

R E S O L U T I O N
NUMBER 2026 –

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, TO VACATE A PORTION OF JUPITER WATERWAY ADJACENT TO LOT 60, BLOCK 2035, PORT CHARLOTTE SUBDIVISION SECTION 24, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5 PAGE 16A-16E OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA AND ABUTTING PROPERTY LOCATED AT 488 EPPINGER DRIVE, CONTAINING 3,306± SQUARE FEET, IN COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION VST-26-01.

RECITALS

WHEREAS, an application has been made by James and Marcia Noble ("Petitioners") to vacate a portion of Jupiter Waterway adjacent to Lot 60, Block 2035, Port Charlotte Subdivision Section 24, according to the Plat thereof as recorded in Plat Book 5, Page 16A-16E of the Public Records of Charlotte County, Florida, containing a total of 3,306± square feet, and abutting property located at 488 Eppinger Drive, which is located in Commission District IV; and

WHEREAS, the underlying Future Land Use Map (FLUM) designation for the subject right-of-way is Low Density Residential (LDR); and

WHEREAS, the application was heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based upon the findings and analysis provided by County Staff and the evidence presented to the P&Z Board, the P&Z Board recommended approval on May 11, 2026; and

WHEREAS, public notice of said application was published and evidence thereof given as required by law to the Board of County Commissioners of Charlotte County, Florida ("Board"); and

WHEREAS, Sections 336.09, 336.10, and 336.12, Florida Statutes, authorize the vacating and abandonment of streets and roads and any right of the County and of the public in and to any land or interest therein, by the Board; and

WHEREAS, Petitioners are the fee simple owners of a portion of the property abutting the right-of-way sought to be vacated; and

WHEREAS, Charlotte County retains no interest in the underlying fee by operation of law; and

WHEREAS, this vacation of a portion of Jupiter Waterway adjacent to Lot 60, Block 2035, Port Charlotte Subdivision Section 24, according to the Plat thereof as recorded in Plat Book 5, Page 16A-16E, of the Public Records of Charlotte County, Florida, containing a total of 3,306± square feet, as described in attached Exhibit "A", will not affect the ownership or right of convenient access of persons owning other properties in the area; and

WHEREAS, the Board has found that the right-of-way which is the subject of this resolution no longer serves a public purpose and is a proper subject for abandonment pursuant to Chapter 336, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

1. The Board of County Commissioners of Charlotte County, Florida ("Board"), hereby approves the Petition of James and Marcia Noble ("Petitioners") to vacate a portion of Jupiter Waterway adjacent to Lot 60, Block 2035, Port Charlotte Subdivision Section 24, according to the Plat thereof as recorded in Plat Book 5, Page 16A-16E, of the Public Records of Charlotte County, Florida, containing a total of 3,306± square feet, and

located in Commission District IV, and more particularly described in Exhibit "A" attached hereto.

2. This vacation is subject to the following conditions:

(A) Within ninety (90) days following approval of the street vacation by the Board, the Petitioners shall provide Charlotte County Public Works with a recorded 20' Canal Maintenance Easement acceptable to the County Attorney and which shall transfer with any future conveyance of property.

(B) Upon recordation of the Canal Maintenance Easement, the Petitioners shall apply for an occupation of easement for the existing seawall in the 20' canal maintenance easement.

(C) Upon recordation of the Canal Maintenance Easement, the Petitioners shall apply for a release of easement of the Canal Maintenance Easement that was recorded in the Official Records Book 1591, Page 1746.

3. Notice of adoption of this resolution shall be published one (1) time, within thirty (30) days following its effective date, in one issue of a newspaper of general circulation published in Charlotte County. The proof of publication of notice of public hearing, this resolution as adopted, and the proof of publication of the notice of the adoption of this resolution shall be recorded in the deed records of Charlotte County.

