of the Public Records of Sarasota County, Florida.
50. Subject to Terms, Conditions and Restrictive Covenants contained in Section 18.02(b) of that certain Memorandum of Lease between Fourth Quarter Properties XXXII, LLC and Publix Super Markets, Inc., recorded in Instrument # 2008122233; together with First Amendment to Lease and to Memorandum of Lease recorded in Instrument # 2009037412 and re-recorded in Instrument # 2009044358, of the Public Records of Sarasota County, Florida.
51. (Intentionally omitted).
52. Slope Easement to West Villages Improvement District recorded in Instrument # 2013134806, Public Records of Sarasota County, Florida.
53. (Intentionally omitted)
54. Any and all boundary inconsistencies, encroachments and other matters shown on the survey certified by Britt Surveying, Inc. dated March 28, 2014, Job Number 08-09-08A.
55. (Deleted)
56. Common law drainage rights in the streams and watercourses on the property.
57. (Intentionally omitted).
58. (Intentionally omitted).
59. (Intentionally omitted).
60. (Intentionally omitted).
61. Riparian and littoral rights.
62. (Deleted).
63. (Deleted).
64. (Deleted).
65. General Principles of Agreement by and between City of North Port, Florida, West Villages Improvement District and Fourth Quarter Properties XXII, LLC, dated June 26, 2006; First Amendment to General Principles of Agreement by and between City of North Port, Florida, West Villages Improvement District and Fourth Quarter Properties XXII, LLC, dated June 9, 2008; Second Amendment to General Principles of Agreement by and between City of North Port, Florida, West Villages Improvement District and Fourth Quarter Properties XXII, LLC, dated February 23, 2009; Third Amendment to General Principles of Agreement by and between City of North Port, Florida, West Villages Improvement District and Fourth Quarter Properties XXII, LLC, dated January 26, 2010; Fourth Amendment to General Principles of Agreement by and between City of North Port, Florida, West Villages Improvement District and Fourth Quarter Properties XXII, LLC, dated January 30, 2012.
66. (Deleted).
67. (Deleted).



68. Assignment of Leases and Rents recorded in Instrument # 2002164320, as modified in First Modification Agreement in Instrument # 2004126454, further modified in Second Modification in Instrument # 2005011686, Third Modification in Instrument # 2007054545, Fourth Modification in Instrument # 2008053030, Fifth Modification Agreement in Instrument # 2008060376, , Seventh Modification recorded in Instrument # 2009030319, Amendment to Mortgage Deed and Security Agreement and Amendment to Assignment of Leases and Rents in Instrument # 2009030320, Amended and Restated Mortgage and Security Agreement in Instrument # 2010039123, Modification Agreements in Instrument # 2011013257, 2011030279, 2012051784, 2012095624, 2012132626, and 2013097933, re-recorded in Instrument # 2013106487, and Amended and Restated Assignment of Leases and Rents recorded in Instrument # 2010039124, all of the Public Records of Sarasota County, Florida.



*First American Title™*

First American Title Insurance Company  
10210 Highland Manor Drive, Ste 120  
Tampa, FL 33610  
Phone: (813)261-3450  
Fax:

**CERTIFICATE OF TITLE INFORMATION FOR THE FILING  
OF A SUBDIVISION PLAT IN  
Sarasota County, Florida**

FATIC File No.: 2240-2787105

A search of the Public Records of Sarasota County, Florida, through August 31, 2023 at 8:00 a.m. reveals the following with respect to the legal description of the property set out on the subdivision plat of SUNSTONE VILLAGE F3 (not yet recorded), said legal description attached hereto as Exhibit "A", and made a part hereof:

A. The last deed of record was dated March 31, 2023 and recorded April 03, 2023 in Official Records Book Instrument # 2023052915, Page , Public Records of Sarasota County, Florida.

B. The record title holder is 1. Mattamy Tampa/Sarasota LLC, a Delaware limited liability company  
2. West Villages Improvement District owner of record as to Tract "B-10A" (Warranty Deed in Instrument #2021017985) .

C. The name(s) of the record title holder coincides with the name(s) shown as owner(s) on the unrecorded plat of SUNSTONE VILLAGE F3 .

