

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

## UTILITY EASEMENT

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between VENETIAN GOLF & RIVER CLUB PROPERTY OWNERS ASSOCIATION, Inc, a Florida Not-for-Profit corporation, whose mailing address is 502 Veneto Boulevard, North Venice, Florida 34275 (hereinafter referred to as the “Grantor”), and the CITY OF VENICE, a Florida municipal corporation, whose mailing address is 401 W. Venice Avenue, Venice, Florida 34285 (hereinafter referred to as the “Grantee”).

WHEREAS, the Grantor is the record title owner of certain real property situated in Sarasota County, Florida, pursuant to a Quit-Claim Deed dated November 13, 2015, which is recorded in the Official Records of Sarasota County, Florida, as Instrument # 2015149756 (the “Quit-Claim Deed”); and

WHEREAS, the Grantee desires a permanent utility easement on, over, and across a specific portion of said property and Grantor is willing to grant such easement.

### WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid to the Grantor by the Grantee, the receipt and sufficiency of which is hereby acknowledged, said Grantor does hereby grant and convey to the Grantee, its successors and assigns, a permanent, perpetual easement for the provision of City of Venice services, such right to include, but not be limited to, the perpetual right for Grantee, its employees, contractors, sub-contractors, agents, successors, and assigns to enter upon said easement at all times and construct, lay, reconstruct, operate, maintain, inspect, remove, or repair all lines, mains, pipes, fixtures, ditches, accessories, and all appurtenances thereto for the purpose of providing City of Venice services through, over, under, and upon the following property situated in Sarasota County, Florida, and lying within the boundary lines of the real property described in the Quit-Claim Deed (the “Venetian Perimeter Access Road”) and more particularly described as follows:

(See Exhibit “A” attached hereto and incorporated herein by reference)

For the full enjoyment of the rights granted herein, the Grantee shall have the further right to trim, cut, or remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of the lines, mains, pipes, fixtures, ditches, accessories, and appurtenances thereto.

The Grantee further agrees, at its sole cost and expense, to reasonably repair any damage caused by Grantee to the described easement area and to generally restore the surface of the easement area to the condition existing prior to the Grantee's performance of any activities in the easement area and reasonably replace any trees and bushes removed on, within, or along the sides of the Venetian Perimeter Access Road.

The Grantor shall not grant additional easements or similar interests in, on, over, under, or across said easement premises which would interfere with the Grantee's utilization and enjoyment of the easement. The Grantor shall not unreasonably interfere with the Grantee's utilization and enjoyment of the easement.

In providing this Utility Easement to Grantee, Grantor neither warrants nor represents that it is lawfully seized of fee simple to the Venetian Perimeter Access Road. In accepting this Utility Easement from Grantor, Grantee acknowledges and agrees that its interest as created by this Utility Easement is subject to any and all recorded rights, claims, interests, and easements in the Venetian Perimeter Access Road.

This Utility Easement and the covenants contained herein shall be deemed covenants running with the land and shall be binding on the parties hereto, as well as all such successors and assigns.

In the event that the Grantee shall cease any use of the Utility Easement for any reason or otherwise abandon its use of the Utility Easement, Grantee shall be required to prepare, execute and record at its expense a Notice of Termination of this Utility Easement in the Official Records of Sarasota County, Florida indicating that Grantee has waived, terminated, released and remised any and all rights, claims and interests running in favor of Grantee under the Utility Easement and, upon doing so, shall provide a copy of such Notice of Termination to Grantor.

This instrument was prepared by the draftsmen of this instrument without benefit of title examination.

**TO HAVE AND TO HOLD** subject to all covenants, conditions, restrictions, limitations, reservations, easements and other matters of record affecting the Venetian Perimeter Access Road.

**(signature pages to follow)**



**ACKNOWLEDGEMENT OF GRANTOR**

IN WITNESS WHEREOF, the Grantor has caused this Utility Easement to be executed in Grantor's name, and official seal by the proper officer(s) or representative(s) duly authorized, as of the day and year first above written.

**VENETIAN GOLF & RIVER CLUB  
PROPERTY OWNERS ASSOCIATION, INC.**  
a Florida corporation not for profit

WITNESSES:

[Signature]

Print Name: JAVIER A. VARGAS

By: M. Marshall Hopper

Address: 401 Venice Ave  
Venice, FL 34295

Marian Barria Its: President

Print Name: Mercedes Barcia

Date: 2/15/24

Address: 401 W. Venice Ave  
Venice, FL 34295

STATE OF Florida  
COUNTY OF Sarasota

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of February, 2024, by M. Marshall Hopper, as President of VENETIAN GOLF & RIVER CLUB PROPERTY OWNERS ASSOCIATION, INC., a Florida corporation not for profit, on behalf of the corporation, by means of  physical presence or  online notarization, who is personally known to me or who produced FL DL as identification.



