

Prepared by: Utilities and Clerk's Office

RESOLUTION NO. 2016-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VENICE, SARASOTA COUNTY, FLORIDA, AUTHORIZING THE CITY OF VENICE TO PROCEED WITH THE SUBORDINATION OF CITY UTILITY INTERESTS FOR FLORIDA DEPARTMENT OF TRANSPORTATION US 41 BYPASS PROJECT EASEMENT; RESCINDING RESOLUTION NO. 2015-09 AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida Department of Transportation (FDOT) proposes to construct or improve State Road No. 45-A (U.S. 41 Venice By-Pass), Section No. 17180-000, in Sarasota County, Florida; and

WHEREAS, it is necessary that certain easement rights owned by the City of Venice (City), Florida, be subordinated to the rights of the State of Florida Department of Transportation; and

WHEREAS, said subordination supersedes the prior subordination, Instrument #2014113911, as recorded in Sarasota County and is in the best interest of the City; and

WHEREAS, the State of Florida Department of Transportation has made application to said City to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, and said request having been duly considered.

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

SECTION 1. Resolution No. 2015-09 authorizing the City to proceed with the subordination of city utility interests for Florida Department of Transportation US 41 Bypass Project Easement is hereby rescinded in its entirety.

SECTION 2. The application of the State of Florida Department of Transportation for a subordination of utility interest, or interests, is for transportation purposes which are in the public or community interest and for public welfare; that a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation, in Bartow, Florida, should be drawn and executed by this city council. Consideration shall be \$10.00.

SECTION 3. A certified copy of this resolution shall be forwarded to the State of Florida Department of Transportation at Bartow, Florida.

APPROVED AND ADOPTED AT A REGULAR MEETING OF THE VENICE CITY COUNCIL HELD ON THE 14TH DAY OF JUNE 2016.

ATTEST

John Holic, Mayor

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 14th day of June 2016, a quorum being present.

WITNESS my hand and official seal of said City this 14th day of June 2016.

Lori Stelzer, MMC, City Clerk

(S E A L)

Approved as to form:

David Persson, City Attorney