



# MEMO

## City of Venice Engineering Department

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**To:** Mayor and City Council

**Thru:** Edward Lavalley, City Manager

**From:** Kathleen J. Weeden, PE, City Engineer *KJW*

**Date:** June 26, 2013

**Subject:** Flamingo Ditch Improvement Project Easements and License Agreements

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**Background:** The Flamingo Ditch Improvement Project is scheduled to begin this coming September. The intent of the project is to improve the water quality within Flamingo Ditch which discharges directly into the Gulf of Mexico and has the potential to degrade our beach water quality. The project will consist of debris and silt removal, exotic plant removal, native plantings and a sediment sump. This project is approved for SWFWMD cooperative funding which will fund 50% of the construction costs.

It is necessary that project work be completed outside of the existing public easement and therefore multiple private easements and 2 license agreements have been obtained from the adjacent property owners. These instruments give the City the legal authority to complete the proposed project and there may be additional less critical easements forthcoming.

**Requested Action:** City staff respectfully requests Council accept all attached easements and authorize the Mayor to execute the 2 license agreements.

**City Attorney Review:** Reviewed and approved.

**Risk Management Review:** Reviewed and approved.

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

GRANT OF EASEMENT

This indenture is made this 21<sup>ST</sup> day of NOVEMBER, 2012, by and between ISLAND SHORES OWNERS ASSOCIATION, INC., hereinafter referred to as Grantor, and the CITY OF VENICE, a Florida municipal corporation, hereinafter referred to as Grantee.

For and in consideration of the sum of \$10.00 and other good and valuable considerations, the receipt of which is hereby acknowledged, The Grantor grants, sells and conveys to the Grantee and its successors and assigns a utility easement for the installation and maintenance of a pump station and treatment system and necessary appurtenances, to serve a stormwater conveyance system, upon the following described property:

A portion of the property of the Island Shores Condominium as recorded in Condominium Book 26, Pages 14 through 14h of the Public Records of Sarasota County, Florida, as shown on EXHIBIT A attached

The easement, rights and privileges granted herein are exclusive unto the Grantee, its successors, assigns and licensees. The Grantor warrants that it has ownership of the property encumbered by this easement and that it has authority to make this grant.

In witness whereof, the Grantor has hereunto set its hand and seal, the day and year first above written.

SIGNED, SEALED, AND DELIVERED  
IN THE PRESENCE OF:

Witness Signature

Print name:

Patrick Ryan  
Patrick Ryan

Witness Signature

Print name:

DAVID GARDSTROM  
DAVID GARDSTROM

STATE OF FLORIDA  
COUNTY OF SARASOTA

ISLAND SHORES OWNERS ASSOCIATION, INC.

BY:

Title:

Kenneth J. Gardstrom  
President

BY:

Title:

THE FOREGOING instrument was acknowledged before me on this 27<sup>th</sup> day of November, 2012, by PATRICK RYAN and DAVID GARDSTROM as KENNETH GARDSTROM and \_\_\_\_\_ of Island Shores Owners Association, Inc. who are personally known to me or have produced \_\_\_\_\_ as identification.

State of ~~Florida~~ at Large ILLINOIS  
My Commission Expires: 04-21-16

NOTARY PUBLIC

Signature

Print name:

Lesa L. Masoni  
LESA L. MASONI



# SKETCH OF DESCRIPTION

EXHIBIT A

Section 13 , Township 39 South, Range 18 East  
Sarasota County, Florida

## DESCRIPTION: (PUMP STATION AND TREATMENT SYSTEM EASEMENT)

COMMENCE AT THE SOUTHEAST CORNER OF VENICE VILLAS CONDOMINIUM, AS RECORDED IN CONDOMINIUM BOOK 8, PAGE 36, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.00°00'00"E, ALONG THE EAST LINES OF SAID VENICE VILLAS CONDOMINIUM, A DISTANCE OF 287.90 FEET; THENCE N.75°53'00"W., ALONG THE NORTHERLY LINE OF SAID VENICE VILLAS CONDOMINIUM, A DISTANCE OF 688.55 FEET TO THE POINT OF BEGINNING; THENCE S.14°48'19"W., A DISTANCE OF 52.54 FEET; THENCE N.75°39'10"W., A DISTANCE OF 49.58 FEET; THENCE N.14°20'50"E., A DISTANCE OF 7.45 FEET; THENCE N.75°39'10"W., A DISTANCE OF 25.00 FEET; THENCE S.79°56'22"W., A DISTANCE OF 79.48 FEET; THENCE S.73°19'55"W., A DISTANCE OF 33.89 FEET TO A POINT, HEREIN AFTER REFERRED TO AS POINT "A"; THENCE S.42°39'49"W., A DISTANCE OF 111.3 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE NORTHWESTERLY ALONG SAID MEAN HIGH WATER LINE, A DISTANCE OF 111.2 FEET, MORE OR LESS; THENCE N.73°19'55"E., A DISTANCE OF 78.7 FEET, MORE OR LESS, TO A POINT THAT LIES N.34°02'44"W., A DISTANCE OF 57.08 FEET FROM SAID POINT "A"; THENCE N.78°01'17"E., A DISTANCE OF 160.77 FEET; THENCE N.00°26'25"W., A DISTANCE OF 13.75 FEET; THENCE N.89°32'23"E., A DISTANCE OF 81.61 FEET; THENCE S.14°48'19"W., A DISTANCE OF 47.96 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA.

CONTAINING 21,172 SQUARE FEET OR 0.49 ACRES, MORE OR LESS.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.

### NOTES:

1. BEARINGS ARE BASED ON THE NORTH RIGHT OF WAY LINE OF VILLAS DRIVE BEING N 90°00'00" W (PLAT OF RECORD).
2. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