4. A certified copy of this resolution shall be recorded in the Public Records of Charlotte County, Florida, at which time said vacation shall become effective.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 28th day of July, 2026.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
Joseph M. Tiseo, Chairman

ATTEST:
Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____
Thomas M. David, County Attorney
LR 2026-0396 

[illegible]

THIS IS NOT CERTIFIED FLOOD ZONE DETERMINATION. ** THIS IS THE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO VERIFY FLOOD ZONE INFORMATION AND ANY BUILDING RESTRICTIONS PRIOR TO CONSTRUCTION. FLOOD ZONE DETERMINATION IS FOR INFORMATIONAL PURPOSES ONLY. PROPOSED FINISHED FLOOR ELEVATIONS CAN ONLY BE DETERMINED BY PERMITTING AUTHORITY. A PORTION OF THE PROPERTIES SHOWN HEREON APPEARS TO BE WITHIN FLOOD ZONE "A" 9.0' BASE FLOOD ELEVATION. A PORTION OF THE PROPERTY SHOWN HEREON APPEARS TO BE WITHIN FLOOD ZONE "X" NO BASE FLOOD ELEVATION AS PER FIRM, COMMUNITY #120051. PANEL 600-40-6, DATED 7/25/22, MAP #1201505004C.

NATIONAL GENETIC SURVEY (N.G.S.) BA, T02064* FOUND FLANGE EXPOSED STEEL ROD DRIVEN TO REPTICAL, STAMPED "CHARLOTTE COUNTY SURVEY MONUMENT M 796 2015", 20'± NORTH FROM THE CENTRINE OF CHAMBERLAIN BOULEVARD, 159.3'± EAST OF THE CENTRINE OF SPINNER DRIVE & 15.3'± NORTHWEST OF THE NORTHWEST END OF A BRIDGE OVER JUPITER WATERWAY. ELEVATION=+11.21 (NAVD83 DATUM)

SPOUT ELEVATIONS ARE SHOWN AS ± 9 AND REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988, (NAVD88)

Title: Boundary Survey
Prepared for: James & Marcia Noble
Certified to: James & Marcia Noble
Sketch No. 65-21-B Scale: 1" = 20'
Field Book: 370 Page: 62 & 63
Drawn By: J.S. Checked By: DNE

SHREMSHORN STARKS & CO., INC. LG #7747

Digitally signed by David B Shremshock
DN: cn=David B Shremshock, o=David B Shremshock, ou=David B Shremshock, email=David.B.Shremshock@nasa.gov, c=US
Date: 2026.07.22 14:45:04 -0400

STATE OF FLORIDA
COUNTY OF ALBANY
DAVID B. SHEDDEN, JR.
Registered Surveyor and Mapper
State of Florida
DATE: 01/08/2026
IT BEARS THE SIGNATURE AND THE ORIGINAL REPRODUCED BY ELECTRONIC ATTACHED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. THIS DRAWING, SPECIFICALLY, IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

Land Surveyors
5265 Alameetos Terr.
North Port, Florida 34288
ph. (941) 423-8875 fax. 423-4365
e-mail: alrsmith@ocslsurveying.com; connect.net

488 Eppinger Drive
Port Charlotte, FL 33953
Latitude 27°01'11.8" North
Longitude 82°12'37.5" West

A portion of Juleb Waters (to 150' Wide Drainage Right of Way) lying adjacent to and Southeast of Lot 50, Block 2035, Port Charlotte Subdivision, Section 24, a subdivision according to the plat thereof as recorded in Plat Book 5, Pages 184-18E, of the public records of Charlotte County, Florida, being more particularly described as, follows:

Beginning at the Northeast corner of said Lot 60; thence S.67°08'.47"E, along the Southeasterly prolongation of the Northern line of said Lot 60, a distance of 42.78 feet to the Easterly edge of on existing 16" concrete asphalt cap; thence S.24°58'.53"W, along said Easterly edge of the existing 16" cap, a distance of 80.06 feet to an intersection of the Southeasterly prolongation of the Southerly line of said Lot 60; thence N.67°08'.47"W, along said Southeasterly prolongation of the Southerly line of said Lot 60, a distance of 39.86 feet to the Southeast corner of said Lot 60; thence N.42°25'.13"E, along the Southerly line of said Lot 60 and the Westerly Right of Way line of said Jupiter Waterway, a distance of 80.01 feet to the Point of Beginning. Said lands situate, lying and being in Charlotte County, Florida, containing 3306 Square feet more or less.

