



BOONE, BOONE, BOONE, KODA & FROOK, P.A.

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ESTABLISHED 1956

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JAMES T. COLLINS, III, FLENER
VICTOR MENDEZ, PH.D., D.D.S., D.P.A.

May 31, 2017

STREET ADDRESS
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VIA ELECTRONIC & REGULAR U.S. MAIL

Mr. Scott Pinkerton
Pinkelly, LLC
570 River Road North
Venice, Florida 34293

Re: Easement 350 West Venice Ave Post Office

Dear Scott:

You have requested that we review an easement, a copy of which is attached hereto, and render an opinion concerning same. The easement encumbers real property utilized by the United States Post Office at 350 West Venice Avenue in Venice, Florida. Pinkelly, LLC, is the fee simple owner of the property encumbered by this easement and you have informed us that it intends to develop this property upon termination of the easement.

The easement agreement, executed between Venice-Nokomis Bank and Trust Company (predecessor in interest to Pinkelly, LLC) and Venice West, Inc., is for walkways, plantings, driveways and parking purposes. It is our opinion that clearly, per the terms of the easement agreement, the easement will terminate on October 4, 2024. Upon termination of the easement, the U.S. Post Office and Venice West, Inc., will have no rights of any kind in and to the easement property, and Pinkelly, LLC, will have full rights to utilize the property for any legally permissible means.

If you have any questions in this regard, please do not hesitate to contact us.

Kind regards.

Very truly yours,

Jeffery A. Boone

JAB

Attachment

1067 957

61
Edward J. Mason
301 West Venice Avenue
Venice, Florida 33595

EASEMENT

STATE OF FLORIDA
DOCUMENTARY SURTAX
700.55
700.55

FOR AND IN CONSIDERATION of the sum of TEN (\$10.00) DOLLARS and other good and valuable considerations in hand paid to VENICE-NOKOMIS BANK AND TRUST COMPANY, a Florida banking corporation, the receipt and sufficiency of which is hereby acknowledged, the said VENICE-NOKOMIS BANK AND TRUST COMPANY does hereby grant unto VENICE WEST, INC., a Florida corporation, its successors and assigns, an easement over Parcel One (1) as described on Exhibit A attached for walkways and plantings and an easement over Parcel Two (2) as described on Exhibit A attached for driveway and parking purposes.

These easements shall terminate Fifty (50) years from the date hereof or at such sooner time as the property contiguous to westerly boundaries of Parcels One (1) and Two (2) is no longer exclusively used as a Post Office.

The said VENICE WEST, INC., shall, during the term hereof, maintain the easement in a clean, neat and orderly condition at all times and shall hold VENICE-NOKOMIS BANK AND TRUST COMPANY, its successors and assigns, harmless from all manner of action and causes of action arising out of the use of the parcels described above by members of the public using same and shall pay all ad valorem taxes due with respect to the subject property.

VENICE-WEST, INC., by the acceptance hereof agrees to perform all the obligations herein stated.

IN WITNESS WHEREOF, the said VENICE-NOKOMIS BANK AND TRUST COMPANY, has caused these presents to be executed by its President and its corporate seal to be hereunto affixed, with full authority so to do, this 3rd day of October, 1974.

In the presence of:

Marquitta L. Evans
W. J. [unclear]

VENICE-NOKOMIS BANK AND TRUST COMPANY
BY *Edward J. Mason*
President
(CORPORATE SEAL)

REC 1067 957

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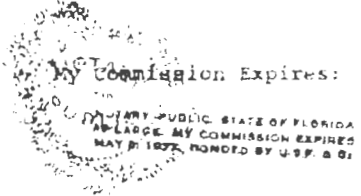
STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned authority personally appeared David P. Voigt, who acknowledges signing the foregoing instrument as President of VENICE-NOKONIS BANK AND TRUST COMPANY and affixing the true corporate seal thereto, with full authority so to do.

Witness my hand and seal this 3rd day of October, 1974.

Marguerite L. Eaton
Notary Public

My Commission Expires:



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EXHIBIT "A"

PARCEL ONE

All of Lots 21 and 22, the West 22 feet of Lot 23, and the South 10 feet of vacated alley lying adjacent to and North of the herein described lands, in Block 43, GULFVIEW SECTION OF VENICE, as recorded in Plat Book 2, Pages 77 and 77A, Public Records of Sarasota County, Florida.

PARCEL TWO

The East 45 feet of Lot 8 and the West 27 feet of Lot 7, and the North 10 feet of vacated alley lying adjacent to and South of the herein described property, in Block 43, GULFVIEW SECTION OF VENICE, as recorded in Plat Book 2, Pages 77 and 77A, Public Records of Sarasota County, Florida.

Easement between Venice-Nokomis Bank & Trust Company and Venice West, Inc.

FILED LAND RECORDS
R. J. ALLEN, JR. CLERK
SARASOTA COUNTY, FLA.
JUN 25 3 21 PM '75

612346

1067 N 959