



City of North Port

CHAPTER 2D - PLANNING & ZONING

ORDINANCE NO. 81-96

(Dedication and Acceptance of Public Property)

(Amendment #1 to Ordinance No. 80-82)

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATING TO THE DEDICATION AND ACCEPTANCE OF CERTAIN PROPERTIES FROM GENERAL DEVELOPMENT CORPORATION; PROVIDES FOR AN AMENDMENT TO ORDINANCE NO. 80-82, DATED 22 SEPTEMBER 1980; PROVIDES FOR A SEVERABILITY CLAUSE; PROVIDES FOR A CONFLICT CLAUSE; PROVIDES FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, TO WIT:

SECTION 1 - AMENDING CLAUSE: Section 2 of Ordinance No. 80-82, dated 22 September 1980 is amended to read:

"Section 2 - DESCRIPTION OF DEDICATED PROPERTIES CLAUSE: The following tracts lying in the Fifty-Second Addition to Port Charlotte Subdivision according to the plat thereof recorded in Plat Book 21, Pages 13 and 13A through 13NN, of the Public Records of Sarasota County, Florida:

- (1) All of Tracts F, G, K and L.
- (2) All of Tract "D" reserving to General Development Corporation, its affiliates, successors or assigns, the following described easement for the installation, maintenance and repair of public utilities:
Beginning at the southeast corner of Lot 19,

Block 2618 according to the plat of said Fifty-Second Addition to Port Charlotte Subdivision, said point also being on the northwesterly right-of-way line of North Pan American Boulevard; run thence North $62^{\circ}45'00''$ West along the southerly line of said Lot 19 for a distance of 100 feet; thence South $28^{\circ}18'04''$ West a distance of 96.61 feet; thence South $60^{\circ}48'52''$ East for a distance of 100 feet to a point on a circular curve concave northwesterly having a radius of 2960 feet and being on said northwesterly right-of-way line; thence from a tangent bearing of North $29^{\circ}11'08''$ East run northeasterly along the arc of said curve and said right-of-way line through a central angle of $1^{\circ}56'08''$ for a distance of 100 feet to the POINT OF BEGINNING.

- (3) All of Tract "E" reserving to General Development Corporation, its affiliates, successors or assigns the following described easement, lying within said Tract "E," being 20 feet in width and lying 10 feet on each side of the following described centerline, for the installation, maintenance and repair of public utilities: Beginning at the southeast corner of Lot 10, Block 2638 according to said

plat run South $77^{\circ}19'33''$ East, a distance of 16.00 feet; thence North $50^{\circ}59'34''$ East a distance of 275.20 feet; thence North $25^{\circ}35'55''$ East, a distance of 147.44 feet to a point on the southerly right-of-way line of Mill Run Court and the end of said center-line description.

- (4) All of Tract "J" reserving to General Development Corporation, its affiliates, successors or assigns, the following described easement for a road and for the installation, maintenance and repair of public utilities: Beginning at the northwesterly corner of Lot 1, Block 2642, according to said plat run thence South $17^{\circ}10'27''$ West along the westerly line of said Lot 1 and its southerly extension and along the westerly line of said Tract "J," a distance of 331.53 feet to the southwest corner of said Tract "J," thence South $88^{\circ}17'33''$ East along the southerly line of said Tract "J," a distance of 38.73 feet to the point of curvature of a circular curve concave southerly having a radius of 940.00 feet; thence easterly along the arc of said curve through a central angle of $2^{\circ}05'05''$ a distance of 34.20 feet; thence North $14^{\circ}01'51''$ East a distance of 323.06 feet to a point on the northerly

line of said Lot 1; thence North 88°17'33"
West along the northerly line of said Lot 1,
a distance of 20.13 feet to the point of
curvature of a circular curve concave north-
erly having a radius of 125.00 feet; thence
westerly along the arc of said curve through
a central angle of 15°28'00" a distance of
33.74 feet to the POINT OF BEGINNING.

(5) All of which contains 59.71 acres, more or
less."

