

RESOLUTION NO. 2020-49

**A RESOLUTION OF THE CITY OF VENICE, FLORIDA, ACCEPTING UTILITIES AND IMPROVEMENTS
INSTALLED BY HEARTIS VENICE, LLC, AND ACCEPTING A ONE YEAR DEVELOPERS
MAINTENANCE BOND AND BILL OF SALE, AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, Heartis Venice, LLC, hereinafter referred to as "Developer", has installed potable water distribution lines and wastewater collection systems and including all necessary appurtenances for the rendering of utility services to the following described property: Heartis Venice located at 1020 Tamiami Trail N., Venice, FL; and

WHEREAS, Developer, in accordance with the City of Venice Resolution No. 853-84 is desirous of turning over said improvements to the City of Venice; and

WHEREAS, the construction and installation of said improvements complies with the rules and regulations of the City of Venice; and

WHEREAS, Developer has submitted the documentation required by City of Venice Resolution No. 853-84, including a one-year maintenance bond and said documentation is acceptable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

SECTION 1. The above Whereas clauses are ratified and confirmed as true and correct.

SECTION 2. The potable water distribution lines and wastewater collection systems and all necessary appurtenances for the rendering of utility services, in the area above described, are hereby accepted as part of the utility system of the City of Venice, Florida.

SECTION 3. The Bill of Sale attached hereto as Exhibit "1", is hereby accepted by the City of Venice, Florida.

SECTION 4. The one-year developer's maintenance bond attached hereto as Exhibit "2", is hereby accepted by the City of Venice, Florida.

SECTION 5. This Resolution shall take effect immediately upon its approval and adoption as required by law.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, AT A MEETING HELD ON
THE 17TH DAY OF NOVEMBER 2020.**

Ron Feinsod, Mayor, City of Venice

ATTEST:

Lori Stelzer, MMC, City Clerk

I, Lori Stelzer, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of a Resolution duly adopted by the City Council of the City of Venice, Florida, at a meeting thereof duly convened and held on the 17th day of November 2020, a quorum being present.

WITNESS my hand and official seal of said City this 17th day of November 2020.

Lori Stelzer, MMC, City Clerk

(S E A L)

Approved as to form:

Kelly Fernandez, City Attorney

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that HEARTIS VENICE, LLC, PARTY OF THE FIRST PART, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, to it paid by the CITY OF VENICE, PARTY OF THE SECOND PART, the receipt of which is hereby acknowledged, by these presents does grant, bargain, sell, transfer, and deliver unto the party of the second part, its successors and assigns, all those certain goods and chattels located in the County of Sarasota and the State of Florida, more particularly described as follows:

All pipelines, pipes, tees, ells, manholes, connections, cut-offs, fire hydrants, valves, and all other equipment used for, useful for, and/or in connection with, the water distribution and waste water collection systems constructed and installed by the party of the first part in the lands described in the attached Exhibit A (includes the location of the proposed onsite utilities). The specific proposed onsite utilities are more particularly described in Exhibit B, the engineer's estimate used to establish the maintenance bond amount for the utilities.

It is the purpose and intent of the party of the first part to convey to the party of the second part, by this Bill of Sale, all property comprising said water distribution and waste water collection systems to and within the above described property, together with all of the rights of the party of the first part arising out of any and all guarantees, performance bonds, contracts and agreements of the party of the first part in connection with said water distribution and waste water collection systems.

TOGETHER with every right, privilege, permit and easement of every kind and nature of the party of the first part, in and to and in connection with, the aforesaid water distribution and wastewater collection systems, reserving however, similar non-exclusive easement rights in party of the first part for other utility purposes.

TO HAVE AND TO HOLD the same unto the party of the second part, its successors and assigns, forever.

AND THE PARTY OF THE FIRST PART does for itself and its successors covenant to and with the party of the second part, its successors and assigns, that it is the lawful owner of the above described goods and chattels and that the said property is free and clear of all liens, encumbrances, and charges whatsoever; that it has good right and lawful authority to sell the same as aforesaid, and that it does warrant to defend the title and the sale of the said properties hereby made, unto the said party of the second part, its successors and assigns, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed and its name by its proper officers and its corporate seal to be affixed, this 26th day of October, 2020.