### PREPARED FOR:

CITY OF VENICE



## SCHAPPACHER ENGINEERING L.L.C

CERTIFICATE OF AUTHORIZATION LB 0007859

3604 53RD AVENUE EAST  
BRADENTON, FLORIDA 34203  
(941) 748-8340 (941) 896-9938 FAX

*Gerald D. Stroop, Jr.*  
GERALD D. STROOP, JR., PSM No. 4679

SHEET  
1 OF 2

Scale: 1" = NONE

Drawn by: GDS

FB/PG: NONE

DATE: 9/11/2012

JOB: S120393

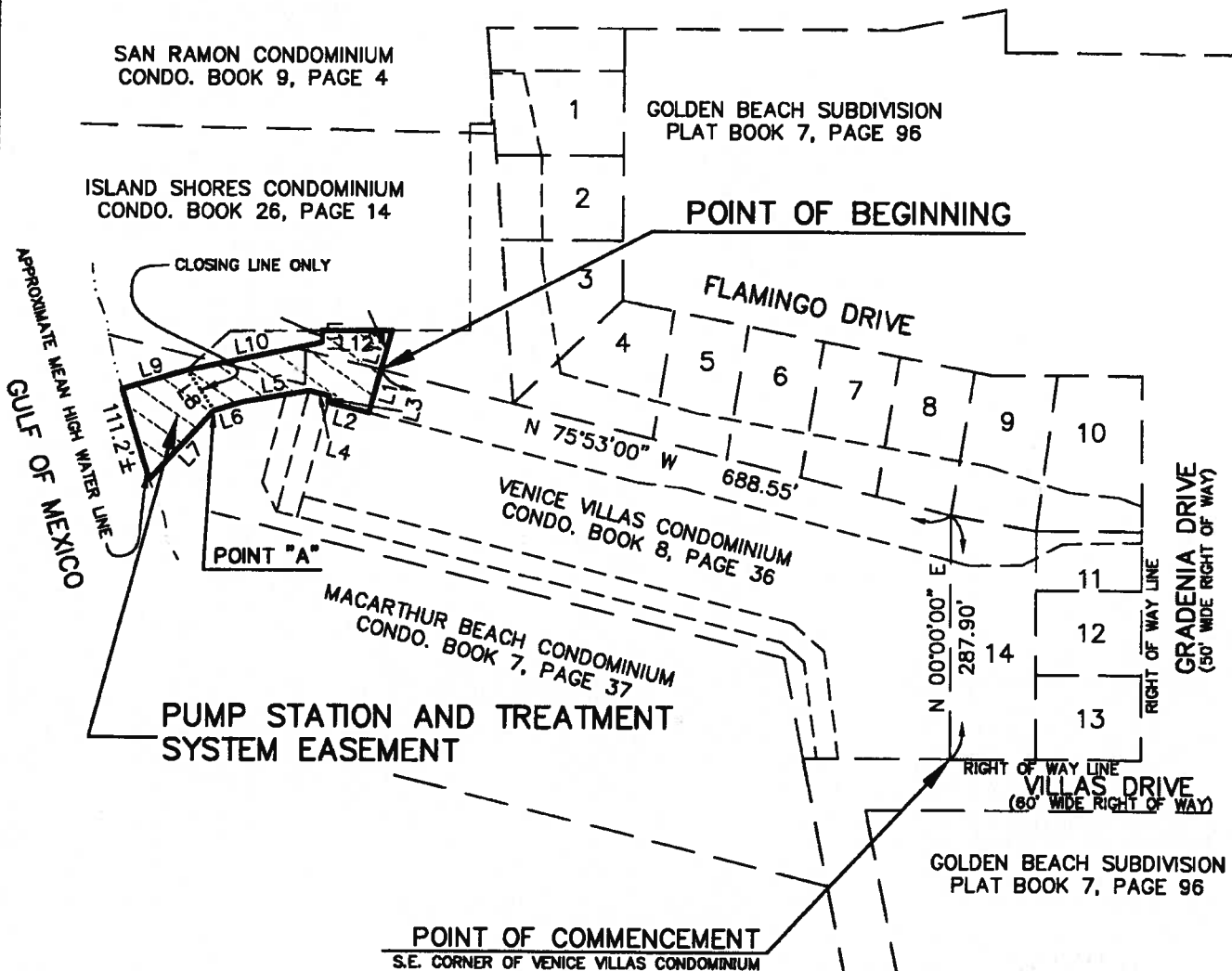
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**EXHIBIT A**

### SKETCH OF DESCRIPTION

**Section 13 , Township 39 South, Range 18 East**  
**Sarasota County, Florida**

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 14°48'19" W	52.54'
L2	N 75°39'10" W	49.58'
L3	N 14°20'50" E	7.45'
L4	N 75°39'10" W	25.00'
L5	S 79°58'22" W	79.48'
L6	S 73°19'55" W	33.89'
L7	S 42°39'49" W	111.3'±
L8	N 34°02'44" W	57.08'
L9	N 73°19'55" E	78.7'±
L10	N 78°01'17" E	160.77'
L11	N 00°28'25" W	13.75'
L12	N 89°32'23" E	81.61'
L13	S 14°48'19" W	47.96'



**SCHAPPACHER ENGINEERING L.L.C**

**CERTIFICATE OF AUTHORIZATION LB 0007859**

**3604 53RD AVENUE EAST  
BRADENTON, FLORIDA 34203  
(941) 748-8340 (941) 896-9938 FAX**

Gerald D. Strop Jr.  
GERALD D. STROOP, JR., PSM No. 4879

**SHEET  
2 OF 2**

Scale: 1"= 200'

Drawn by: GDS

FB/PG: NONE

DATE: 9/11/2012

**JOB: S120393**

Drawing name: \\Brodenton\h\Land\_Projects\FLAMINGO DITCH PROJECT SI20393\dwg\PUMP STA TREAT EASE.dwg 8.5X11 (2) Sep 11, 2012 9:31am by: XPMUser

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

### TEMPORARY CONSTRUCTION EASEMENT

This indenture is made this 21<sup>ST</sup> day of NOVEMBER, 2012, by and between ISLAND SHORES OWNERS ASSOCIATION, INC., hereinafter referred to as Grantor, and the CITY OF VENICE, a Florida municipal corporation, hereinafter referred to as Grantee.