D. Unsatisfied mortgages or liens encumbering said property are as follows:

NONE

E. Underlying rights of way, easements or plats affecting said property are as follows:

1. Utility Easement filed June 07, 2021 in Instrument #2021105836.

2. Easement Agreement recorded in Instrument # 2007150241.

F. Other information regarding said property includes:

1. Covenant filed April 03, 2023 in Instrument #2023052916.

2. Marketing Fee Agreement filed October 01, 2020 in Instrument #2020135798; Amendment filed March 31, 2022 in Instrument #2022053901; Amendment filed in April 03, 2023 in Instrument #2023052917 Memorandum of Right of First Refusal filed April 03, 2023 in Instrument #2023052918.

3. Declaration of Covenants, Condition, Easements and Restrictions recorded in Instrument # 2004216589, as amended in Instrument #2005257191 and 2007018906.

4. Declaration of Covenants, Conditions, Easements and Restrictions recorded in Instrument #2005197548 as amended under Instrument# 2008099652.

5. Amended and Restated Utility Agreement recorded in Instrument# 2007064870.

6. Water and Wastewater Interim Utilities Agreement recorded in Instrument# 2005089520, Public Records of Sarasota County, Florida, which contain provisions for easements.
7. Notice of Establishment of West Villages Improvement District, Declaration of Consent to Jurisdiction, Agreement between West Villages Improvement District and Fourth Quarter Properties XXXII, LLC, and other instruments pertaining to said District recorded in Instrument #'s 2004223490, 2006023618, 2007048565, 2007176566, 2008055051.
8. Terms and Provisions of the Real Property Dedication Agreement between Manasota Beach RanchLands, LLLP, a Florida limited liability company and The School Board of Sarasota County, Florida, as recorded in Instrument No. 2016136666, and as amended by First Amendment recorded in Instrument No. 2017082888; and as affected by Assignments of Educational System Impact Fee Credits recorded in Instrument no. 2017110721; and in Instrument No. 2017117935; and in Instrument No. 2017127518; and in Instrument No. 2017130231; and in Instrument No. 2017154368; and in Instrument No. 2018010588; and in Instrument No. 2018030963; and in Instrument No. 2018037575, and in Instrument No. 2018049097; and in Instrument no. 2018094442; and in Instrument No. 2018121028; and in Instrument No.: 2018141014 and in Instrument No. 2019007128; and Assignment of Educational System Impact Fee Credits as recorded in Instrument No. 2019034485; and Assignment of Educational System Impact Fee Credits as recorded in Instrument No. 2019038734; and in Instrument No. 2019042028; and in Instrument No. 2019061327.
9. West Villages Improvement District Unit of Development No. 1 Notice of Series 2017 Special Assessments and Government Lien of Record (Series 2017 Refunding Bonds), which contain provisions for liens and assessments, as recorded in Official Records Instrument No. 2017111575; and as affected by Collateral Assignment and Assumption of Development Rights (Unit of Development No. 1), as recorded in Instrument No. 2017111576; and as affected by Declaration of Consent to Jurisdiction of West Villages Improvement District and to Imposition of Special Assessments (Unit of Development No. 1) (Series 2017 Refunding Bonds), which contain provisions for liens and assessments, as recorded September 5, 2017 in Instrument nos. 2017111577, 2017111578, 2017111579, 2017111580, 2017111581, 2017111582, 2017111583, and in 2017111584; and by Notice by West Villages Improvement District of Bond Indebtedness for Unit of Development No. 1, as recorded in Instrument No. 2018000839 and 2022198138.
10. Terms and Provisions of Resolution No. 2017-03 establishing the West Villages Improvement District Unit of Development No. 5 as recorded in Instrument no. 2017111585 and as affected by Notice of Establishment of the West Villages Improvement District Unit of Development No. 5, as recorded in Instrument No. 2017128391.
11. Terms and Provisions of Resolution No. 2018-10 establishing the West Villages Improvement District Unit of Development No. 6 as recorded in Instrument no. 2018084717; and as affected by Notice of Establishment of the West Villages Improvement District Unit of Development No. 6, as recorded in Instrument No. 2018142894. Amended and Restated in Instrument No. 2022121328. Notice of Amended Boundary of the West Village Improvement District recorded in Instrument No. 2022121327. Agreement Regarding the Inclusion of Certain Real Property in Unit of Development No. 7 recorded in Instrument No. 2022119304.
12. Terms and Provisions of Resolution No. 2018-22, establishing the West Villages Improvement District Unit of Development No. 7, as recorded in Instrument no. 2018154491; and as affected by Notice of Establishment of the West Villages Improvement District Unit of Development No. 7, as recorded in Instrument No. 2018164671, and as affected by West Villages Improvement District Notice of Imposition of Master Special Assessment Lien (Unit No. 7) as recorded in Instrument No. 2019007882; and by Declaration of Consent to Jurisdiction of West Villages Improvement District and to Imposition of Special Assessments (Unit of Development No. 7 – Master Infrastructure) as recorded April 17, 2019 in Instrument No. 2019048577; and by West Villages Improvement District Unit of Development No. 7 Notice of Series 2019 Special Assessments (Master Infrastructure) and Government Lien of Record as recorded April 25, 2019 in Instrument No. 2019052599; and by West Villages Improvement District Unit of Development No. 7, Notice of Series 2019 Special Assessments (Village B Parcel) and Government Lien of Record, as recorded April 25, 2019 in Instrument no. 2019052600. Declaration of Consent to