SECTION 2 - SEVERABILITY CLAUSE: If any section, subsection, sentence,
clause, phrase or portion of this Ordinance is for any reason held invalid or
unconstitutional by any court of competent jurisdiction, such portion shall be
deemed a separate, distinct and independent provision and such holding shall
not affect the validity of the remaining portions thereof.

SECTION 3 - CONFLICT CLAUSE: Any ordinance or portion thereof in con-
flict herewith is hereby repealed to the extent of such conflict.

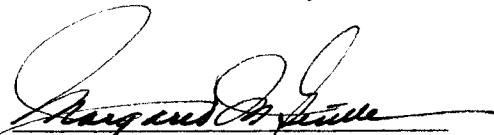
SECTION 4 - EFFECTIVE DATE CLAUSE: This Ordinance shall become effective
ten (10) days after final adoption pursuant to provisions of Section 15 of the
City Charter.

APPROVED FOR ADOPTION on the first reading held in public session this
26th day of May 1981 A.D.

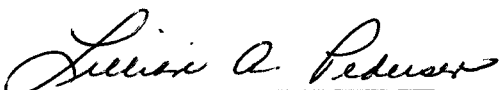
PASSED AND ADOPTED on the second and final reading held in public session
this 1ST day of June 1981 A.D.

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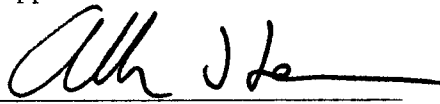
CITY OF NORTH PORT, FLORIDA

By: 
MARGARET M. GENTLE
MAYOR

ATTEST:


LILLIAN A. PEDERSEN
CITY CLERK

Approved as to form and correctness:


ALLEN J. LEVIN
CITY ATTORNEY

Ord. 82-52

81-96

This instrument is a "Dedication" under the provisions of Chapter 218, Florida Statutes.
ALBERT J. ...
General Development Corporation
1111 S. Bayshore Drive
Miami, Florida 33131

General Development Corporation
1111 S. Bayshore Drive
Miami, Florida 33131

DEDICATION

KNOW ALL MEN BY THESE PRESENTS that GENERAL DEVELOPMENT CORPORATION, a Delaware corporation authorized to do business in the State of Florida, does hereby dedicate, grant and convey to the CITY OF NORTH PORT, an incorporated municipality of the State of Florida, whose post office address is: Municipal Building, 311 North Port Boulevard, North Port, Florida 33595, the property hereinafter described on Exhibit "A" attached hereto and incorporated herein by reference, for the following uses:

1. Use as open spaces, recreation purposes and other related activities for the benefit of the public.
2. The installation and maintenance of public utilities.
3. Use, maintenance and repair of drainage facilities and for temporary retention of storm water runoff from the property included and other contiguous property.

Whenever said property shall be discontinued or cease to be used for the purposes above described, title thereto shall ipso facto revert to General Development Corporation, its successors or assigns.

In consideration of said dedication, the CITY OF NORTH PORT, an incorporated municipality of the State of Florida, by the execution of this instrument, agrees to accept the said dedication and maintain the said properties for the purposes and uses above described.

IN WITNESS WHEREOF, GENERAL DEVELOPMENT CORPORATION has caused this Dedication to be executed and its corporate seal to be hereunto affixed by its proper officers hereunto duly authorized all on this 30th day of November, 1979.

GENERAL DEVELOPMENT CORPORATION

Signed Sealed and Delivered in the presence of:

Ernie M. Maloney
Leona L. Lalato

BY:

William R. Avella
WILLIAM R. AVELLA
President

FORM APPROVED
ATTORNEY

ATTEST:


Saul J. Sack
SAUL J. SACK,
Assistant Secretary

STATE OF FLORIDA

COUNTY OF DADE

BEFORE ME, personally appeared WILLIAM R. AVELLA and SAUL J. SACK, the President and Assistant Secretary respectively, of GENERAL DEVELOPMENT CORPORATION, a Delaware corporation and severally acknowledged before me that they executed such instrument and affixed the seal of said Corporation and that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 30th day of November 1979.