For and in consideration of the sum of \$10.00 and other good and valuable considerations, the receipt of which is hereby acknowledged, The Grantor grants, sells and conveys to the Grantee and its successors and assigns a temporary construction easement for the staging of construction activities related to the restoration, repair, and maintenance of a stormwater conveyance system, upon the following described property:

A portion of the property of the Island Shores Condominium as recorded in Condominium Book 26, Pages 14 through 14h of the Public Records of Sarasota County, Florida, as shown on EXHIBIT A attached

All construction to be performed by the Grantee within the temporary construction easement shall be coordinated with the Grantor. Following the performance of any work by the Grantee within the temporary construction easement, the Grantee shall restore the property to a condition as good as or better than that which existed prior to the work.

The easement, rights and privileges granted herein are exclusive unto the Grantee, its successors, assigns and licensees and shall automatically expire and terminate on September 1, 2014. The Grantor reserves all reasonable uses of the property which are not inconsistent with the rights herein conveyed.

In witness whereof, the Grantor has hereunto set its hand and seal, the day and year first above written.

SIGNED, SEALED, AND DELIVERED  
IN THE PRESENCE OF:

Witness Signature

Print name:

Patrick Ryan  
Patrick Ryan

Witness Signature

Print name:

DAVID GARDSTROM  
DAVID GARDSTROM

STATE OF FLORIDA  
COUNTY OF SARASOTA

ISLAND SHORES OWNERS ASSOCIATION, INC.

BY:

Title:

Kenneth L. Gardstrom  
President

BY:

Title:

THE FOREGOING instrument was acknowledged before me on this 27<sup>th</sup> day of November, 2012, by Patrick Ryan and DAVID GARDSTROM as Kenneth Gardstrom and \_\_\_\_\_ of Island Shores Owners Association, Inc. who are personally known to me or have produced \_\_\_\_\_ as identification.

State of ~~Florida~~ at Large ILLINOIS  
My Commission Expires: 04/21/16

NOTARY PUBLIC

Signature

Print name:

Lesa L. Masoni  
Lesa L. Masoni



# SKETCH OF DESCRIPTION

Section 13 , Township 39 South, Range 18 East  
Sarasota County, Florida

EXHIBIT A

## DESCRIPTION: (TEMPORARY CONSTRUCTION EASEMENT 1)

COMMENCE AT THE SOUTHEAST CORNER OF VENICE VILLAS CONDOMINIUM, AS RECORDED IN CONDOMINIUM BOOK 8, PAGE 36, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.00°00'00"E, ALONG THE EAST LINES OF SAID VENICE VILLAS CONDOMINIUM, A DISTANCE OF 234.83 FEET TO THE POINT OF BEGINNING; THENCE N.75°05'28"W., A DISTANCE OF 323.65 FEET; THENCE N.82°52'07"W., A DISTANCE OF 56.34 FEET; THENCE N.75°39'10"W., A DISTANCE OF 322.59 FEET; THENCE N.14°48'19"E., A DISTANCE OF 100.51 FEET; THENCE N.89°32'23"E., A DISTANCE OF 91.38 FEET; THENCE N.00°27'37"W., A DISTANCE OF 232.45 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAN RAMON CONDOMINIUM, AS RECORDED IN CONDOMINIUM BOOK 9, PAGE 4, SAID PUBLIC RECORDS; THENCE N.88°59'00"E., ALONG SAID SOUTH LINE, A DISTANCE OF 29.16 FEET; THENCE N.04°17'00"W., ALONG THE EAST LINE OF SAID SAN RAMON CONDOMINIUM, A DISTANCE OF 71.11 FEET; THENCE N.89°32'23"E., A DISTANCE OF 38.42 FEET; THENCE S.12°18'21"E., A DISTANCE OF 102.99 FEET; THENCE S.00°27'37"E., A DISTANCE OF 122.85 FEET; THENCE S.09°52'32"E., A DISTANCE OF 131.29 FEET; THENCE S.73°43'54"E., A DISTANCE OF 165.12 FEET; THENCE S.79°56'49"E., A DISTANCE OF 346.66 FEET; THENCE S.72°19'20"E., A DISTANCE OF 102.36 FEET; THENCE S.84°32'40"E., A DISTANCE OF 58.28 FEET; THENCE S.71°11'48"E., A DISTANCE OF 29.11 FEET TO THE INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF GARDENIA DRIVE (50.0 FOOT WIDE), AS RECORDED IN GOLDEN BEACH SUBDIVISION, PLAT BOOK 7, PAGE 96, SAID PUBLIC RECORDS; THENCE S.00°00'00"E., ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 43.36 FEET; THENCE S.88°18'38"W., A DISTANCE OF 93.48 FEET; THENCE S.62°19'45"W., A DISTANCE OF 53.18 FEET; THENCE S.89°32'23"W., A DISTANCE OF 62.91 FEET; THENCE N.75°05'28"W., A DISTANCE OF 21.96 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA.

