

Prepared by: City Clerk

Return to: City of Venice  
401 W. Venice Ave.  
Venice FL 34285

**RESOLUTION NO. 2017-20**

**A RESOLUTION OF THE CITY OF VENICE, FLORIDA, TO VACATE A 10' DRAINAGE AND UTILITY EASEMENT TRAVERSING LOT 31, TRIPLE DIAMOND COMMERCE PLAZA NORTH VENICE, ACCORDING TO THE PLAT OF TRIPLE DIAMOND COMMERCE PLAZA AS RECORDED IN PLAT BOOK 43, PAGES 48, 48A THROUGH 48D, INCLUSIVE, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Tervis Tumbler Company has requested the City of Venice to vacate a drainage and utility easement that is no longer required to serve the public interest (attached hereto as Exhibit A); and

**WHEREAS**, city staff has recommended approval of the vacation of a drainage and utility easement; and

**WHEREAS**, pursuant to Section 3.06(d) of the City Charter, a public hearing, being duly advertised, as to the advisability and propriety of such vacation was held by the Venice City Council on August 22, 2017; and

**WHEREAS**, the Venice City Council, after due investigation and consideration, has determined that the drainage and utility easement described below is no longer required for public use, and the public interest would be best served by its vacation.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, AS FOLLOWS:**

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

**SECTION 2.** The City of Venice, to the extent of its interest hereby vacates and abandons a drainage and utility easement described below:

*That part of Lot 31, Triple Diamond Commerce Plaza, as recorded in Plat Book 43, Pages 48, 48A through 48D Public Records of Sarasota County, Florida, being a strip of land 10.00 feet wide lying 5.00 feet on each side of the following described centerline:*

*Commence at the northeast corner of said lot 31; thence along north line of said lot 31, S.89°09'15"W., 781.65 feet for a point of beginning; thence leaving said north line S.22°25'04"W., 761.95 feet to the southwest corner of said lot 31, for a point of termination of said centerline and containing 7,606.53 square feet more or less.*

*Subject to other easements, restrictions, and/or rights of way of record, if any.*

*The side lines of said easement are to be extended and/or shortened to their intersections and with said southerly right of way line of Triple Diamond Boulevard and the southerly and westerly lines of said lot 31.*

**SECTION 3.** Any rights of the City of Venice in and to the above described portion of a drainage and utility easement are hereby renounced and disclaimed.

**SECTION 4.** A certified copy of this resolution will be recorded in the Public Records of Sarasota County, Florida.

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

**APPROVED AND ADOPTED AT A REGULAR MEETING OF THE VENICE CITY COUNCIL HELD ON THE 22ND DAY OF AUGUST, 2017.**

**ATTEST**

\_\_\_\_\_  
John W. Holic, Mayor

\_\_\_\_\_  
Lori Stelzer, MMC, City Clerk

(SEAL)

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 22nd day of August 2017, a quorum being present.

WITNESS my hand and official seal of said City this 22nd day of August 2017.

\_\_\_\_\_  
Lori Stelzer, MMC, City Clerk

(SEAL)

Approved as to form:

\_\_\_\_\_  
David Persson, City Attorney