NOTARY PUBLIC
STATE OF FLORIDA AT LARGE

My Commission Expires:

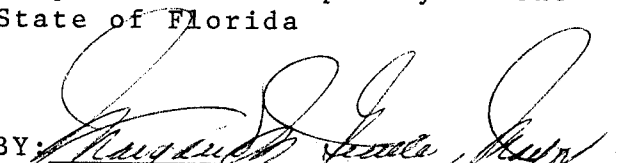
NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES AUG. 10 1980
BONDED THRU GENERAL INS. UNDERWRITERS

ACCEPTANCE

THE CITY OF NORTH PORT, an incorporated municipality of the State of Florida, by the execution of this instrument, does hereby accept the dedication aforesaid and agrees to accept and maintain the same. Such acceptance is limited to the interests herein conveyed and is not intended to extend to any other property or interest.

IN WITNESS WHEREOF, THE CITY OF NORTH PORT has caused this Acceptance to be executed by its duly authorized officers hereinafter named and the corporate seal of the City to be affixed hereto.

THE CITY OF NORTH PORT, an incorporated Municipality of the State of Florida

BY: 
MARGARET M. GENTLE, MAYOR

ATTEST:

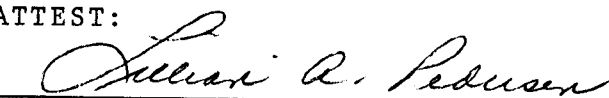

LILLIAN A. PEDERSEN, CITY CLERK

EXHIBIT "A"

DESCRIPTION

Tracts D, E, F, G, J, K & L of the FiftySecond Addition to Port Charlotte Subdivision according to the plat recorded in Plat Book 21 at pages 13, 13A through 13NN of the Public Records of Sarasota County, Florida. Reserving to General Development Corporation, its affiliates, successors or assigns an easement for a road, installation, maintenance and repair of public utilities; thereon, the total of which is 59.71 acres ±:

1. That portion of Tract "D" being more specifically described as follows:

Beginning at the Southeast corner of Lot 19, Block 2618 according to the plat of said Fifty-Second Addition to Port Charlotte Subdivision, said point also being on the Northwesterly right of way line of North Pan American Boulevard; run thence N.62°45'00"W. along the Southerly line of said Lot 19 for a distance of 100 feet; thence S.28°18'04"W a distance of 96.61 feet; thence S.60°48'52"E for a distance of 100 feet to a point on a circular curve concave Northwesterly having a radius of 2960 feet and being on said Northwesterly right of way line; thence from a Tangent bearing of N.29°11'08"E run Northeasterly along the arc of said curve and said right of way line through a central angle of 1°56'08" for a distance of 100 feet to the POINT OF BEGINNING.

2. That portion of Tract "E" being more specifically described as follows:

An easement for purposes of installation and maintenance of public utilities across Tract "E" according to the plat of the Fifty-Second Addition to Port Charlotte Subdivision as recorded in Plat Book 21 at pages 13, 13A through 13NN of the Public Records of Sarasota County, Florida. Said easement being 20 feet in width and lying 10 feet each side of the following described centerline: Beginning at the Southeast corner of Lot 10, Block 2638 according to said plat run S77°19'33"E, a distance of 16.00 feet; thence N50°59'34"E a distance of 275.20 feet; thence N25°34'55"E, a distance of 147.44 feet to a point on the Southerly right of way line of Mill Run Court and the end of said centerline description.

3. That portion of Tract "J" as described in O.R.B. 1274 at pages 378 to 381 of the Public Records of Sarasota County, Florida. Being more specifically described as follows:

An easement for a road, construction, maintenance, and repair of Public Utilities, lying in Section 29, Township 39 South, Range 21 East, Sarasota County, Florida, and being a portion of Lot 1, Block 2642, a portion of Tract "J" and a portion of the 65 foot Drainage right of way lying North of said Tract "J", all as shown on the Plat of Fifty-Second Addition to Port Charlotte Subdivision recorded in Plat Book 21, pages 13 and 13A through 13NN of the Public Records of Sarasota County, Florida; further described as follows: Beginning at the Northwesterly corner of said Lot 1, run thence S17°10'27"W along the Westerly line of said Lot 1 and its Southerly extension and along the Westerly line of said Tract "J", a distance of 331.53 feet to the Southwest corner of said Tract "J"; thence S88°17'33"E along the Southerly line of said Tract "J", a distance of 38.73 feet to the point of curvature of a circular curve concave Southerly having a radius of 940.00 feet; thence Easterly along the arc of said curve through a central angle of 2°05'05", a distance of 34.20 feet; thence N 14°01'51"E a distance of 323.06 feet to a point on the Northerly line of said Lot 1; thence N 88°17'33"W along the Northerly line of said Lot 1, a distance of 20.13 feet to the point of curvature of a circular curve concave Northerly having a radius of 125.00 feet; thence Westerly along the arc of said curve through a central angle of 15°28'00", a distance of 33.74 feet to the POINT OF BEGINNING.