CONTAINING 116,031 SQUARE FEET OR 2.66 ACRES.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.

### NOTES:

1. BEARINGS ARE BASED ON THE NORTH RIGHT OF WAY LINE OF VILLAS DRIVE BEING N 90°00'00" W (PLAT OF RECORD).
2. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

### PREPARED FOR:

CITY OF VENICE



## SCHAPPACHER ENGINEERING L.L.C

CERTIFICATE OF AUTHORIZATION LB 0007859

3804 53RD AVENUE EAST  
BRADENTON, FLORIDA 34203  
(941) 748-8340 (941) 896-8938 FAX

*Gerald D. Stroop, Jr.*  
GERALD D. STROOP, JR., PSM No. 4879

SHEET  
1 OF 2

Scale: 1" = NONE

Drawn by: GDS

FB/PG: NONE

DATE: 9/06/2012

JOB: S120393

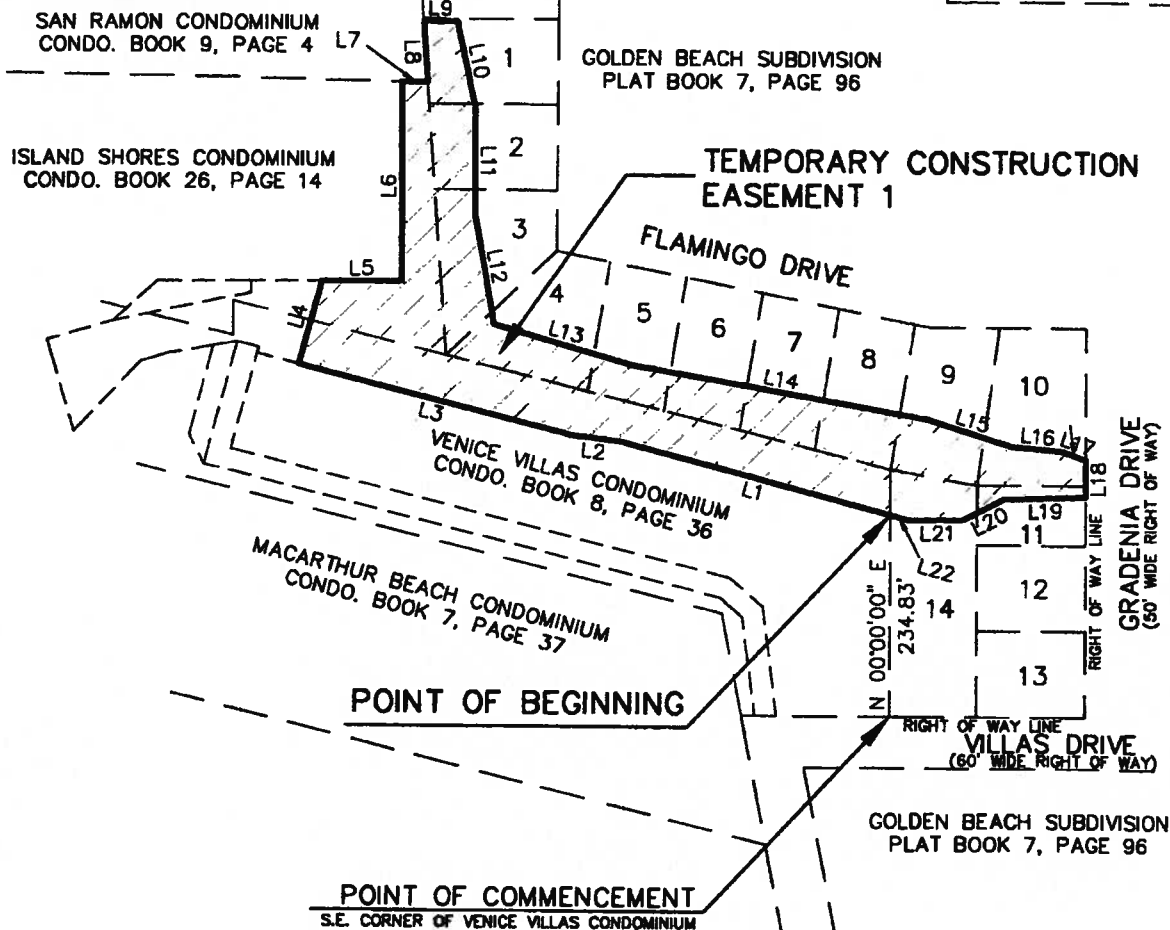
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# EXHIBIT A

