



City of North Port

RESOLUTION NO. 2026-R-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, VACATING A PORTION OF UTILITY AND DRAINAGE EASEMENTS FOR LOT 1, BLOCK 2393, 49TH 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 PVAC-26-00468, as well as testimony and other evidence presented at the quasi-judicial hearing, the City Commission makes the following findings of fact:
 - (a) Rodrigo Dacosta and Milka Dacosta own fee simple title to Lot 1, Block 2393, 49th Addition to Port Charlotte Subdivision;
 - (b) Lot 1, Block 2393, 49th Addition to Port Charlotte Subdivision, according to the Plat thereof, recorded in Plat Book 21, Page(s) 1 of the Public Records of Sarasota County, Florida grants to the City of North Port 20-feet for the purpose of a utility and drainage easement at the rear lot line of Lot 1, Block 2393 of the plat (the “Easement”);
 - (c) The petition requests that the City vacate a portion of the platted rear 20-foot (20') utility and drainage easement;
 - (d) The Easement is 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 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; 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 PVAC-26-00468 to the extent provided in this resolution.

2.02 The City Commission vacates a $\pm$ 206.73 square foot portion of its existing platted 20-foot (20')-wide utility and drainage easement, as described below and depicted in the survey attached as Exhibit A:

DESCRIPTION OF EASEMENT TO BE VACATED:

A PORTION OF THE 20 FOOT EASEMENT RESERVED FOR UNDERGROUND AND OVERHEAD UTILITIES AND SURFACE AND UNDERGROUND DRAINAGE OF LOT 1, BLOCK "2393", OF PORT CHARLOTTE SUBDIVISION, SECTION FORTY-NINTH, A SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 21, PAGE 1F, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, MORE PARTICULARLY AS FOLLOWS:

AREA OF RELEASE:

COMMENCE AT A POINT BEARING COORDINATES NORTHING: 994326.9730 AND EASTING: 609166.4950, IN NAD 83/2011 ADJUSTMENT, RELATIVE TO FLORIDA STATE PLANE COORDINATES SYSTEM, WEST ZONE, BEING THE SOUTHEAST CORNER OF LOT 1 BLOCK "2393" AND ALSO A POINT ON THE NORTH RIGHT OF WAY OF AMNESTY DRIVE; THENCE WEST, FOR A DISTANCE OF 20.00 FEET ALONG THE SOUTH PROPERTY LINE OF LOT 1; THENCE LEAVING SAID SOUTH LINE OF LOT 1, RUN NORTH A DISTANCE OF 35.00 FEET TO A POINT, ESTABLISHED AS POINT OF BEGINNING. THENCE NORTH, FOR A DISTANCE OF 68.91 FEET, THENCE RUN EAST A DISTANCE OF 3.00 FEET, THENCE RUN SOUTH A DISTANCE OF 68.91 FEET, THENCE RUN WEST A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN A PORT CHARLOTTE SUBDIVISION SECTION FORTY-NINTH, A SUBDIVISION IN SECTIONS 19, 20, 21, 22, 23, 25, 26 AND 36, TOWNSHIP 39 SOUTH, RANGE 22 EAST, AREA OF RELEASE CONTAINING 206.73 SQUARE FEET MORE OR LESS.

SECTION 3 – RECORDING

- 3.01 Per Unified Land Development Code Section 2.2.17, the applicant is responsible for recording documents approving vacations in Public Records of Sarasota County and providing the Development Services Department with the Official Record Book and Page and/or Plat Book and Page information of the recorded documents or plat.

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 July 21, 2026.