WITNESSES:

Dail Bt

Heartis Venice, LLC, a Delaware limited liability company

By: Heartis Venice JV, LLC, a Delaware limited liability company, its sole member

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

By: Heartis Venice GP, LLC, a Texas limited liability company, its general partner

By:

[Signature]
Name: Lance M. Hardenburg
Title: Manager

STATE OF TEXAS
COUNTY OF DALLAS

The foregoing instrument was acknowledged before me this 26 day of October, 2020, by Lance M. Hardenburg, as Manager of Heaven's Venice LP, LLC, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who produced _____ as identification.

Laura Ramey
Notary Public

Print Name: Laura Ramey

My Commission Expires: 7/13/21

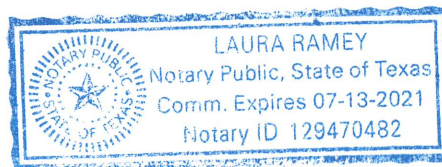


EXHIBIT A

P.O.C.
NORTHWEST CORNER
OF LOT 1, BLOCK 17

WESTERLY BOUNDARY
LINE OF LOT 1

LOT 42, BLOCK F
NOKOMIS
P.B. 1, PG. 11

SOUTHERLY R/W LINE
OF NIPPINO TRAIL
NOW OR FORMERLY LANDS OF
HEARTIS VENICE, LLC
P.I.D. #0406040038

LOT 1, BLOCK 17
NOKOMIS
P.B. 1, PG. 11

20' PLATTED ALLEY

SOUTHEASTERLY LINE OF
20' PLATTED ALLEY

NOW OR FORMERLY LANDS OF
HEARTIS VENICE, LLC
P.I.D. #0406040044

EXISTING UTILITY EASEMENT
O.R.I. #2019163737

EASTERLY R/W LINE OF TAMiami
TRAIL (U.S. HIGHWAY 41-S.R. 45)
PER F.D.O.T. R/W MAP SECTION
NO. 17020-2576

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

SURVEYORS NOTES:

BEARINGS SHOWN HEREON ARE BASED ON THE EASTERLY
R/W LINE OF TAMiami TRAIL (US HIGHWAY 41-SR 45),
BEING S. 32°35'34" E.

THIS NOT A BOUNDARY SURVEY.

THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS ONLY
CERTIFIED TO THE PERSONS LISTED HEREON. ANY
ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS
BY OTHER THAN THE SIGNING PARTY IS PROHIBITED
WITHOUT THE CONSENT OF THE SIGNING PARTY. ANY USE
OR REPRODUCTION OF THIS SURVEY WITHOUT THE
CONSENT OF THE SURVEYOR IS PROHIBITED.



FLORIDA ENGINEERING

&

SURVEYING, LLC

CA #30375 LB #8024

651 N. TAMiami TRAIL
NOKOMIS, FLORIDA 34275
TEL: (941) 485-8100
FAX: (941) 485-8107

www.flengineeringandsurveying.com

© COPYRIGHTED MATERIAL 2020

Digitally
signed by
Justin D
Garner
Date:
2020.10.06
16:05:39
-04'00'



I HEREBY CERTIFY THAT THE SURVEY SHOWN
HEREON WAS PREPARED UNDER MY DIRECT
SUPERVISION AND IS IN ACCORDANCE WITH THE
STANDARDS OF PRACTICE FOR SURVEYS, CHAPTER
5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT
TO SECTION 472.027, FLORIDA STATUTES. SURVEY
SHOWN HEREON "NOT VALID WITHOUT THE ORIGINAL
SIGNATURE AND SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER". THE DIGITAL SIGNATURE
AND SEAL APPEARING ON THIS DOCUMENT WAS
AUTHORIZED BY JUSTIN D. GARNER, PSM #6896 ON
OCTOBER, 6, 2020.

SECTION 6
TOWNSHIP 39 S.
RANGE 19 E.



N.T.S.

