

ORDINANCE NO. 2018-27

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING ORDINANCE NO. 2008-10, WHICH ADOPTED A PRE-ANNEXATION AGREEMENT WITH SJMR LIMITED PARTNERSHIP, A FLORIDA LIMITED PARTNERSHIP, SANDRA S. HURT, AS TRUSTEE OF THE CARLTON J. HURT TRUST; BY ADOPTING A THIRD AMENDMENT TO THE PRE-ANNEXATION AGREEMENT TO MODIFY THE CONDITIONS AND OBLIGATIONS OF THE PRE-ANNEXATION AGREEMENT; PROVIDING FOR CONFLICTS HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Venice City Council approved Ordinance No. 2008-10, which annexed property owned by SJMR Limited Partnership, a Florida Limited Partnership, Sandra S. Hurt, as Trustee of the Carlton J. Hurt Trust, Caithness Construction, Inc., a Florida Corporation, and Florida Power and Light Company, a Florida corporation; and

WHEREAS, Ordinance No. 2008-10 incorporated a pre-annexation agreement between the City of Venice, Florida and SJMR Limited Partnership, a Florida Limited Partnership, Sandra S. Hurt, as Trustee of the Carlton J. Hurt Trust; and

WHEREAS, the City of Venice approved a First Amendment to Pre-Annexation Agreement between the City of Venice, Florida and Border Road Investments, LLC, successor in title and interest to SJMR Limited Partnership, a Florida Limited Partnership and Sandra S. Hurt, as Trustee of the Carlton J. Hurt Trust; and

WHEREAS, Ordinance No. 2016-09 incorporated the First Amendment to Pre-Annexation Agreement between the City of Venice, Florida and Border Road Investments, LLC; and

WHEREAS, Ordinance No. 2018-10 incorporated the Second Amendment to the Pre-Annexation Agreement between the City of Venice, Florida and Pamlico Point Management, LLC, successor in title and interest to SJMR Limited Partnership, a Florida Limited Partnership; and

WHEREAS, the City of Venice approved the Third Amendment to Pre-Annexation Agreement between the City of Venice, Florida and Pamlico Point Management, LLC, a Florida limited partnership, successor in title and interest to SJMR Limited Partnership and Sandra S. Hurt, as Trustee of the Carlton J. Hurt Trust.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA:

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

SECTION 2. Section 4 of Ordinance No. 2008-10 is hereby amended to incorporate the Third Amendment to the Pre-Annexation Agreement approved by the Venice City Council on July 10, 2018.

SECTION 3. In all other respects, Ordinance No. 2008-10 remains in full force and effect.

SECTION 4. To the extent of any conflict between the provisions of this ordinance, and any other ordinance, resolution, or agreement of the City of Venice, Florida, the provisions of this ordinance shall prevail.

SECTION 5. Severability. If for any reason a provision of this ordinance or the application thereof to any person, group or persons, or circumstances are held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the ordinance are severable.

SECTION 6. Effective date. This ordinance shall take effect immediately upon its adoption, as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 28TH DAY OF AUGUST 2018.

First Reading: July 10, 2018
Final Reading: August 28, 2018

Adoption: August 28, 2018

John W. Holic, Mayor

ATTEST:

Lori Stelzer, MMC, City Clerk

(SEAL)

Approved as to form:

City Attorney