This instrument prepared by and return to: City Clerk, City of Venice 401 W. Venice Ave., Venice, FL 34285

#### **UTILITY EASEMENT**

THIS INDENTURE, made this 5th day of November, 2020, by and between HEARTIS VENICE, LLC, a Delaware limited liability company, whose mailing address is: 5910 N Central Expressway, Suite 1400, Dallas, Texas 75206 (hereinafter referred to as "Grantor"), and CITY OF VENICE, a Florida municipal corporation, whose mailing address is 401 W. Venice Avenue, Venice, Florida 34285 (hereinafter referred to as "Grantee"):

#### WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid to the Grantor by the Grantee, the receipt and sufficiency of which is hereby acknowledged, said Grantor does hereby grant and convey to the Grantee, its successors and assigns, a permanent, perpetual easement for the provision of City services, such right to include, but not be limited to, the perpetual right for Grantee, its employees, contractors, sub-contractors, agents, successors, and assigns to enter upon said easement at all times and construct, lay, reconstruct, operate, maintain, inspect, remove, or repair all lines, mains, pipes, fixtures, ditches, accessories, and all appurtenances thereto for the purpose of providing City services through, over, under, and upon the following property situated in Sarasota County, Florida, more particularly described as follows:

(See Exhibit "A" attached hereto and incorporated herein by reference)

For the full enjoyment of the rights granted herein, the Grantee shall have the further right to trim, cut, or remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of the lines, mains, pipes, fixtures, ditches, accessories, and appurtenances thereto. The Grantor further grants the reasonable right to enter upon adjoining lands of the Grantor for the purposes of exercising the rights herein granted.

The Grantor hereby covenants with the Grantee and warrants that it has the lawful authority convey said easement.

### **ACKNOWLEDGEMENT OF GRANTOR**

IN WITNESS WHEREOF, the Grantor has caused this Utility Easement to be executed in Grantor's name, and official seal by the proper officer(s) or representative(s) duly authorized, as of the day and year first above written.

HEARTIS VENICE, LLC, a Delaware limited liability company

By: Heartis Venice Partners, LP, a Texas limited partnership, its Managing Member

By: Heartis Venice GP, LLC,

a Texas limited liability company,

rdenburg, Manager

its General Partner

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

WITNESSES:

Print Name: Dand Bates

Print Name: Kyle A. Mily

STATE OF TEXAS COUNTY OF PAILAS

The foregoing instrument was acknowledged before me this day of Namber, 2020, by Lance M. Hardenburg, as Manager of Heartis Venice GP, LLC, a Texas limited liability company, as General Partner of Heartis Venice Partners, LP, a Texas limited partnership, as Managing Member of HEARTIS VENICE, LLC, a Delaware limited liability company, by means of physical presence or online notarization, who is personally known to me or who produced as identification.