Marian Barria  
Notary Public  
Print Name: Mercedes Barcia  
My Commission Expires: 9-13-24

**ACCEPTANCE BY GRANTEE**

The foregoing easement is accepted and agreed to by the City of Venice, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Nick Pachota, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Michaels, City Clerk


DESCRIPTION:

A UTILITY EASEMENT LYING IN SECTION 27, TOWNSHIP 38 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA WHOSE CENTERLINE IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 27; THENCE, LEAVING SAID CORNER AND ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, S89°41'13"E, 93.34 FEET; THENCE LEAVING SAID SOUTH LINE, S00°18'47"W, 66.03 FEET TO THE POINT OF BEGINNING; THENCE N90°00'00"E, 1246.63 FEET; THENCE N45°00'00"E, 35.72 FEET; THENCE N00°20'34"E, 33.92 FEET TO THE SOUTHEAST CORNER OF TOSCANA ISLES, UNITS 1 AND 2, PHASE 4, RECORDED IN PLAT BOOK 51, PAGE 103 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE CONTINUE N00°20'34"E ALONG THE EAST BOUNDARY LINE OF SAID TOSCANA ISLES UNITS 1 AND 2, PHASE 4, 1306.99 FEET; THENCE LEAVING SAID EAST PROPERTY LINE, N45°00'00"E, 33.96 FEET TO A POINT ON THE SOUTH PROPERTY LINE OF PARCEL IDENTIFICATION NUMBER 0365001100 (CITY OF VENICE); THENCE S89°50'03"E ALONG SAID SOUTH PROPERTY LINE, 42.30 FEET; THENCE LEAVING SAID SOUTH PROPERTY LINE, S45°00'00"W, 62.78 FEET; THENCE ALONG THE WEST PROPERTY LINE OF HGC VENETIAN LLC, RECORDED IN OFFICIAL RECORDS INSTRUMENT NUMBER 2022023840 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA FOR THE FOLLOWING THREE (3) CALLS: THENCE S00°19'56"E, 541.71 FEET; THENCE S01°03'02"W, 624.18 FEET; THENCE S03°32'32"E, 152.66 FEET; THENCE LEAVING SAID WEST PROPERTY LINE, S00°20'34"W, 104.74 FEET; THENCE S45°00'00"W, 60.46 FEET; THENCE N90°00'00"W, 1246.63 FEET; THENCE S45°00'00"W, 8.16 FEET; THENCE S00°00'00"E, 352.72 FEET TO A POINT ON THE NORTH LINE OF A 30 FOOT WIDE ACCESS AND UTILITY EASEMENT, RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 2015072912 OF THE PUBLIC RECORDS OF SARASOTA, FLORIDA; THENCE N89°41'26"W ALONG SAID NORTH LINE, 30.00 FEET; THENCE LEAVING SAID NORTH LINE, N00°00'00"E, 364.98 FEET; THENCE N45°00'00"E, 33.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 84,473± SQUARE FEET OR 1.94± ACRES, MORE OR LESS.

NOTES:

1. THIS SKETCH IS NOT A BOUNDARY SURVEY.
2. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR & MAPPER.
3. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1"=300' OR SMALLER.
4. THIS SKETCH AND DESCRIPTION IS COMPRISED OF TWO (2) SHEETS AND IS NOT CONSIDERED FULL AND COMPLETE WITHOUT ALL SHEETS.
5. BASIS OF BEARINGS: A BEARING OF S89°32'45"E, WAS ASSUMED ALONG THE NORTH RIGHT-OF-WAY LINE OF LAUREL ROAD EAST.