## SKETCH OF DESCRIPTION

Section 13 , Township 39 South, Range 18 East  
Sarasota County, Florida

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 75°05'28" W	323.65'
L2	N 82°52'07" W	56.34'
L3	N 75°39'10" W	322.59'
L4	N 14°48'19" E	100.51'
L5	N 88°32'23" E	91.38'
L6	N 00°27'37" W	232.45'
L7	S 88°59'00" E	29.16'
L8	N 04°17'00" W	71.11'
L9	N 88°32'23" E	38.42'
L10	S 12°18'21" E	102.99'
L11	S 00°27'37" E	122.85'
L12	S 09°32'32" E	131.29'
L13	S 73°43'54" E	165.12'
L14	S 79°56'49" E	346.66'
L15	S 72°19'20" E	102.36'
L16	S 84°32'40" E	58.28'
L17	S 71°11'48" E	29.11'
L18	S 00°00'00" E	43.36'
L19	S 88°18'38" W	93.48'
L20	S 82°19'45" W	53.18'
L21	S 88°32'23" W	62.91'
L22	N 75°05'28" W	21.96'



*[Signature]*

**SCHAPPACHER ENGINEERING L.L.C**

CERTIFICATE OF AUTHORIZATION LB 0007859

3604 53RD AVENUE EAST  
BRADENTON, FLORIDA 34203  
(941) 748-8340 (941) 896-8838 FAX

*[Signature]*  
GERALD D. STROOP, JR., PSM No. 4679

SHEET  
2 OF 2

Scale: 1" = 200'

Drawn by: GDS

FB/PG: NONE

DATE: 8/06/2012

JOB: S120393

Drawing name: \\Braden\ton\h\Land\_Projects\FLAMINGO DITCH PROJECT S120393\dwg\TEMP CONST EASE 1 R1.dwg B.SX11 (2) Sep 17, 2012 11:40am by: XPM\laser



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

### TEMPORARY CONSTRUCTION EASEMENT

This indenture is made this 21<sup>ST</sup> day of NOVEMBER, 2012, by and between ISLAND SHORES OWNERS ASSOCIATION, INC., hereinafter referred to as Grantor, and the CITY OF VENICE, a Florida municipal corporation, hereinafter referred to as Grantee.

For and in consideration of the sum of \$10.00 and other good and valuable considerations, the receipt of which is hereby acknowledged, The Grantor grants, sells and conveys to the Grantee and its successors and assigns a temporary construction easement for the staging of construction activities related to the restoration, repair, and maintenance of a stormwater conveyance system, upon the following described property:

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All construction to be performed by the Grantee within the temporary construction easement shall be coordinated with the Grantor. Following the performance of any work by the Grantee within the temporary construction easement, the Grantee shall restore the property to a condition as good as or better than that which existed prior to the work.

The easement, rights and privileges granted herein are exclusive unto the Grantee, its successors, assigns and licensees and shall automatically expire and terminate on September 1, 2014. The Grantor reserves all reasonable uses of the property which are not inconsistent with the rights herein conveyed.

In witness whereof, the Grantor has hereunto set its hand and seal, the day and year first above written.