Notary Public

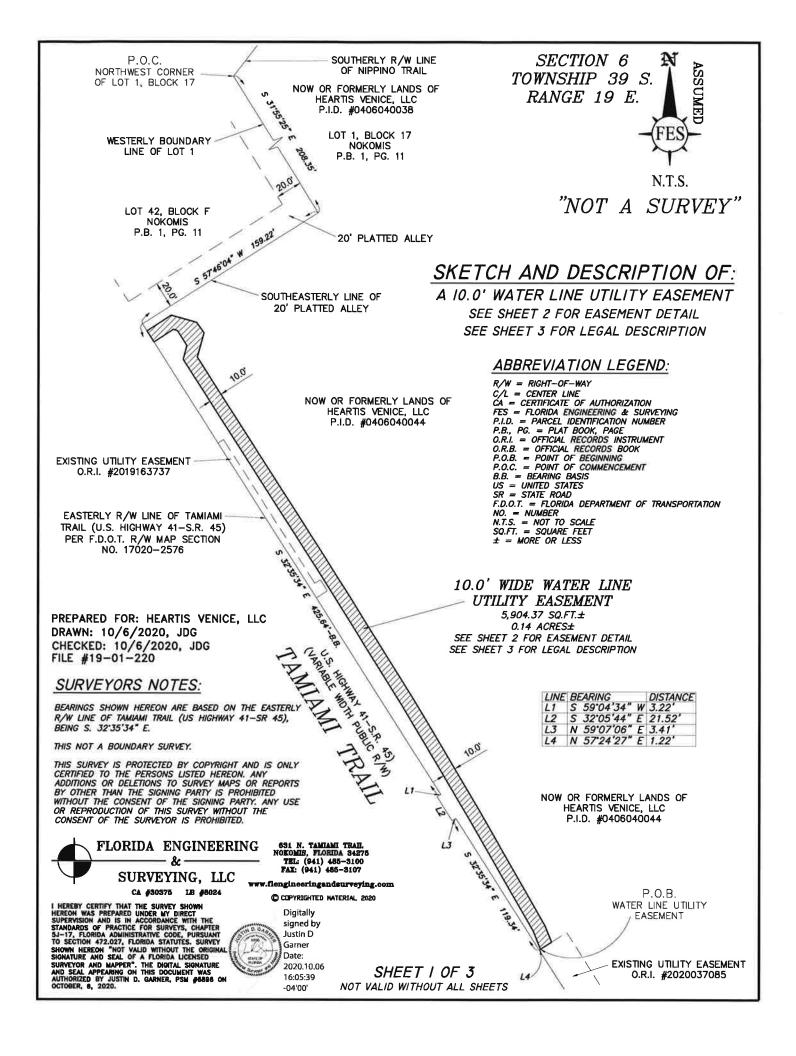
Print Name: MINTAK Amar

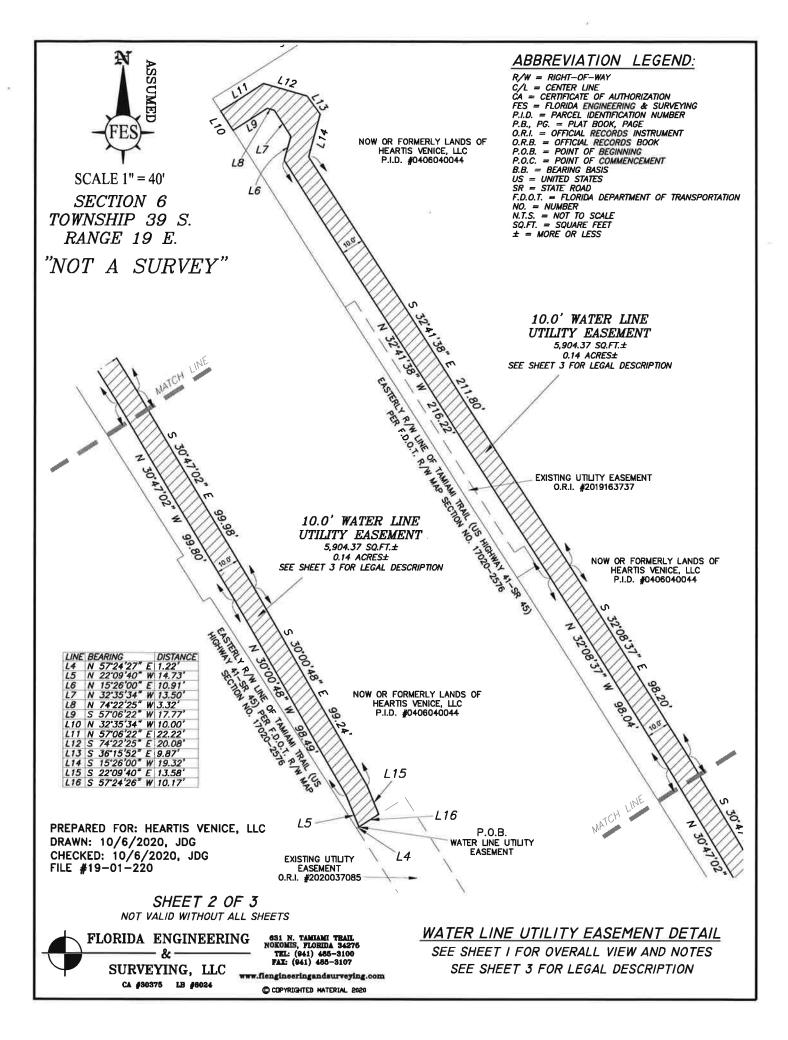
My Commission Expires:

LAURA RAMEY
Notary Public, State of Texas
Comm. Expires 07-13-2021
Notary ID 129470482

## **ACCEPTANCE BY GRANTEE**

of, 20	d agreed to by the City of Venice, Florida, this _	day
ATTEST:	Ron Feinsod, Mayor	_
Lori Stelzer, City Clerk		





### LEGAL DESCRIPTION OF:

A TEN (10) FOOT WIDE WATER LINE UTILITY EASEMENT LYING OVER, UNDER AND ACROSS A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT #2018141793, ALL LYING AND BEING IN THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 39 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST COMER OF LOT 1, BLOCK 17, PLAT OF NOKOMIS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 11, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG THE WESTERLY BOUNDARY LINE OF SAID LOT 1, S 31°55'25" E, A DISTANCE OF 208.35 FEET TO A POINT OF INTERSECTION WITH THE SOUTHEASTERLY BOUNDARY LINE OF A 20 FOOT ALLEY, LYING 20 FEET SOUTH OF AND PARALLEL WITH THE SOUTHERLY BOUNDARY OF LOT 42, BLOCK F, OF SAID PLAT OF NOKOMIS; THENCE ALONG SAID SOUTHEASTERLY BOUNDARY LINE, S 57'46'04" W, A DISTANCE OF 159.22 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF TAMIAMI TRAIL (U.S. HIGHWAY 41, S.R. 45) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION NO. 17020-2576; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF SAID TAMIAMI TRAIL FOR THE FOLLOWING FIVE (5) COURSES: 1) S 32°35'34" E, A DISTANCE OF 425.64 FEET; 2) THENCE S 59°04'34" W, A DISTANCE OF 3.22 FEET; 3) THENCE S 32°05'44" E, A DISTANCE OF 21.52 FEET; 4) THENCE N 59°07'06" E, A DISTANCE OF 3.41 FEET; 5) THENCE S 32°35'34" E, A DISTANCE OF 119.34; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, N 57'24'27" E, A DISTANCE OF 1.22 FEET FOR A POINT OF BEGINNING; THENCE N 22°09'40" W, A DISTANCE OF 14.73 FEET; THENCE N 30°00'48" W, A DISTANCE OF 98.49 FEET; THENCE N 30'47'02" W, A DISTANCE OF 99.80 FEET; THENCE N 32'08'37" W, A DISTANCE OF 98.04 FEET; THENCE N 32°41'38" W. A DISTANCE OF 216.22 FEET; THENCE N 15'26'00" E, A DISTANCE OF 10.91 FEET; THENCE N 32'35'34" W, A DISTANCE OF 13.50 FEET; THENCE N 74°22'25" W, A DISTANCE OF 3.32 FEET; THENCE S 57°06'22" W, A DISTANCE OF 17.77 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF TAMIAMI TRAIL (U.S. HIGHWAY 41, S.R. 45) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION NO. 17020-2576; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N 32'35'34" W, A DISTANCE OF 10.00 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, N 57°06'22" E, A DISTANCE OF 22.22 FEET; THENCE S 74°22'25" E, A DISTANCE OF 20.08 FEET; THENCE S 36°15'52" E, A DISTANCE OF 9.87 FEET; THENCE S 15'26'00" W, A DISTANCE OF 19.32 FEET; THENCE S 32'41'38" E, A DISTANCE OF 211.80 FEET; THENCE S 32'08'37" E, A DISTANCE OF 98.20 FEET; THENCE S 30'47'02" E, A DISTANCE OF 99.98 FEET; THENCE S 30°00'48" E, A DISTANCE OF 99.24 FEET; THENCE S 22°09'40" E, A DISTANCE OF 13.58 FEET; THENCE S 57°24'26" W, A DISTANCE OF 10.17 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 5,904.37 SQUARE FEET OR 0.14 ACRES, MORE OR LESS.

