

This instrument prepared by:
Kelly M. Fernandez, Esq.
Persson & Cohen, P.A.
6853 Energy Ct., Lakewood Ranch, FL 34240
Return to:
City Clerk, City of Venice
401 W. Venice Ave., Venice, FL 34285

AMENDMENT TO EASEMENT FOR WELL 4E

THIS AMENDMENT TO EASEMENT FOR WELL 4E (hereinafter the "Amendment") is made and entered into this 30th day of July, 2018, by and between CAPRI ISLES GOLF, INC., whose address is 1454 Gleneagles Drive, Venice, Florida 34292 ("Grantor") and CITY OF VENICE, a Florida municipal corporation, whose address is 401 W. Venice Avenue, Venice, Florida 34285 ("Grantee").

W I T N E S S E T H:

WHEREAS, Grantee and Grantor's predecessor in interest entered into that certain Easement for Well 4E recorded on August 2, 1990 in Official Records Book 2231, Pages 123, et. seq., Public Records of Sarasota County, Florida, which granted Grantee certain utility easement rights for the placement, construction, operation, maintenance and repair of a potable water well along with ingress and egress and the placement, construction, repair and maintenance of an underground pipeline from said well in perpetuity (hereinafter "Easement for Well 4E"); and

WHEREAS, Grantor represents and warrants the Grantor is the current fee simple owner of the Parcel and Access Easement described within the Easement for Well 4E; and

WHEREAS, Grantee has requested that Grantor agree to a modified location of the Parcel and Access Easement described in the Easement for Well 4E to reflect the actual location of Well 4E and current and future related improvements.

NOW THEREFORE, for and in good and just consideration, the above recitals, and other good and valuable consideration set forth herein, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee hereby covenant and agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated herein as material provisions of this Amendment.

2. Amendment. The sketch and legal description for the Parcel and Access Easement attached to the Easement for Well 4E as Exhibit "A" is hereby replaced with Exhibit "B" attached hereto and incorporated herein, thus constituting the relocated boundaries of the Parcel and Access Easement.

3. Ratified. Except as modified by this Amendment, the terms and conditions of the Easement for Well 4E are hereby ratified by the Grantor and Grantee and remain in full force and effect.

IN WITNESS WHEREOF, the Grantor has caused this Amendment to Easement for Well 4E 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.

WITNESSES:

Jack McFaul
Print Name: Jack McFaul
Brad Flach
Print Name: BRAD FLACH

CAPRI ISLES GOLF, INC.

By: Robin L. McCoy
Print Name: ROBIN L. MCCOY
Title: President
Attest: Ronald M Bobbett
Corporate Secretary

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF Sarasota

The foregoing instrument was acknowledged before me this 30th day of July, 2018, by Rob McCoy, as President of Capri Isles Golf, Inc., who is personally known to me or who produced _____ as identification.



Shannon L. Buckley
Notary Public
Print Name: Shannon L. Buckley
My Commission Expires: 2/21/19

ACCEPTANCE BY GRANTEE

The foregoing Amendment to Easement is accepted and agreed to by the City of Venice, Florida, this _____ day of _____, 2018.

John Holic, Mayor

ATTEST:

Lori Stelzer, City Clerk

FIELD BOOK: 587
PAGE(S): 30
JOB NUMBER: 18-01-23
DRAWN BY: DML

CERTIFIED TO:
CITY OF VENICE

CERTIFICATE OF SURVEYOR
I, THE UNDERSIGNED, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF THE LANDS DESCRIBED AND SHOWN HEREON ACCORDING TO A SURVEY MADE UNDER MY DIRECTION AND SUPERVISION AND THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 40, F.S., AND THE RULES OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS ADOPTED BY THE BOARD OF LAND SURVEYING IN THE STATE OF FLORIDA, AND THAT I AM A MEMBER OF THE FLORIDA SURVEYING BOARD.
DATE OF SURVEY: FEBRUARY 1, 2018
BRITTON E. BRITT, PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3979
NOTE: NOT VALID UNLESS SIGNED WITH CURRENT SURVEYOR'S SEAL.

BRITTON E. BRITT
BRITT SURVEYING, INC.
LAND SURVEYORS AND MAPPERS
CERTIFICATE OF AUTHORIZATION NO. LB. 6638
805 Cypress Avenue Venice Florida 34285
Telephone: (941) 493-1396 Fax: (941) 484-5766
Email: brittsurveying.com

DESCRIPTION:

A 14' x 32' parcel lying within Tract "G" of the Plat of WATERFORD, and being further described as follows:

Beginning at a point found by measuring from the Southeast corner of Section 33, Township 38 South, Range 19 East, N.01°15'22"W, along the East line of said section, 230.00 feet, said line also being the Easterly line of the Plat of WATERFORD, as recorded in Plat Book 33, Pages 15 - 15 "O", Public Records of Sarasota County, Florida; thence leaving said line S.88°44'38"W, 20.00 feet to the above mentioned POINT OF BEGINNING; thence S.88°44'38"W, 14.00 feet; thence N.01°15'22"W, 32.00 feet; thence N.88°44'38"E, 14.00 feet; thence S.01°15'22"E, 32.00 feet to the aforementioned POINT OF BEGINNING.