Jurisdiction of West Villages Improvement District and to Imposition of Special Assessments recorded in Instrument no. 2021072095. Amended and Restated Notice of Establishment of the West Villages Improvement District Unit of Development No. 7 recorded in Instrument no. 2022121329, Instrument no. 2023004892 and in Instrument no. 2023004893.

13. Terms and Provisions of City of North Port Ordinance No. 2015-18 as recorded August 4, 2015, in Instrument No. 2015096413.

14. Terms and Provisions of City of North Port Ordinance No. 2018-08 as recorded August 8, 2018 in Instrument No. 2018105750.

15. Restrictive Covenant recorded in Instrument No. 2018128694.

16. Irrigation Water Supply Agreement as recorded in Instrument No. 2018159052, Second Amendment to Irrigation Water Supply Agreement recorded in Instrument No. 2022123786.

17. Terms and Provisions of the Interlocal Agreement between Sarasota County and West Villages Improvement District as recorded in Instrument No. 2017136583.

18. Terms, Provisions, Restrictions and Covenants as contained in Deed Restriction – Mixed Use Project Restrictive Covenant between Manasota Beach Ranchlands, LLLLP, a Florida limited liability limited partnership, Main Street Ranchlands, LLLP, a Florida limited liability limited partnership, and the Atlanta National League Baseball Club, LLC, a Georgia limited liability company, and as recorded December 20, 2017 in Instrument No. 2017156388. First Amendment to Mixed Use Project Restrictive Covenant recorded in Instrument No. 2022097800.

19. Restrictive Covenant as recorded December 20, 2017 in Instrument No. 2017156389.

20. Collateral Assignment of Developer's Rights as recorded December 21, 2017 in Instrument No. 2017156838.

21. Option Agreement between Manasota Beach Ranchlands, LLLP, a Florida limited liability partnership and Sarasota County, a charter county, as recorded December 21, in Instrument No. 2017156839.

22. Drainage License Agreement between Sarasota County, Manasota Beach Ranchlands, LLLLP, a Florida limited liability limited partnership, West Villages Improvement District and the Atlanta National League Baseball Club, LLC, a Georgia limited liability company as recorded December 21, 2017 in Instrument No. 2017156840.

23. Drainage License Agreement between Manasota Beach Ranchlands, LLLLP, a Florida limited liability limited partnership and West Villages Improvement District as recorded February 6, 2019 in Instrument No. 2019015074.

24. Collateral Assignment and Assumption of Development Rights Relating to Unit of Development No. 7 – Master Infrastructure as recorded April 17, 2019 in Instrument No. 2019048579.

25. Agreement regarding the True-Up and Payment of Special Assessments for Special Assessment Revenue Bonds (Unit of Development No. 7), Series 2019 (Master Infrastructure) as recorded April 17, 2019 in Instrument No. 2019048581.