PREPARED FOR: CITY OF VENICE		UTILITY EASEMENT #1 SKETCH & DESCRIPTION		BY PVR	DATE 2/01/24	DESCRIPTION UPDATE PER CLIENT
Section 27, Township 38 S., Range 19 E.		Digitally signed by Frederick P Lutz, Jr. on 2024.02.02 15:15:09 -0500 DN: cn=Frederick P Lutz, Jr., o=Florida, email=lutz@georgeyoung.com		REVISION		
CREW CHIEF	INITIALS	DATE	 <p><b>George F. Young, Inc.</b> 10540 PORTAL CROSSING, SUITE 105 LAKEWOOD RANCH, FLORIDA 34211-4913 PHONE (941) 747-2981 FAX (941) 747-7234 BUSINESS ENTITY LB21 WWW.GEORGEFYOUNG.COM CIVIL &amp; TRANSPORTATION ENGINEERING   ECOLOGY   GIS   LANDSCAPE ARCHITECTURE PLANNING   SURVEYING   SUBSURFACE UTILITY ENGINEERING GAINESVILLE • LAKEWOOD RANCH • ORLANDO • ST. PETERSBURG • TAMPA</p>	JOB NO. 19003300LS		
DRAWN	PVR	01/08/20		SHEET NO.		
CHECKED	PL	01/08/20		S1 S2		
FIELD BOOK						
FIELD DATE						

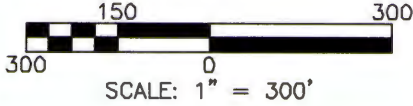
FILE: I:\PROJECT\SUR\2019\19003300LC\DWG\19003300LCsk-1.dwg  
LOGIN: Roach, Patrick  
PLOTTED: 2/2/2024 2:45 PM





**LEGEND**

PID-PROPERTY IDENTIFICATION  
 #-NUMBER  
 PG-PAGE  
 PB-PLAT BOOK  
 SQ FT-SQUARE FEET  
 ±-PLUS OR MINUS



**PID #0365001100**  
 (CITY OF VENICE)

**UTILITY EASEMENT**  
 (84,473 SQ FT)

**PID #0373001040**  
 VENETIAN GOLF & RIVER CLUB  
 PROPERTY OWNERS ASSOCIATION, INC  
 (ORI #2015149756)

**TOSCANA ISLES**  
**UNITS 1 & 2**  
**PHASE 4**  
 (PB 51, PG 103)

**PID #0373001030**  
 HGC VENETIAN LLC  
 (ORI #2022023840)

**POINT OF COMMENCEMENT**

SW CORNER OF THE NW 1/4 OF THE VENETIAN GOLF & RIVER CLUB  
 NE 1/4 OF SECTION 27-38S-19E PROPERTY OWNERS ASSOCIATION, INC  
 (ORI #2015149756)

**POINT OF BEGINNING**

SOUTH LINE OF THE NW 1/4 OF THE  
 NE 1/4 OF SECTION 27-38S-19E

**PID #0373001040**

VENETIAN GOLF & RIVER CLUB  
 PROPERTY OWNERS ASSOCIATION, INC  
 (ORI #2015149756)

**PID #0373001090**

VENETIAN COMMUNITY  
 DEVELOPMENT DISTRICT  
 (ORI #2021092388)

**PID #0373001030**

HGC VENETIAN LLC  
 (ORI #2022023840)

**UTILITY EASEMENT**  
 (84,473 SQ FT)

**EXISTING 30' WIDE ACCESS & UTILITY**  
**EASEMENT(O.R.I. #2015072912)**

**PID #0373001090**

VENETIAN COMMUNITY  
 DEVELOPMENT DISTRICT  
 (ORI #2021092388)

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PREPARED FOR:  
 CITY OF VENICE

**UTILITY EASEMENT #1**  
**SKETCH & DESCRIPTION**

SECTION 27, TOWNSHIP 38 S., RANGE 19 E.

REVISED	BY	DATE	DESCRIPTION
	PVR	2/01/24	UPDATE PER CLIENT

	INITIALS	DATE
CREW CHIEF		
DRAWN	PVR	01/08/20
CHECKED	PL	01/08/20
FIELD BOOK		
FIELD DATE		

F. PETER LUTZ, JR. PSM LS 5506

DATE



**George F. Young, Inc.**

10540 PORTAL CROSSING, SUITE 105 LAKEWOOD RANCH, FLORIDA 34211-4913  
 PHONE (941) 747-2981 FAX (941) 747-7234  
 BUSINESS ENTITY LB21 WWW.GEORGEFYOUNG.COM  
 CIVIL & TRANSPORTATION ENGINEERING | ECOLOGY | GIS | LANDSCAPE ARCHITECTURE  
 PLANNING | SURVEYING | SUBSURFACE UTILITY ENGINEERING  
 GAINESVILLE • LAKEWOOD RANCH • ORLANDO • ST. PETERSBURG • TAMPA

JOB NO.  
 19003300LS

SHEET NO.  
 S2 S2