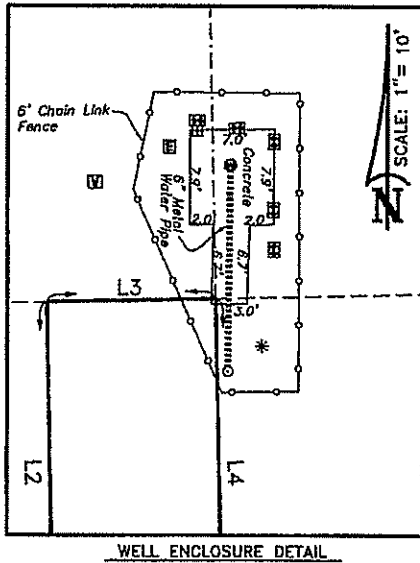
Together with an ingress, egress easement over and across Tract "G" and a portion of Edmondson Road in the Plat of WATERFORD as recorded in Plat Book 33, Pages 15 - 15 "O", Public Records of Sarasota County, Florida. Being further described as follows:

The East 50.00 feet of the North 70 feet of the South 262 feet together with the East 40 feet of the South 192 feet of the southeast one quarter of section of Section 33, Township 38 South, Range 19 East, Sarasota County, Florida.

Being in Section 33, Township 38 South, Range 19 East, Sarasota County, Florida.

REPORT OF SURVEY:

1. This plat represents a Boundary Survey showing visible improvements.
2. Bearings shown hereon refer to an assumed meridian, Easterly line of the Plat of Waterford = N.01°15'22"W.
3. There may exist other underground fixed interior improvements, which are not visible and are not a part of this survey.
4. Description shown hereon has been furnished by client.
5. Subject to easements and rights of way of record, if any. No research has been made of easements or rights of ways of record. No easements shown on Record Plat.
6. This plat has been prepared without the benefit of a Commitment for Title Insurance or a Title Policy.
7. Parcel shown hereon is situated in Flood Zone "X", base flood elevation Not Determined, per Flood Insurance Rate Map 12115C0332F, Index Map dated November 4, 2016.
8. Accuracy: The expected use of the land, as classified in the Minimum Technical Standards (5J-17 F.A.C.), is "Suburban". The minimum relative distance accuracy for this type of boundary survey is 1 foot in 7,500 feet. The accuracy obtained by measurement and calculation of a closed geometric figure was found to exceed this requirement.

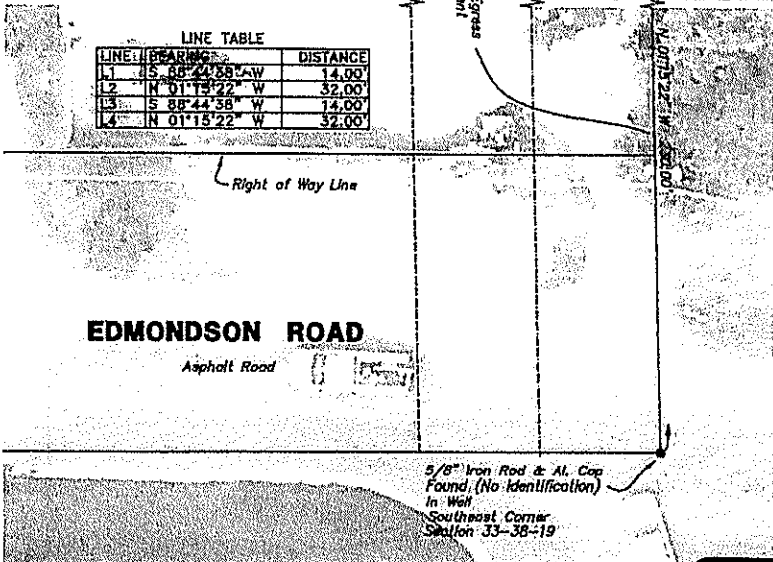


WELL ENCLOSURE DETAIL

LEGEND:

- ☐ Communications Vault
- Control Box
- ⊙ Well Head
- ⊙ Electric Meter
- ⊙ Electric Hand Hole
- * Plastic Antenna Pole
- Water Line to Ground

LINE TABLE		
LINE	BEARING	DISTANCE
1	S. 88°44'38" W	14.00
2	N. 01°15'22" W	32.00
3	S. 88°44'38" W	14.00
4	N. 01°15'22" W	32.00



EXHIBIT

"B"