"NOT A SURVEY"

SKETCH AND DESCRIPTION OF:

A 10.0' WATER LINE UTILITY EASEMENT

SEE SHEET 2 FOR EASEMENT DETAIL

SEE SHEET 3 FOR LEGAL DESCRIPTION

ABBREVIATION LEGEND:

R/W = RIGHT-OF-WAY
C/L = CENTER LINE
CA = CERTIFICATE OF AUTHORIZATION
FES = FLORIDA ENGINEERING & SURVEYING
P.I.D. = PARCEL IDENTIFICATION NUMBER
P.B., PG. = PLAT BOOK, PAGE
O.R.I. = OFFICIAL RECORDS INSTRUMENT
O.R.B. = OFFICIAL RECORDS BOOK
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
B.B. = BEARING BASIS
US = UNITED STATES
SR = STATE ROAD
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
NO. = NUMBER
N.T.S. = NOT TO SCALE
SQ.FT. = SQUARE FEET
± = MORE OR LESS

10.0' WIDE WATER LINE
UTILITY EASEMENT

5,904.37 SQ.FT.±

0.14 ACRES±

SEE SHEET 2 FOR EASEMENT DETAIL
SEE SHEET 3 FOR LEGAL DESCRIPTION

LINE	BEARING	DISTANCE
L1	S 59°04'34" W	3.22'
L2	S 32°05'44" E	21.52'
L3	N 59°07'06" E	3.41'
L4	N 57°24'27" E	1.22'

NOW OR FORMERLY LANDS OF
HEARTIS VENICE, LLC
P.I.D. #0406040044

P.O.B.
WATER LINE UTILITY
EASEMENT

EXISTING UTILITY EASEMENT
O.R.I. #2020037085

SHEET 1 OF 3
NOT VALID WITHOUT ALL SHEETS



SCALE 1" = 40'

SECTION 6
TOWNSHIP 39 S.
RANGE 19 E.

"NOT A SURVEY"

ABBREVIATION LEGEND:

R/W = RIGHT-OF-WAY
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F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
NO. = NUMBER
N.T.S. = NOT TO SCALE
SQ.FT. = SQUARE FEET
± = MORE OR LESS

NOW OR FORMERLY LANDS OF
HEARTIS VENICE, LLC
P.I.D. #0406040044

10.0' WATER LINE UTILITY EASEMENT

5,904.37 SQ.FT.±
0.14 ACRES±

SEE SHEET 3 FOR LEGAL DESCRIPTION

EXISTING UTILITY EASEMENT
O.R.I. #2019163737

10.0' WATER LINE UTILITY EASEMENT

5,904.37 SQ.FT.±
0.14 ACRES±

SEE SHEET 3 FOR LEGAL DESCRIPTION

NOW OR FORMERLY LANDS OF
HEARTIS VENICE, LLC
P.I.D. #0406040044

LINE	BEARING	DISTANCE
L4	N 57°24'27" E	1.22'
L5	N 22°09'40" W	14.73'
L6	N 15°26'00" E	10.91'
L7	N 32°35'34" W	13.50'
L8	N 74°22'25" W	3.32'
L9	S 57°06'22" W	17.77'
L10	N 32°35'34" W	10.00'
L11	N 57°06'22" E	22.22'
L12	S 74°22'25" E	20.08'
L13	S 36°15'52" E	9.87'
L14	S 15°26'00" W	19.32'
L15	S 22°09'40" E	13.58'
L16	S 57°24'26" W	10.17'

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

EXISTING UTILITY
EASEMENT
O.R.I. #2020037085

P.O.B.
WATER LINE UTILITY
EASEMENT

SHEET 2 OF 3

NOT VALID WITHOUT ALL SHEETS



FLORIDA ENGINEERING
&
SURVEYING, LLC

CA #80375 LB #8024

631 N. TAMiami TRAIL
NOKOMIS, FLORIDA 34276
TEL: (941) 486-3100
FAX: (941) 486-3107

www.flengineeringandsurveying.com

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WATER LINE UTILITY EASEMENT DETAIL

SEE SHEET 1 FOR OVERALL VIEW AND NOTES

SEE SHEET 3 FOR LEGAL DESCRIPTION

"NOT A SURVEY"

