

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, Petitioner is the fee simple owner 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± acres, 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 Petitioner 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 Petitioner shall apply for an occupation of easement for the existing seawall in the 20' canal maintenance easement.

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

km

488 Eppinger Drive, Port Charlotte, FL 33953 Parcel ID# 402104456010

Lot 60 Block 2035 Port Charlotte Section 24 Homeowner : James & Marcia Noble

Square Footage: 3306 Square Feet More or Less

Acreage: 0.075 Acre More or Less

A portion of Jupiter Waterway (a 150' Wide Drainage Right of Way) lying adjacent to and Southeast of Lot 60, Block 2035, Port Charlotte Subdivision Section 24, a subdivision according to the plat thereof as recorded in Plat Book 5, Page 16A-16E, of the public records of Charlotte County, Florida, being raore particularly described as follows:

Beginning at the Northeast comer of said Lot 60; thence N.6708'47"W. along the Southeasterly prolongation of the Northerly line of said Lot 60, a distance of 42.79 feet to the Easterly edge of an existing 16" concrete seawall cap; thence S.2456'56"W. along said Easterly edge of the existing 16" seawall cap, a distance of 80.06 feet to an intersection of the Southeasterly prolongation of the Southerly line of said Lot 60; thence N.6708'47"W. along said Southeasterly prolongation of the Southerly line of said Lot 60, a distance of 39.86 feet to the Southeast comer of said Lot 60; thence N.2251'13"E. along the Easterly 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.dfd



M = MEASURED DISTANCE ON ANGLE	F.B. = FIELD BOOK	P.A. = PAPER KNIFE (BRAND NAME)
P.D. = POINT DISTANCE OR BEARING/ANGLE	F.M. = FIELD	P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
C = CALCULATED DISTANCE OR BEARING/ANGLE	I.B. = BEST ROSE OR BE-BAR	P.L. = POINT OF INTERSECTION
A/C = AN COMPASS	M.C. = MARK (BRAND NAME)	P.I. = POINT OF INTERSECTION
C = COMPASS	U.B. = USED BUSINESS	P.P. = POWER POLE
D = DISTANCE	U.C. = USED CURVE	T.E. = TELEPHONE A TILITY EXCHANGER
M.P. = MEASURED POINT	P.L. = LINES	T.L. = TELEPHONE ROSE
M.P. = MEASURED CONCRETE FINE	P.C. = POINT OF CURVATURE	W.M. = WATER MEASUR
E = ELECTRIC MEAS		

THIS LIST IS PROVIDED PURSUANT TO 54-17, ALLOWS ANCHORING AND SENSE TO ASSIST IN UNDERSTANDING THE ATTACHED SURVEY.

2. SURVEY IS SUBJECT TO ORDINANCES AND RESTRICTIONS OF RECORD.

3. BENEFACTORS' SURV. ACT. NOT LIMITED TO SUBSEQUENT UTILITIES AND FRANCHISING, AND LANDSCAPE IMPROVEMENT, ETC., ARE NOT SHOWN UNLESS OTHERWISE NOTED.

4. THIS SURVEY IS SUBJECT TO ANY DEEDS, RIGHTS OF WAY & OTHER MATTERS OF RECORD, WHICH ARE NOT SHOWN, SINCE THE SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ANY CURRENT TITLE INFORMATION.

5. OVERLAPPING, JURISDICTION, OR LINES OF SPECIAL EMPLOYMENT, COASTS (NEARLY), SURFACE WATER PROTECTION AREA, LOTS SURVEYS ETC., ARE NOT SHOWN UNLESS OTHERWISE NOTED.

6. THIS SURVEY IS NOT INTENDED TO BE PROOF OF OWNERSHIP AND IS NOT A GUARANTEE OR WARRANTY OF OWNERSHIP OF ANY LAND, AND SURVEY ACCEPTS NO LIABILITY FOR ANY COSTS OR DAMAGES ARISING IN THE DEFENSE, PROOF OF, OR LOSS OF OWNERSHIP OF ANY LAND, OF THE LINES SHOWN AND DESCRIBED ON SURVEY.

** THIS IS NOT A CERTIFIED FLOOD ZONE DETERMINATION **
 IT IS THE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO VERIFY FLOOD ZONE
 INFORMATION FROM ANY FLOODPLAIN MAP OR 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
 PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN FLOOD ZONE "X" AND "B" BASE FLOOD
 ELEVATION. A PORTION OF THE PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN FLOOD
 ZONE "X" AND "B" BASE FLOOD ELEVATION AS PER FIRM, COMMUNITY 1102611, PANEL
 J2043-G, DATED 12/15/22, LOCAL FIRM OFFICE.
 ** TO BE VERIFIED BY THE LOCAL F.E.M.A. OFFICE **

NATIONAL GEOGRAPHIC SURVEY (N.G.S.) B.M. "003264" FOUND FLANGE ENCASED STEEL ROD DRIVEN TO REFUSAL, STAMPED "CHAMBERLAIN COUNTY SURVEY MONUMENT W 736 2015", 20'± NORTH FROM THE CENTERLINE OF CHAMBERLAIN BOULEVARD, 159.3'± EAST OF THE CENTERLINE OF EFFINGER DRIVE & 15.3'± NORTHWEST OF THE NORTHWEST END OF A BRIDGE OVER JUPITER INTERLOCK, ELEVATION=+11.21 (NA828 DATUM)

SPOT ELEVATIONS ARE SHOWN AS m^{NAD83} AND REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1983 (NAD83)

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

SHREWSHOCK SURVEYING, INC. LB #7747

BY: David B. Shrewshock DATE: 01/08/2026
 DAVID B. SHREWSHOCK
 Registered Surveyor and Mapper No. 5837
 State of Florida
 UNLESS IT BEAR THE SIGNATURE AND THE ORIGINAL
 OR DOUBLY ATTACHED SEAL OF A FLORIDA LICENSED
 SURVEYOR AND MAPPER THIS DRAWING, SPECIFY, PLAIN

Shremshock Surveying, Inc.
Land Surveyors
5265 Alamosa Terr.
North Port, Florida 34288
ph. (941) 423-8875 fax. 423-4365

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

A portion of Jupiter Waterway (a 150' Wide Drainage Right of Way) lying adjacent to and Southeast of Lot 60, Block 2035, Port Charlotte Subdivision Section 24, a subdivision according to the plat thereof as recorded in Plat Book 5, Page 15A-15E, of the public records of Charlotte County, Florida, being more particularly shown on the plat of said subdivision.

partially described as follows:

Beginning at the Northeast corner of said Lot 60; thence $N57^{\circ}08'47''W$, along the Southeastery prolongation of the Eastern edge of said Lot 60, a distance of 39.75 feet to the Eastern edge of an existing 16" concrete seacock cap; thence $S24^{\circ}55'56''W$, along said Eastern edge of the existing 16" seacock cap, a distance of 50.08 feet to an intersection of the Southeastery prolongation of the Southernly line of said Lot 60; thence $N67^{\circ}08'47''W$, along said Southeastery prolongation of the Southernly line of said Lot 60, a distance of 39.86 feet to the Southeast corner of said Lot 60; thence $N22^{\circ}51'13''E$, along the Eastern line of said Lot 60 and the Western Right of Way line of said Jupiter Waterway, a distance of 100.00 feet to the intersection of said line and lands situate, lying and being in Charlotte County, Florida, containing 3206 Square Feet, more or less.

SCALE 1" = 20'



0 2 6 10 15 20 30