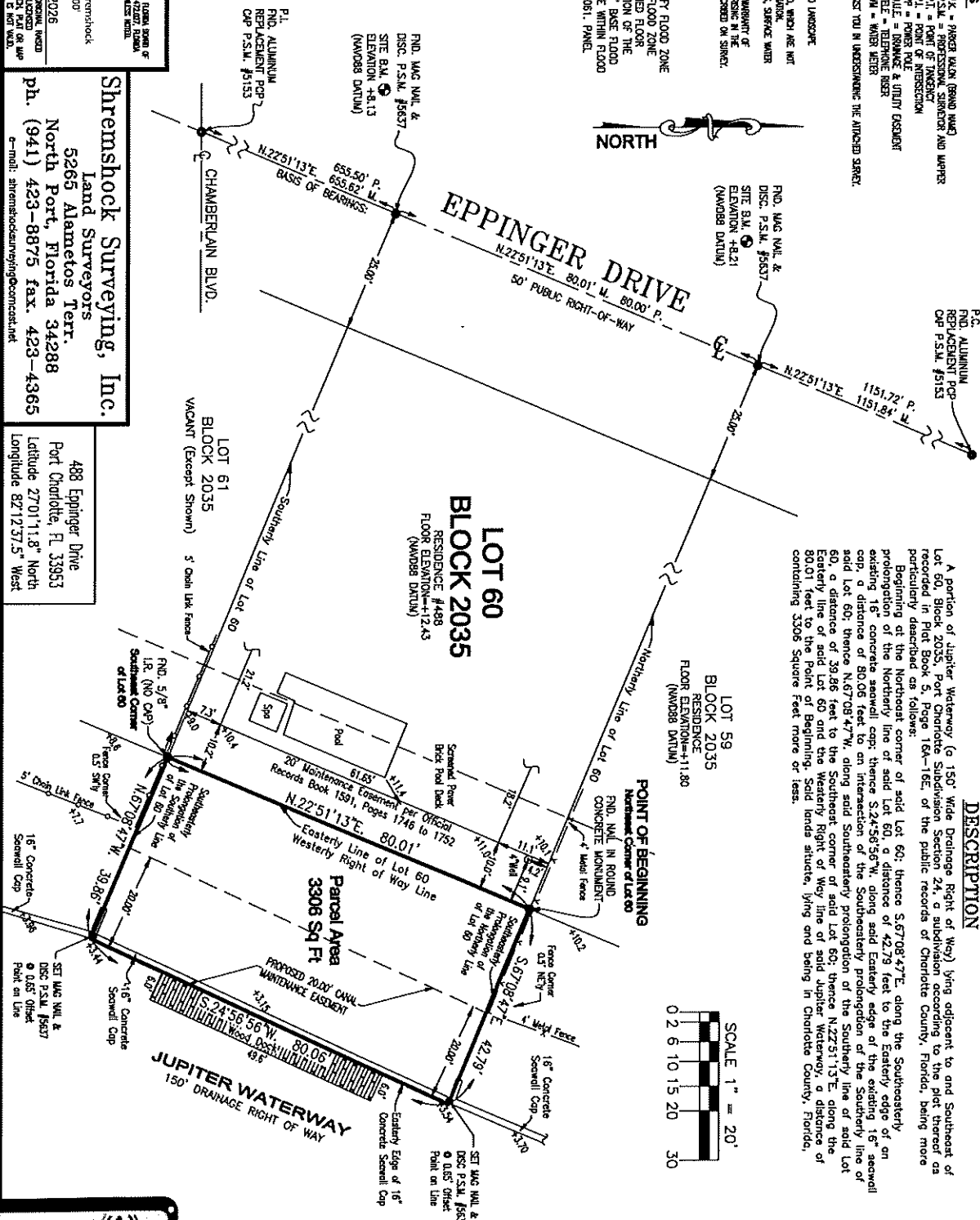


EXHIBIT "A"