26. Ordinance No. 2014-40 as recorded February 17, 2015 in Official Records Instrument no. 2015017841.

27. Terms and Provisions of City of North Port Ordinance No. 2015-11 as recorded June 1, 2015 in Instrument No. 2015066571.

28. Informational note: Recorded Notice of Environmental Resource Permit as recorded in Instrument No. 2015143658 and Instrument No. 2022068842.

G. 2022 Ad valorem taxes on said property are PAID for Tax Parcel I. D. Number 0799001000 (contains more land) and 0801001100 (contains more land) (New ID #0800001000).

**PROPERTY INFORMATION REPORT FOR THE FILING  
OF A SUBDIVISION PLAT IN  
Sarasota County, Florida**

This property information report is made for the purpose of furnishing the information required for the filing of the above referenced subdivision plat in accordance with the provisions of Chapter 177.041 of the Florida Statutes and the requirements of the Land Development Code. This search of a minimum of 30 years has been prepared expressly for the appropriate governing body as defined by Chapter 177.071 FS and it is not to be relied upon by any other group or person for any other purpose. This report is not an opinion of title, title insurance policy, warranty of title, or any other assurance as to the status of title and shall not be used for the purpose of issuing title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified in the property information report as the recipients of the property information report.

First American Title Insurance Company



By: \_\_\_\_\_

Michael R. Stogdill, Vice President  
Authorized Signatory



## Exhibit "A"

LEGAL DESCRIPTION: A parcel of land lying in Sections 4 and 5, Township 40 South, Range 20 East, Sarasota County, Florida, and being more particularly described as follows:

COMMENCE at the Southeast corner of said Section 5, run thence along the East boundary of the Southeast 1/4 of said Section 5, N.00°24'04"E., 620.24 feet to the POINT OF BEGINNING; thence N.71°20'21"W., 987.87 feet to the Easterlymost corner of SUNSTONE VILLAGE F5 PHASES 1A AND 1B, according to the plat thereof, as recorded in Plat Book 55, Pages 288 through 323 inclusive, of the Public Records of Sarasota County, Florida; thence along the Easterly boundary of said SUNSTONE VILLAGE F5 PHASES 1A AND 1B, the following three (3) courses: 1) N.09°14'39"W., 404.97 feet; 2) N.11°51'23"W., 282.27 feet; 3) N.21°37'16"W., 1258.21 feet to the Northerlymost corner of said SUNSTONE VILLAGE F5 PHASES 1A AND 1B; thence N.00°54'23"E., 263.29 feet; thence N.80°00'00"E., 942.21 feet; thence N.63°00'00"E., 327.10 feet to a point on a curve on the Westerly boundary of the right-of-way for West Villages Parkway, according to Special Warranty Deed, recorded in Official Records Instrument# 2021017985, of the Public Records of Sarasota County, Florida; thence along said Westerly boundary of the right-of-way for West Villages Parkway, the following three (3) courses: 1) Southeasterly, 859.87 feet along the arc of a curve to the left having a radius of 2067.00 feet and a central angle of 23°50'06" (chord bearing S.38°55'03"E., 853.68 feet) to a point of tangency; 2) S.50°50'06"E., 1970.32 feet to a point of curvature; thence Southeasterly, 119.36 feet along the arc of a curve to the right having a radius of 2083.00 feet and a central angle of 03°16'59" (chord bearing S.49°11'36"E., 119.34 feet); 3) S.52°10'50"W., 1564.92 feet; thence N.71°20'21"W., 653.32 feet to the POINT OF BEGINNING.



**CITY OF NORTH PORT  
PLAT REVIEW COMMENTS**

Discipline: Surveying  
Reviewed by: Steven M. Watts, PSM  
Review Date: 03/21/2024  
Phone: (954)266-6482  
Email: swatts@cgasolutions.com

Plat Name: **PLF-23-256 SUNSTONE VILLAGE F3**  
CGA Project Number: 23-7758

Comments Based on Plan Submittal Date: 03/19/2024

No comments  
 Comments as follows or attached

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Plat Review Comments:

Approved

Steven M. Watts, PSM 4588  
City of North Port – Review Surveyor