

RESOLUTION NO. 2014-33

A RESOLUTION OF THE CITY OF VENICE, FLORIDA, APPROVING THE FIRST AMENDMENT TO AN AGREEMENT TO VACATE WHICH ELIMINATES THE REQUIREMENT FOR THE CONVEYANCE OF A 24-FOOT WIDE EASEMENT ALONG THE PROPERTY'S WESTERN BOUNDARY FROM TAMPA AVENUE TO EAST VENICE AVENUE; RELATIVE TO THE ALLEYWAY REFERRED TO AS #67 CALLE DEL CANAL BETWEEN THE VENICE AVENUE BRIDGE AND EAST TAMPA AVENUE, LOCATED IN BLOCK 67, GULF VIEW SECTION OF VENICE, AS RECORDED IN PLAT BOOK 2, PAGE 77, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Venice City Council approved Resolution No. 2007-31, which vacated a portion of an alleyway referred to as #67 Calle Del Canal between the Venice Avenue Bridge and East Tampa Avenue; and

WHEREAS, an Agreement to Vacate was incorporated into the resolution, which bound the Applicant (Waterford Waterfront Properties II, LLC and R Peil, LLC) to certain terms and conditions in exchange for vacation of the subject property; and

WHEREAS, the Applicant has requested an amendment to the Agreement to Vacate to eliminate the requirement to convey a 24-foot wide easement along the property's western boundary from Tampa Avenue to East Venice Avenue; and

WHEREAS, city staff has no objection to the First Amendment to Agreement to Vacate; and

WHEREAS, the First Amendment to Agreement to Vacate is attached hereto as Exhibit "A"; and

WHEREAS, pursuant to Section 3.06(d) of the City Charter, a public hearing, being duly advertised, was held by the Venice City Council on August 26, 2014; and

WHEREAS, the Venice City Council, after due investigation and consideration, has determined that the 24-foot wide easement is no longer required for public use.

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

1. The Whereas clauses above are ratified and confirmed as true and correct.
2. The First Amendment to Agreement to Vacate is approved.
3. All other terms and conditions of the Agreement to Vacate remain in full force and effect.
4. A certified copy of this resolution will be recorded in the Public Records of Sarasota County, Florida.
5. This Resolution shall take effect immediately upon adoption as provided by law.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, AT A MEETING HELD ON

AUGUST 26, 2014.

John W. Holic, Mayor

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 August 26, 2014, a quorum being present.

WITNESS my hand and official seal of said City this 26th day of August 2014.

Lori Stelzer, MMC, City Clerk

(S E A L)