SIGNED, SEALED, AND DELIVERED  
IN THE PRESENCE OF:

Witness Signature

Print name:

Patrick Ryan  
Patrick Ryan

Witness Signature

Print name:

DAVID GARDSTROM  
DAVID GARDSTROM

STATE OF FLORIDA  
COUNTY OF SARASOTA

ISLAND SHORES OWNERS ASSOCIATION, INC.

BY:

Title:

Kenneth L. Gardstrom  
President

BY:

Title:

THE FOREGOING instrument was acknowledged before me on this 27<sup>th</sup> day of November, 2012, by Patrick Ryan and DAVID GARDSTROM as Kenneth Gardstrom and \_\_\_\_\_ of Island Shores Owners Association, Inc. who are personally known to me or have produced \_\_\_\_\_ as identification.

State of ~~Florida~~ at Large ILLINOIS  
My Commission Expires: 04/21/16

NOTARY PUBLIC

Signature

Print name:

Lesa L. Masoni  
Lesa L. Masoni





# SKETCH OF DESCRIPTION

EXHIBIT A

Section 13 , Township 39 South, Range 18 East  
Sarasota County, Florida

## DESCRIPTION: (TEMPORARY CONSTRUCTION EASEMENT 2)

COMMENCE AT THE SOUTHEAST CORNER OF VENICE VILLAS CONDOMINIUM, AS RECORDED IN CONDOMINIUM BOOK 8, PAGE 36, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.00°00'00"E, ALONG THE EAST LINES OF SAID VENICE VILLAS CONDOMINIUM, A DISTANCE OF 287.90 FEET; THENCE N.75°53'00"W., ALONG THE NORTHERLY LINE OF SAID VENICE VILLAS CONDOMINIUM AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 792.31 FEET TO THE POINT OF BEGINNING; THENCE S.78°01'17"W., A DISTANCE OF 128.69 FEET; THENCE N.47°13'22"E., A DISTANCE OF 68.11 FEET; THENCE N.89°32'23"E., A DISTANCE OF 107.18 FEET; THENCE S.00°26'25"E., A DISTANCE OF 13.75 FEET; THENCE S.78°01'17"W., A DISTANCE OF 32.08 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA.

CONTAINING 3,540 SQUARE FEET OR 0.08 ACRES.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.

### NOTES:

1. BEARINGS ARE BASED ON THE NORTH RIGHT OF WAY LINE OF VILLAS DRIVE BEING N 90°00'00" W (PLAT OF RECORD).
2. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

### PREPARED FOR:

CITY OF VENICE



## SCHAPPACHER ENGINEERING L.L.C

CERTIFICATE OF AUTHORIZATION LB 0007859

3604 53RD AVENUE EAST  
BRADENTON, FLORIDA 34203  
(941) 748-8340 (941) 896-9938 FAX

  
GERALD D. STROOP, JR., PSM No. 4679

SHEET  
1 OF 2

Scale: 1" = NONE

Drawn by: GDS

FB/PG: NONE

DATE: 9/11/2012

JOB: S120393

Drawing name: \\Bradenton\h\Land\_Projects\FLAMINGO DITCH PROJECT S120393.dwg \TEMP CONST EASE 2.dwg 8.5X11 (1) Sep 11, 2012 10:21am by: XPMUser

