

ORDINANCE NO. 2018-22

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING ORDINANCE NO. 2003-16, WHICH ADOPTED PRE-ANNEXATION AGREEMENTS WITH CLARENCE R. BALSINGER, SUCCESSOR TRUSTEE OF THE ESTIL L. BALSINGER REVOCABLE TRUST U/A, DATED OCTOBER 4, 1989 AND BALSINGER PROPERTIES, INC., A FLORIDA CORPORATION AND E.E. VAN PELT AND JOYCE E. VAN PELT; BY ADOPTING AN AMENDMENT TO EACH PRE-ANNEXATION AGREEMENT TO MODIFY THE CONDITIONS AND OBLIGATIONS OF THE PRE-ANNEXATION AGREEMENTS; PROVIDING FOR CONFLICTS HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Venice City Council approved Ordinance No. 2003-16, which annexed property owned by Estil L. Balsinger Revocable Trust U/A, Dated October 4, 1989 and Balsinger Properties, Inc., a Florida Corporation and E.E. Van Pelt and Joyce E. Van Pelt; and

WHEREAS, Ordinance No. 2003-16 incorporated a pre-annexation agreement between the City of Venice, Florida and Estil L. Balsinger Revocable Trust U/A, Dated October 4, 1989 and Balsinger Properties, Inc., a Florida Corporation; and

WHEREAS, Ordinance No. 2003-16 incorporated a pre-annexation agreement between the City of Venice, Florida and E.E. Van Pelt and Joyce E. Van Pelt; and

WHEREAS, the City of Venice approved an Amendment to Pre-Annexation Agreement between the City of Venice, Florida and Border and Jacaranda Holdings, LLC, a Florida limited liability company, successor in title and interest to E.E. Van Pelt and Joyce E. Van Pelt; and

WHEREAS, the City of Venice approved an Amendment to Pre-Annexation Agreement between the City of Venice, Florida and Border Road Investments, LLC, a Florida limited liability company, Myarra Property Joint Ventures, LLC, a Florida limited liability company, Woolridge Investment-Florida, LLC, a Florida limited liability company, and Pamlico Point Management, LLC, a Florida limited liability company, successors in title and interest to Clarence R. Balsinger, successor trustee of the Estil L. Balsinger Revocable Trust U/A, dated October 4, 1989 and Balsinger Properties, Inc.

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 3 of Ordinance No. 2003-16 is hereby amended to incorporate the amendments to each Pre-Annexation Agreement approved by the Venice City Council on July 10, 2018.

SECTION 3. In all other respects, Ordinance No. 2003-16 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