PREPARED FOR: HEARTIS VENICE, LLC DRAWN: 10/6/2020, JDG CHECKED: 10/6/2020, JDG FILE #19-01-220

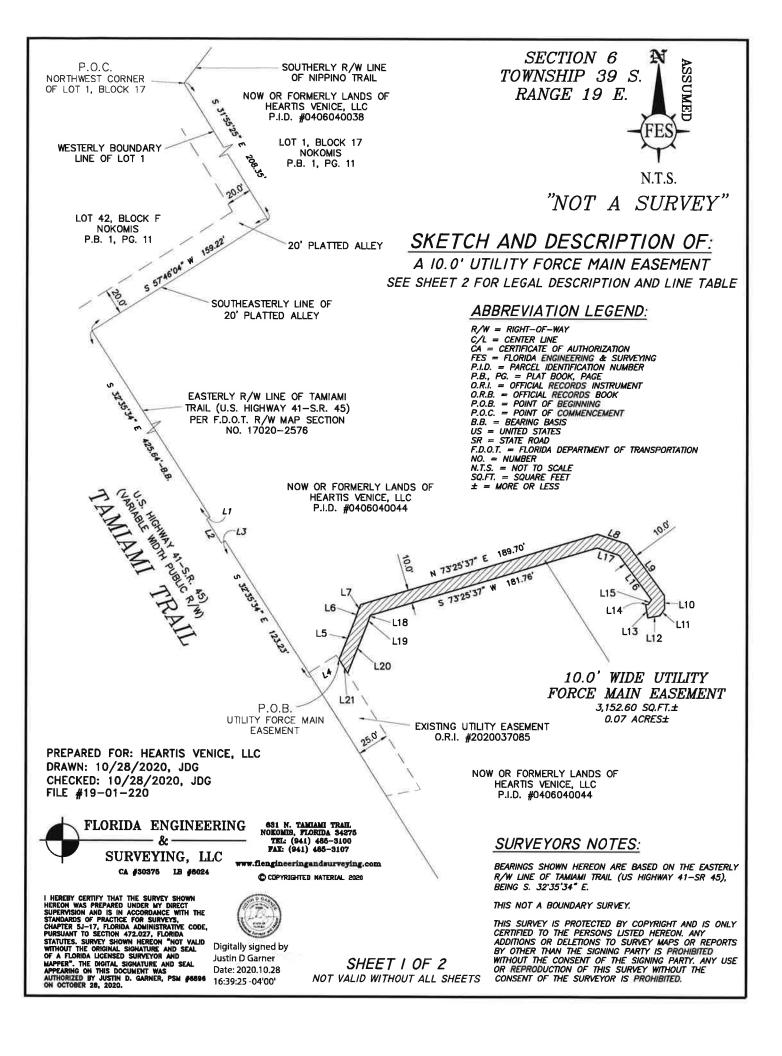
CA #30375 LB #8024



631 N. TAMIAMI TRAIL NOKOMIS, FLORIDA 34275 TEL: (941) 485-3100 FAX: (941) 485-3107 flengineeringandsurveying.c.

www.flengineeringandsurveying.com
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SHEET 3 OF 3 NOT VALID WITHOUT ALL SHEETS SEE SHEET I FOR OVERALL VIEW AND NOTES SEE SHEET 2 FOR EASEMENT DETAIL