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



FLORIDA ENGINEERING

&

SURVEYING, LLC

CA #30375 LB #8024

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

www.flengineeringandsurveying.com

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SHEET 3 OF 3

NOT VALID WITHOUT ALL SHEETS

SEE SHEET 1 FOR OVERALL VIEW AND NOTES

SEE SHEET 2 FOR EASEMENT DETAIL

P.O.C.
NORTHWEST CORNER
OF LOT 1, BLOCK 17

WESTERLY BOUNDARY
LINE OF LOT 1

LOT 42, BLOCK F
NOKOMIS
P.B. 1, PG. 11

SOUTHERLY R/W LINE
OF NIPPINO TRAIL

NOW OR FORMERLY LANDS OF
HEARTIS VENICE, LLC
P.I.D. #0406040038

LOT 1, BLOCK 17
NOKOMIS
P.B. 1, PG. 11

20' PLATTED ALLEY

SOUTHEASTERLY LINE OF
20' PLATTED ALLEY

EASTERLY R/W LINE OF TAMiami
TRAIL (U.S. HIGHWAY 41-S.R. 45)
PER F.D.O.T. R/W MAP SECTION
NO. 17020-2576

NOW OR FORMERLY LANDS OF
HEARTIS VENICE, LLC
P.I.D. #0406040044

U.S. HIGHWAY 41-S.R. 45)
(VARIABLE WIDTH PUBLIC R/W)
TAMiami TRAIL

P.O.B.
UTILITY FORCE MAIN
EASEMENT

EXISTING UTILITY EASEMENT
O.R.I. #2020037085

PREPARED FOR: HEARTIS VENICE, LLC
DRAWN: 10/28/2020, JDG
CHECKED: 10/28/2020, JDG
FILE #19-01-220



**FLORIDA ENGINEERING
&
SURVEYING, LLC**

CA #30375 LB #8024

631 N. TAMiami TRAIL
NOKOMIS, FLORIDA 34275
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I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS PREPARED UNDER MY
DIRECT SUPERVISION AND IS IN ACCORDANCE WITH THE STANDARDS OF PRACTICE
FOR SURVEYS, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO
SECTION 472.027, FLORIDA STATUTES. SURVEY SHOWN HEREON "NOT VALID
WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR
AND MAPPER".

JUSTIN D. GARNER

PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 6896

SECTION 6
TOWNSHIP 39 S.
RANGE 19 E.



N.T.S.

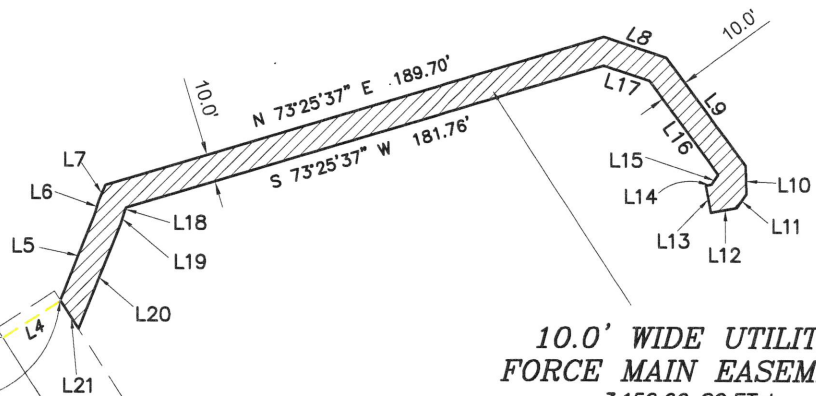
"NOT A SURVEY"

**SKETCH AND DESCRIPTION OF:
A 10.0' UTILITY FORCE MAIN EASEMENT**

SEE SHEET 2 FOR LEGAL DESCRIPTION AND LINE TABLE

ABBREVIATION LEGEND:

R/W = RIGHT-OF-WAY
C/L = CENTER LINE
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F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
NO. = NUMBER
N.T.S. = NOT TO SCALE
SQ.FT. = SQUARE FEET
± = MORE OR LESS



**10.0' WIDE UTILITY
FORCE MAIN EASEMENT**
3,152.60 SQ.FT. ±
0.07 ACRES ±

NOW OR FORMERLY LANDS OF
HEARTIS VENICE, LLC
P.I.D. #0406040044

SURVEYORS NOTES:

BEARINGS SHOWN HEREON ARE BASED ON THE EASTERLY
R/W LINE OF TAMiami TRAIL (US HIGHWAY 41-SR 45),
BEING S. 32°35'34" E.

THIS NOT A BOUNDARY SURVEY.

THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS ONLY
CERTIFIED TO THE PERSONS LISTED HEREON. ANY
ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS
BY OTHER THAN THE SIGNING PARTY IS PROHIBITED
WITHOUT THE CONSENT OF THE SIGNING PARTY. ANY USE
OR REPRODUCTION OF THIS SURVEY WITHOUT THE
CONSENT OF THE SURVEYOR IS PROHIBITED.

"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:

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

LINE	BEARING	DISTANCE
L1	S 59°04'34" W	3.22'
L2	S 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	33.71'
L6	N 17°52'28" E	5.09'
L7	N 21°56'22" E	6.28'
L8	S 71°53'53" E	23.74'
L9	S 36°14'26" E	48.59'
L10	S 01°06'55" E	10.27'
L11	S 34°39'24" W	6.19'
L12	S 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	4.24'
L16	N 36°14'26" W	42.21'
L17	N 71°53'53" W	17.40'
L18	S 21°56'22" W	1.10'
L19	S 17°52'28" W	5.10'
L20	S 21°58'54" W	41.18'
L21	N 32°35'34" W	12.27'

PREPARED FOR: HEARTIS VENICE, LLC
DRAWN: 10/28/2020, JDG
CHECKED: 10/28/2020, JDG
FILE #19-01-220



**FLORIDA ENGINEERING
&
SURVEYING, LLC**

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

www.flengineeringandsurveying.com

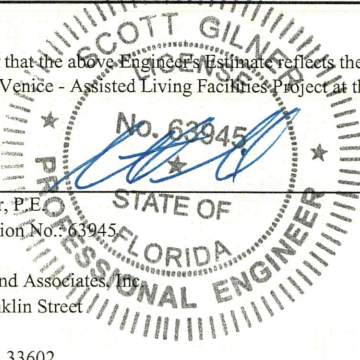
CA #30375 LB #8024

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SHEET 2 OF 2

SEE SHEET 1 FOR SKETCH OF EASEMENT
Page 10 of 18, Res No. 2020-26
NOT VALID WITHOUT ALL SHEETS

EXHIBIT B

Engineer's Estimate					
City of Venice - Existing Onsite Utilities Turnover					
Project: Heartis Venice - Assisted Living Facility					
No.	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT	
I. EXISTING UTILITIES (WATER AND SANITARY SEWER)					
ONSITE					
1	Utility Pipe - PVC, F&I, Sewer, 4" (Open Cut)	315	LF	65.00	20,475.00
2	Utility Pipe - PVC, F&I, Water, 8" (Open Cut)	616	LF	70.00	43,120.00
3	Utility Pipe - PVC, F&I, Water, 12" (Open Cut)	11	LF	255.00	2,805.00
4	Utility Fitting, MJ DI Reducer, F&I, 6" x 4"	1	EA	750.00	750.00
5	Utility Fitting, MJ DI Reducer, F&I, 12" x 8"	1	EA	1,500.00	1,500.00
6	Utility Fitting, MJ DI 22.5° Bend, F&I, 4"	1	EA	750.00	750.00
7	Utility Fitting, MJ DI 45° Bend, F&I, 4"	9	EA	750.00	6,750.00
8	Utility Fitting, MJ DI 45° Bend, F&I, 8"	6	EA	1,150.00	6,900.00
9	Utility Fitting, MJ DI Tee, F&I, 8" x 6"	2	EA	1,500.00	3,000.00
10	Utility Fitting, MJ DI Tee, F&I, 12" x 6"	1	EA	2,000.00	2,000.00
11	Utility Fitting, MJ DI Tee, F&I, 12" x 8"	1	EA	2,000.00	2,000.00
12	Utility Fixture, Gate Valve, F&I, 4"	1	EA	2,000.00	2,000.00
13	Utility Fixture, Gate Valve, F&I, 6"	2	EA	2,000.00	4,000.00
14	Utility Fixture, Gate Valve, F&I, 8"	1	EA	2,500.00	2,500.00
15	Fire Hydrant, F&I, STD, 2 Hose, 1 Pump, 6"	1	EA	6,000.00	6,000.00
16	Asphalt Road Restoration	809	SY	150.00	121,350.00
17	Performance Turf, Sod Restoration	211	SY	3.00	633.00
18	Tree, Medium Canopy	6	EA	500.00	3,000.00
19	Concrete Sidewalk and Driveways, 4" Thick	10	SY	32.00	320.00
20	Concrete Curb, Type D	250	LF	25.00	6,250.00
ONSITE SUBTOTAL \$					236,103
SUMMARY					
SUBTOTAL \$					236,103
OVERHEAD AND PROFIT (10%) \$					23,610
CONTINGENCY (10%) \$					23,610
TOTAL \$					283,324
MAINTENANCE BOND (10%) \$					28,332
Assumptions: Unit prices based upon existing projects in construction & vendor cost proposals					
Kimley-Horn and Associates, Inc. has no control over the cost of labor, materials, equipment, or services furnished by others, or over methods of determining price, or over competitive bidding or market conditions. Any and all professional opinions as to costs reflected herein, including but not limited to professional opinions as to the costs of construction materials, are made on the basis of professional experience and available data. Kimley-Horn and Associates, Inc. cannot and does not guarantee or warrant that proposals, bids, or actual costs will not vary from the professional opinions of costs shown herein.					
<p>I hereby certify that the above Engineer's Estimate reflects the Existing Utilities Construction Costs for the Heartis Venice - Assisted Living Facilities Project at the City of Venice, FL</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  <p>Scott W. Gilner, P.E. FL PE Registration No.: 63945</p> <p>Kimley-Horn and Associates, Inc. 655 North Franklin Street Suite 150 Tampa, Florida 33602</p> </div> <div style="text-align: center;"> <p><i>10/27/2020</i></p> <p>_____ Date</p> </div> </div>					