CITY OF NORTH PORT, FLORIDA

PETE EMRICH
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

MICHAEL FUINO, B.C.S.
CITY ATTORNEY

Exhibit A

JOB NUMBER: LS251875 - RE PAGE 1-2		SKETCH TO ACCOMPANY LEGAL DESCRIPTION SKETCH IS NOT A BOUNDARY SURVEY	
LEGAL DESCRIPTION (RELEASE OF EASEMENT): A PORTION OF THE 20 FOOT EASEMENT RESERVED FOR UNDERGROUND AND OVERHEAD UTILITIES AND SURFACE AND UNDERGROUND DRAINAGE OF LOT 1, BLOCK "2393", OF PORT CHARLOTTE SUBDIVISION, SECTION FORTY-NINTH, A SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 21, PAGE 1F, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: AREA OF RELEASE: COMMENCE AT A POINT BEARING COORDINATES NORTHING: 994326.9730 AND EASTING: 609166.4950, IN NAD 83/2011 ADJUSTMENT, RELATIVE TO FLORIDA STATE PLANE COORDINATES SYSTEM, WEST ZONE, BEING THE SOUTHEAST CORNER OF LOT 1 BLOCK "2393" AND ALSO A POINT ON THE NORTH RIGHT OF WAY OF AMNESTY DRIVE; THENCE WEST, FOR A DISTANCE OF 20.00 FEET ALONG THE SOUTH PROPERTY LINE OF LOT 1; THENCE LEAVING SAID SOUTH LINE OF LOT 1, RUN NORTH A DISTANCE OF 35.00 FEET TO A POINT, ESTABLISHED AS POINT OF BEGINNING. THENCE NORTH, FOR A DISTANCE OF 68.91 FEET, THENCE RUN EAST A DISTANCE OF 3.00 FEET, THENCE RUN SOUTH A DISTANCE OF 68.91 FEET, THENCE RUN WEST A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING AND BEING IN A PORT CHARLOTTE SUBDIVISION SECTION FORTY-NINTH, A SUBDIVISION IN SECTIONS 19, 20, 21, 22, 23, 25, 26 AND 36, TOWNSHIP 39 SOUTH, RANGE 22 EAST, AREA OF RELEASE CONTAINING 206.73 SQUARE FEET MORE OR LESS. SEE SKETCH PAGE 2-2			
ATTRIBUTION LEGEND P.O.C. POINT OF COMMENCING P.O.B. POINT OF BEGINNING N. NORTH E. EAST S. SOUTH W. WEST C. CENTER LINE FT. FEET P. PLAT D. & P.U.E. DRAINAGE AND UTILITIES EASEMENT ——— SECONDARY PROPERTY LINE ——— PRIMARY PROPERTY LINE - - - EASEMENT CENTERLINE CL DRAWN DATE : 02/03/2026 DRAWN BY : P.A. CHECKED BY : N.A. CERTIFIED TO: WEST COAST CONTRACTING INC.	SURVEYOR'S NOTES: 1. THE SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY AND IS ONLY INTENDED TO DEPICT THE DESCRIPTION HEREON. 2. THE BASIS OF BEARING IS BASED UPON N90°00'00"W ALONG THE CENTERLINE OF AMNESTY DRIVE AS PLATTED. 3. ALL DISTANCES ARE EXPRESSED IN U.S. STANDARD FEET AND DECIMALS THEREOF. 4. SKETCH ARE BASED UPON BOUNDARY SURVEY COMPLETED BY LYNX SURVEYORS CORP., DATED 01/10/2025. PROPERTY ADDRESS: 1104 NAPOLEON ROAD NORTH PORT, 34288 PARCEL ID: 1117239301	LEGAL DESCRIPTION (RELEASE OF EASEMENT): SEE PAPER ABOVE	 lynx Surveyors & Engineering LYNX SURVEYORS CORP LAND SURVEYORS AND MAPPER LB 8469 302 LAUREL ROAD EAST UNIT 291 LAUREL, FLORIDA 34272 833-721-2907 contact@lynxsurveyors.com www.lynxsurveyors.com I HEREBY CERTIFY THAT THE SURVEY OF THE HEREIN DESCRIBED PROPERTY WAS PREPARED UNDER MY DIRECT SUPERVISION AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 461-011 & 461-012 F.A.C., FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 471-011 FLORIDA STATUTES.
			GUSTAVO INTERIAN PROFESSIONAL SURVEYOR AND MAPPER PSM 6461