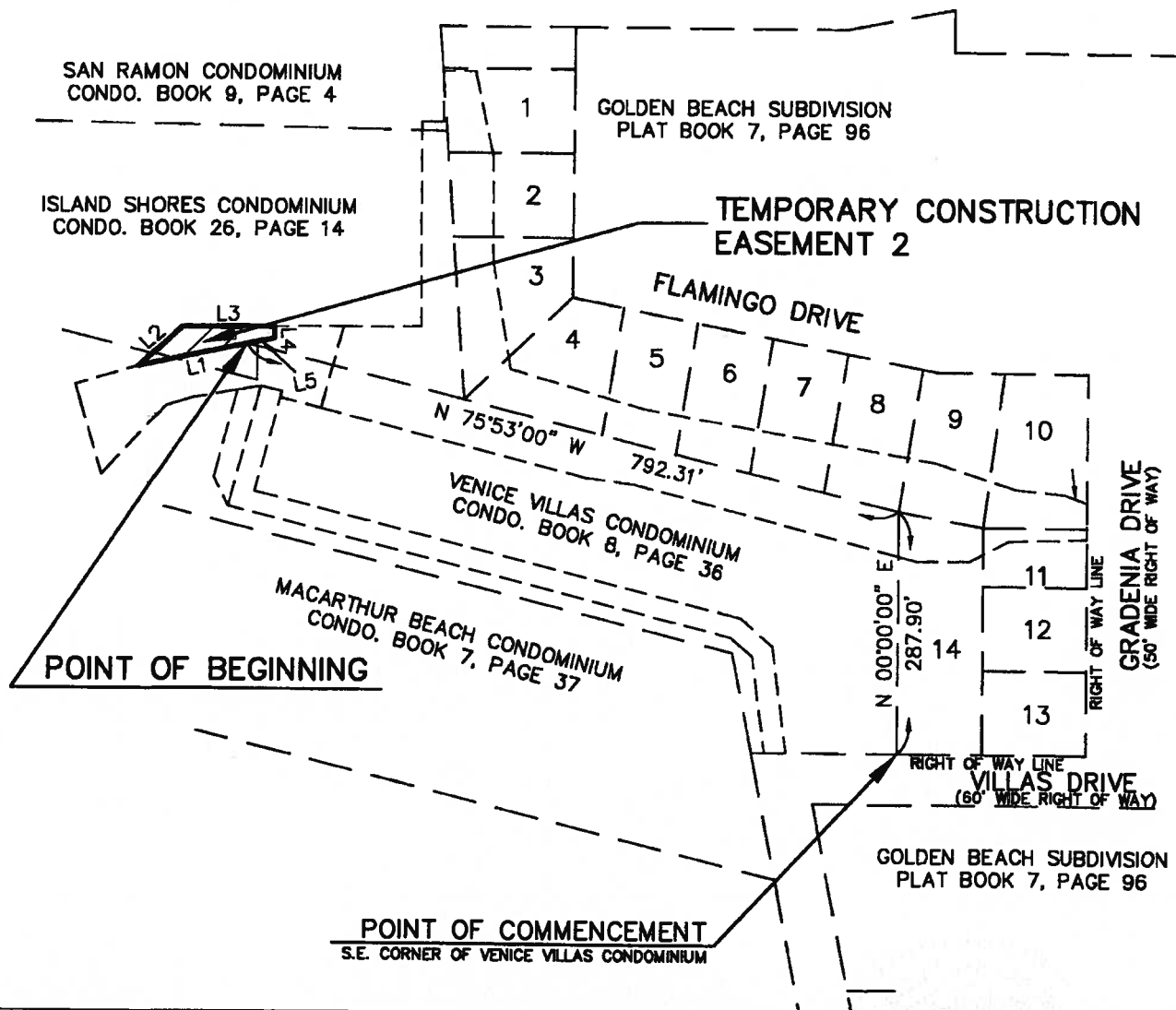
Drawing name: \\Bradenton\h\Land\_P\Projects\FLAMINGO DITCH PROJECT S120393\dwg\TEMP CONST EASE 2.dwg 8.5X11 (2) Sep 11, 2012 10:21am by: XPMUser

**EXHIBIT A**

**SKETCH OF DESCRIPTION**

Section 13 , Township 39 South, Range 18 East  
Sarasota County, Florida

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 78°01'17" W	128.69'
L2	N 47°13'22" E	68.11'
L3	N 89°32'23" E	107.18'
L4	S 00°26'25" E	13.75'
L5	S 78°01'17" W	32.08'



**SCHAPPACHER ENGINEERING L.L.C.**

CERTIFICATE OF AUTHORIZATION LB 0007859

3804 53RD AVENUE EAST  
BRADENTON, FLORIDA 34203  
(941) 748-8340 (941) 898-9938 FAX

*Gerald D. Stroop, Jr.*  
GERALD D. STROOP, JR., PSM No. 4679

SHEET  
2 OF 2

Scale: 1" = 200'

Drawn by: GDS

FB/PG: NONE

DATE: 9/11/2012

JOB: S120393