DEVELOPERS MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS, that Heartis Venice, LLC, herein called "Developer", is held and firmly bound unto the City of Venice, a municipal corporation, herein called "City", in the full and just sum of Twenty-Eight Thousand Seven Hundred Fifty-Nine and 00/100 (\$ 28,759.00) Dollars, lawful money of the United States of America, to the payment of which sum, well and truly to be made, the Developer binds itself, its heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Developer to secure this obligation, has provided the City with an Irrevocable Standby Letter of Credit No. SB76929F in the amount of \$ 28,759.00 issued by Hancock Whitney Bank, which expires on May 5, 2022, the original of which is attached hereto.

WHEREAS, the Developer has developed an Assisted Living Facility in Venice, Florida, known and identified as Heartis Venice, and in connection therewith has installed, with the approval of the City Engineer, certain improvements identified on EXHIBIT A attached hereto.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS, that if the Developer shall promptly maintain, repair or replace said improvements as required by the City should said improvements, for whatever causes, require repair or replacement for a period of one year from the date of formal acceptance of said improvements by the City, and further that if the Developer shall pay any and all costs or expenses incidental to the performance of all work required to be performed hereunder, then this obligation shall be void and the letter of credit returned to the Developer, otherwise it shall remain in full force and effect.

In the event the Developer fails to satisfactorily perform any repair or maintenance work required herein within fifteen (15) days of a written request from the City, then the Developer shall be in default and the City shall have, in addition to all other rights, the immediate right to make or cause to be made, any such repairs and pay all costs, both direct and incidental, from the proceeds of this bond.

The City shall be entitled to its reasonable attorney's fees and costs in any action at law or equity, including appellate court actions, to enforce the City's rights under this bond.

IN WITNESS WHEREOF, the Developer has caused these presents to be duly executed on the 6th day of November, 2020.

ATTEST:

N/A
Secretary

DEVELOPER: 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,
its General Partner

By: 
Lance M. Hardenburg, Manager

STATE OF TEXAS
COUNTY OF Dallas

The foregoing instrument was acknowledged before me this 6 day of November, 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.

• Laura Ramey
• Laura Ramey

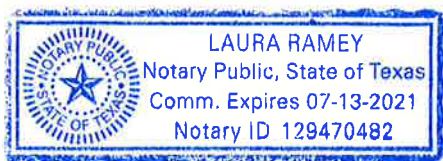
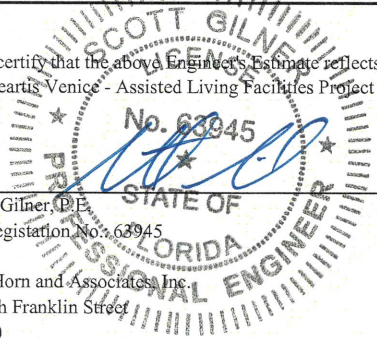


