

Record \$10.50

Prepared by and return to:
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200 South Orange Avenue
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(941) 366-4800

TERMINATION AND RELEASE OF EASEMENT

THIS TERMINATION AND RELEASE OF EASEMENT is made this ____ day of _____, 2015, by **THE CITY OF VENICE**, a municipal corporation (“City”), whose mailing address is _____.

RECITALS:

A. By virtue of easement recorded in Official Records Book 443, page 617, Public Records of Sarasota County, Florida, which easement superseded easement recorded in Official Records Book 414, Page 140, Public Records of Sarasota County Florida, City was granted a water line easement (the “Easement”) under and upon certain real property described and depicted therein (the “Easement Property”).

B. City is the current holder of the Easement.

C. City has obtained a separate easement sufficient for the replacement purposes of the existing Easement.

D. Accordingly, City desires to terminate the Easement and release the Easement Property from the Easement.

NOW, THEREFORE, in consideration of \$1.00 and other valuable consideration, receipt of which is hereby acknowledged, City hereby terminates the Easement and releases the Easement Property from the Easement.

IN WITNESS WHEREOF, City has executed this Termination and Release of Easement the day and year first above written.

WITNESSES:

**CITY OF VENICE
CITY COUNCIL**

Signature of Witness

By: _____
John Holic, Mayor

Print Name of Witness

Signature of Witness

Print Name of Witness

STATE OF FLORIDA
COUNTY OF SARASOTA

I hereby certify that on this ____ day of _____ 2015, before me personally appeared John Holic, as Mayor of City of Venice, a municipal corporation, to me known to be the person described in and who executed the foregoing instrument, and he acknowledged that he executed the foregoing instrument for and on behalf of the municipal corporation for the purposes therein expressed and that he was duly authorized by the municipal corporation.

(Notary Seal)

Notary Public

Print Name of Notary Public

I am a Notary Public of the State of Florida, and my
commission expires on _____.

177934

EASEMENT

THIS DEED made the 23rd day of September, 1963, by THE BOARD OF PUBLIC INSTRUCTION OF SARASOTA COUNTY, FLORIDA, a corporation under the laws of Florida, herein called "grantor", and CITY OF VENICE, a municipal corporation, herein called "grantee, Venice, Florida:

WITNESSETH that grantor in consideration of the sum of \$10.00, receipt whereof is hereby acknowledged, does hereby convey to grantee an easement upon the following described lands in Sarasota County, Florida:

A strip of land 10 feet in width, in Sec. 7, Twp. 39S, Rge. 19E; Sarasota County, Fla.; being 5.0 ft. to left and 5.0 ft. to right of the following described center line. Commence at the N.E. corner of the intersection of the Rialto (Tamiami Trail, 100 ft. wide) and Turin Street, 60 ft. wide, City of Venice, in Sec. 7, Twp 39S, Rge. 19E; thence S 89°-57'-30"-E, along the north boundary of Turin Street 420.0 ft.; thence south, parallel with said "Rialto", 13.0 ft. for a Point of Beginning; Thence N 45°-02'-30"-E, 187.20 ft.; thence S-89°-57'-30"-E, 1050.00 ft.; thence S-44°-57'-30"-E, 188.18 ft.; thence 89°-57'-30"-E, 264 ft., plus or minus, to the westerly R/W line of the C-1 route of the proposed Intracoastal Waterway Canal.

This Easement supersedes previous easement granted as recorded in the Official Records Book 414 on Page 140, 141 and 142 of the official records of the County of Sarasota, Florida, and upon the recording of this instrument when duly executed said previous easement shall become null and void.

PROVIDED HOWEVER, and this conveyance is made subject to, and upon the express condition that should the grantee cease to use the foregoing easement for a right of way under, across, through and upon the property above described including the right to enter upon said property during the term of this easement at any time that grantee may deem fit and proper and to construct, maintain and repair water lines and conduits, or either of them, to be used in connection with grantee's water system in the City of Venice, Florida, and for that purpose to excavate and refill ditches and trenches, or either of them, for the location of said water lines and conduits and to have the right to remove any and all obstructions on said easement which shall interfere with such location, construction and maintenance; provided that grantee shall replace, repair and restore the surface of said easement to the same condition that existed prior to grantee's operation thereupon and thereunder as nearly as may be possible; provided, further, that this easement shall not be construed to prevent the use by the grantor of the surface of the ground except when construction or maintenance work is going on or



SARASOTA COUNTY

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the sub-surface so long as the same does not interfere with the rights granted hereby, then and in that event the title to said easement shall revert to and vest in grantor.

AND PROVIDED FURTHER that should said grantor desire to build a permanent building upon the surface of the ground through which said easement is granted, said grantee agrees to remove said water lines and conduits to a place satisfactory to said grantor and said grantor agrees to grant an easement therefor and provided further that said grantee shall hold said grantor harmless and indemnify it for any loss or damage which said grantor may suffer by reason of the location of said water lines and conduits through said easement or the construction, maintenance or repair thereof and provided further that any re-location of said easement shall be at said grantee's expense.

AND PROVIDED FURTHER that grantee will within sixty (60) days after receiving notice from grantor to move and relocate said utility relocate the same.

IN WITNESS WHEREOF, grantor has caused these presents to be signed in its name and its seal affixed.

THE BOARD OF PUBLIC INSTRUCTION OF SARASOTA COUNTY, FLORIDA

ATTEST:

By Herbert P. Field
As Chairman

Russell W. Wiley
As Secretary

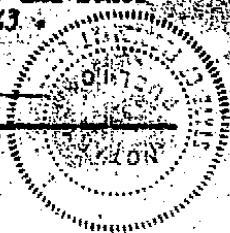
STATE OF FLORIDA
COUNTY OF SARASOTA

I hereby certify that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared HERBERT P. FIELD and RUSSELL W. WILEY, as Chairman and Secretary respectively of The Board of Public Instruction of Sarasota County, Florida, a corporation under the laws of Florida, to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same as such officers and affixed thereto the seal of said Board and that said instrument is the act and deed of said Board.

WITNESS my hand and official seal in the County and State aforesaid this 23 day of September, 1963.

My Commission Expires:

Marjelle Lotz
Notary Public



Notary Public, State of Florida at Large
My Commission Expires March 10, 1964
Bonded by American Surety Co. of N. Y.

CERTIFICATE

STATE OF FLORIDA
COUNTY OF SARASOTA

I, RUSSELL W. WILEY, as Superintendent of Public Instruction of said county and ex officio secretary of the Board of Public Instruction of said county do hereby certify that all the provisions of Section 235.04 Florida Statutes have been complied with with respect to the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 23rd day of September, 1963.



Russell Wiley
As Secretary of said Board

W. A. WYNN, CLERK
SARASOTA CO., FLA.

SEP 30 10 03 AM '63

FILED AND RECORDED

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