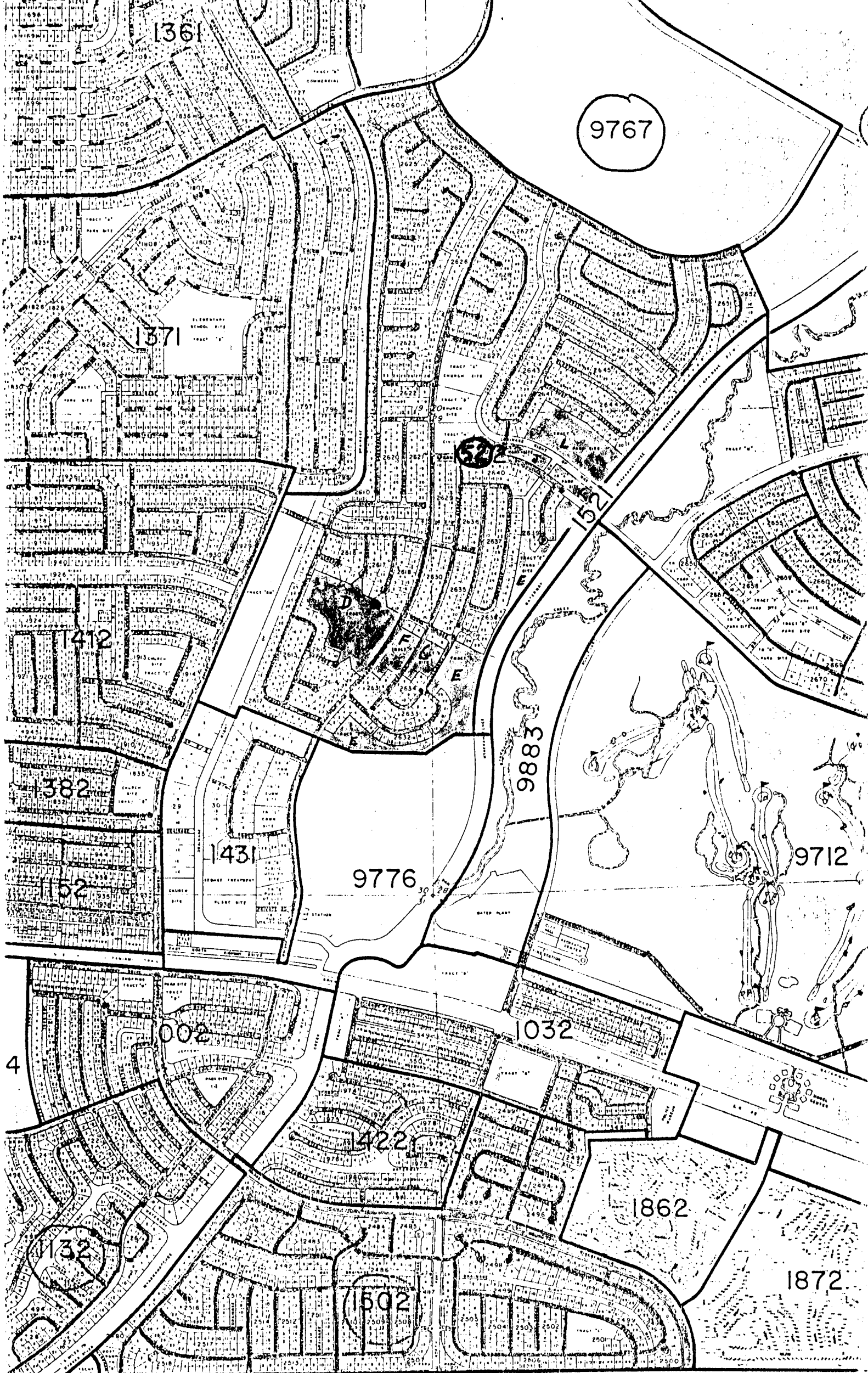


EXHIBIT "A"

DESCRIPTION

The following tracts lying in the FIFTY SECOND ADDITION TO PORT CHARLOTTE SUBDIVISION according to the plat thereof recorded in Plat Book 21, Pages 13 and 13A through 13NN, of the Public Records of Sarasota County, Florida:

All of Tracts "F", "G", "K" and "L".

All of Tract "D", reserving to General Development Corporation, its affiliates, successors or assigns, the following described easement for the installation, maintenance and repair of public utilities.

Beginning at the Southeast corner of Lot 19, Block 2618 according to the plat of said Fifty-Second Addition to Port Charlotte Subdivision, said point also being on the Northwesterly right of way line of North Pan American Boulevard; run thence $N62^{\circ}45'00''$ W along the Southerly line of said Lot 19 for a distance of 100 feet; thence $S28^{\circ}18'04''$ W a distance of 96.61 feet; thence $S60^{\circ}48'52''$ E for a distance of 100 feet to a point on a circular curve concave Northwesterly having a radius of 2960 feet and being on said Northwesterly right of way line; thence from a Tangent bearing of $N 29^{\circ}11'08''$ E run Northeasterly along the arc of said curve and said right of way line through a central angle of $1^{\circ}56'08''$ for a distance of 100 feet to the POINT OF BEGINNING.

All of Tract "E" reserving to General Development Corporation, its affiliates, successors or assigns, the following described easement, lying within said Tract "E", being 20 feet in width and lying 10 feet on each side of the following described centerline, for the installation, maintenance and repair of public utilities.

Beginning at the Southeast corner of Lot 10, Block 2638 according to said plat run $S 77^{\circ}19'33''$ E, a distance of 16.00 feet; thence $N 50^{\circ}59'34''$ E a distance of 275.20 feet; thence $N^{\circ}25 35'55''$ E, a distance of 147.44 feet to a point on the Southerly right of way line of Mill Run Court and the end of said centerline description.

All of Tract "J", reserving to General Development Corporation, its affiliates, successors or assigns, the following described easement for a road and for the installation, maintenance and repair of public utilities.

Beginning at the Northwesterly corner of Lot 1, Block 2642, according to said plat run thence $S 17^{\circ}10'27''$ W along the Westerly line of said Lot 1 and its Southerly extension and along the Westerly line of said Tract "J", a distance of 331.53 feet to the Southwest corner of said Tract "J", thence $S 88^{\circ}17'33''$ E along the Southerly line of said Tract "J", a distance of 38.73 feet to the point of curvature of a circular curve concave Southerly having a radius of 940.00 feet; thence Easterly along the arc of said curve through a central angle of $2^{\circ}05'05''$, a distance of 34.20 feet; thence $N 14^{\circ}01'51''$ E a distance of 323.06 feet to a point on the Northerly line of said Lot 1; thence $N 88^{\circ}17'33''$ W along the Northerly line of said Lot 1, a distance of 20.13 feet to the point of curvature of a circular curve concave Northerly having a radius of 125.00 feet; thence Westerly along the arc of said curve through a central angle of $15^{\circ}28'00''$, a distance of 33.74 feet to the POINT OF BEGINNING.

Containing 59.71 acres, more or less.