EXHIBIT A

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Project: Heartis Venice - Assisted Living Facility					
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Hancock Whitney Bank

Letter of Credit and Trade Services
701 Poydras, Suite 1400
New Orleans, LA 70139
Tel: (504) 586-7301
Fax:
SWIFT: WHITUS44

Irrevocable Standby Letter of Credit No.: SB76929F

ISSUE DATE: NOVEMBER 5, 2020

BENEFICIARY:
CITY OF VENICE
A MUNICIPAL CORPORATION
401 WEST VENICE AVENUE
VENICE, FL 34285

APPLICANT:
HEARTIS VENICE, LLC
5910 N. CENTRAL EXPRESSWAY
SUITE 1400
DALLAS, TEXAS 75206

CURRENCY/AMOUNT: USD \$28,759.00

EXPIRY DATE: MAY 5, 2022
EXPIRY PLACE: NEW ORLEANS, LA

WE HEREBY ISSUE OUR IRREVOCABLE STANDBY LETTER OF CREDIT NO. SB76929F IN FAVOR OF THE CITY OF VENICE, A MUNICIPAL CORPORATION ('CITY') FOR THE ACCOUNT OF HEARTIS VENICE, LLC ('DEVELOPER') UP TO THE AGGREGATE TWENTY EIGHT THOUSAND SEVEN HUNDRED FIFTY NINE AND NO/100 U.S. DOLLARS (USD \$28,759.00) EXPIRING AT OUR COUNTERS AT HANCOCK WHITNEY BANK, 701 POYDRAS, SUITE 1400, NEW ORLEANS, LA 70139, ATTN: LETTER OF CREDIT DEPT.

THIS LETTER OF CREDIT IS ISSUED TO THE CITY AS SECURITY FOR PROPOSED ONSITE UTILITIES TURNOVER (FORCE MAIN & WATER MAIN) RELATED TO THE HEARTIS VENICE, LLC SENIOR HOUSING FACILITY IN VENICE, FL.

FUNDS ARE AVAILABLE TO YOU UPON RECEIPT OF YOUR WRITTEN DEMAND STATING THAT:

1. THE DEVELOPER HAS FAILED TO SATISFACTORILY PERFORM REPAIR OR MAINTAIN WORK REQUIRED FOR HEARTIS VENICE FACILITY HEREIN WITHIN FIFTEEN (15) DAYS OF A WRITTEN REQUEST FROM THE CITY AND IS IN DEFAULT OF ITS OBLIGATION TO THE CITY.
2. COPY OF WRITTEN REQUEST THE CITY SENT TO THE DEVELOPER.

THIS LETTER OF CREDIT SHALL EXPIRE:

1. ON MAY 5, 2022 OR

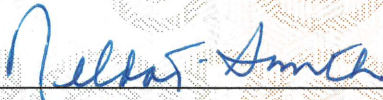
Hancock Whitney Bank



2. UPON RECEIPT BY US OF A LETTER, ACCOMPANIED BY THE ORIGINAL OF THIS LETTER OF CREDIT AND ALL AMENDMENTS (IF ANY), FROM THE CITY OF VENICE, A MUNICIPAL CORPORATION AUTHORIZATING US TO CANCEL.

WE HEREBY ENGAGE WITH YOU THAT ALL DEMANDS DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS LETTER OF CREDIT WILL BE DULY HONORED ON DELIVERY OF SPECIFIED DOCUMENTS TO HANCOCK WHITNEY BANK, 701 POYDRAS, SUITE 1400, NEW ORLEANS, LA 70139, ATTN: LETTER OF CREDIT DEPARTMENT, IF PRESENTED ON OR BEFORE THE ABOVE MENTIONED EXPIRY DATE.

EXCEPT SO FAR AS IS OTHERWISE STATED, THIS IRREVOCABLE LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES, ISP98 AS PUBLISHED BY THE INSTITUTE OF INTERNATIONAL BANKING LAW & PRACTICE, BEARING THE INTERNATIONAL CHAMBER OF COMMERCE (ICC) PUBLICATION NO. 590.


NELDA T. SMITH
SENIOR VICE PRESIDENT
HANCOCK WHITNEY BANK

ORIGINAL