

Prepared by: City Clerk

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

**RESOLUTION NO. 2014-31**

**A RESOLUTION OF THE CITY OF VENICE, FLORIDA, TO VACATE A PORTION OF A 10 FOOT UTILITY EASEMENT LYING AT THE REAR LOT LINE OF LOT 2, HOLLOWAY HEIGHTS SUBDIVISION (824 HIGEL DRIVE) ACCORDING TO THE PLAT OF HOLLOWAY HEIGHTS AS RECORDED IN PLAT BOOK 39, PAGE 36, SHEET 1 OF 1, INCLUSIVE, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Martin Arnold has requested the City of Venice to vacate a portion of a 10 foot utility easement that is no longer required to serve the public interest; and

**WHEREAS**, city staff has recommended approval of the vacation of a portion of a 10 foot 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 26, 2014; and

**WHEREAS**, the Venice City Council, after due investigation and consideration, has determined that the portion of the 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 that portion of a utility easement described below:

*A portion of an existing 10 foot utility easement lying and being in Section 12, Township 39 South, Range 18 East, Sarasota County, Florida, and being more particularly described as being 5 feet either side of the following described centerline:*

*Begin at the southwest corner of Lot 2, Holloway Heights Subdivision, of Sarasota County, Florida; thence east, 5.00 feet along southerly lot line of said Lot 2 for a point of beginning; thence north and parallel with the west lot line of said Lot 2, 10.00 feet; thence east and parallel with the south lot line of said Lot 2, 70.00 feet; thence south and parallel with the east lot line of said Lot 2, 10.00 feet to the said southerly lot line of said Lot 2; thence west along said southerly lot line of said Lot 2, 70.00 feet to the point of beginning.*

Said property is located at 824 Higel Drive, Venice, Florida.

**SECTION 3.** Any rights of the City of Venice in and to the above described portion of a 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 26TH DAY OF AUGUST, 2014.**

**ATTEST**

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John W. Holic, Mayor

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Lori Stelzer, MMC, City Clerk

(SEAL)