# "NOT A SURVEY"

# LEGAL DESCRIPTION OF:

A TEN (10) FOOT WIDE UTILITY FORCE MAIN EASEMENT LYING OVER, UNDER AND ACROSS A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT #2018141793, ALL LYING AND BEING IN THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 39 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST COMER OF LOT 1, BLOCK 17, PLAT OF NOKOMIS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 11, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG THE WESTERLY BOUNDARY LINE OF SAID LOT 1, S 31°55'25" E, A DISTANCE OF 208.35 FEET TO A POINT OF INTERSECTION WITH THE SOUTHEASTERLY BOUNDARY LINE OF A 20 FOOT ALLEY, LYING 20 FEET SOUTH OF AND PARALLEL WITH THE SOUTHERLY BOUNDARY OF LOT 42, BLOCK F, OF SAID PLAT OF NOKOMIS; THENCE ALONG SAID SOUTHEASTERLY BOUNDARY LINE, S 57\*46'04" W, A DISTANCE OF 159.22 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF TAMIAM! TRAIL (U.S. HIGHWAY 41, S.R. 45) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION NO. 17020-2576; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF SAID TAMIAMI TRAIL FOR THE FOLLOWING FIVE (5) COURSES: 1) S 32°35'34" E, A DISTANCE OF 425.64 FEET; 2) THENCE S 59'04'34" W, A DISTANCE OF 3.22 FEET; 3) THENCE S 32'05'44" E, A DISTANCE OF 21.52 FEET; 4) THENCE N 59'07'06" E, A DISTANCE OF 3.41 FEET; 5) THENCE S 32'35'34" E. A DISTANCE OF 123.23 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, N 57\*24'26" E, DISTANCE OF 25.00 FEET TO A POINT ON THE EASTERLY LINE OF AN EXISTING 25 FOOT WIDE UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS INSTRUMENT #2020037085, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 21'58'54" E, A DISTANCE OF 33.71 FEET; THENCE N 17'52'28" E, A DISTANCE OF 5.09 FEET; THENCE N 21'56'22" E, A DISTANCE OF 6.28 FEET; THENCE N 73'25'37" E, A DISTANCE OF 189.70 FEET; THENCE S 71'53'53" E, A DISTANCE OF 23.74 FEET; THENCE S 36"14'26" E, A DISTANCE OF 48.59 FEET; THENCE S 01"06'55" E, A DISTANCE OF 10.27 FEET; THENCE S 34"39'24" W, A DISTANCE OF 6.19 FEET; THENCE S 79"39'24" W, A DISTANCE OF 9.59 FEET; THENCE N 10°20'36" W, A DISTANCE OF 10.00 FEET; THENCE N 79°39'24" E, A DISTANCE OF 2.24 FEET; THENCE N 34'39'24" E, A DISTANCE OF 4.24 FEET; THENCE N 36'14'26" W, A DISTANCE OF 42.21 FEET; THENCE N 71°53'53" W, A DISTANCE OF 17.40 FEET; THENCE S 73°25'37" W, A DISTANCE OF 181.76 FEET; THENCE S 21°56'22" W, A DISTANCE OF 1.10 FEET; THENCE S 17°52'28" W, A DISTANCE OF 5.10 FEET; THENCE S 21'58'54" W, A DISTANCE OF 41.18 FEET TO A POINT ON THE EASTERLY LINE OF AN EXISTING 25 FOOT WIDE UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS INSTRUMENT #2020037085, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY LINE, N 32°35'34" W, A DISTANCE OF 12.27 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 3,152.60 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

PREPARED FOR: HEARTIS VENICE, LLC DRAWN: 10/28/2020, JDG CHECKED: 10/28/2020, JDG

FILE #19-01-220

LINE BEARING DISTANCE
L1 \$ 59'04'34" W 3.22'
L2 \$ 32'05'44" E 21.52'
L3 N 59'07'06" E 3.41'
L4 N 57'24'26" E 25.00'
L5 N 21'58'54" E 5.09'
L7 N 21'56'22" E 6.28'
L8 \$ 71'53'53" E 23.74'
L9 \$ 36'14'26" E 48.59'
L10 \$ 01'06'55" E 10.27'
L11 \$ 34'39'24" W 6.19'
L12 \$ 79'39'24" W 9.59'
L13 N 10'20'36" W 10.00'
L14 N 79'39'24" E 2.24'
L15 N 34'39'24" E 2.24'
L16 N 36'14'26" W 42.21'
L17 N 71'53'53" W 17.40'
L18 \$ 21'56'22" W 1.10'
L19 \$ 17'52'28" W 5.10'
L20 \$ 21'58'54" W 41.18'
L21 N 32'35'34" W 12.27'



FLORIDA ENGINEERING

SURVEYING, LLC

631 N. TAMIAMI TRAIL NOKOMIS, FLORIDA 34275 TEL: (941) 485-3100 FAX: (941) 485-3107

www.flengineeringandsurveying.com
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SHEET 2 OF 2
SEE SHEET I FOR SKETCH OF EASEMENT
NOT VALID WITHOUT ALL SHEETS