

FIRST AMENDMENT TO PRE-ANNEXATION AGREEMENT

THIS AMENDMENT is made this ____ day of _____, 2018 by and between THE CITY OF VENICE, FLORIDA, a municipal corporation (hereinafter referred to as "City"), and SARASOTA COUNTY PUBLIC HOSPITAL DISTRICT, a body corporate under the laws of the State of Florida, successor in title and interest to Lloyd P. Miller, as Successor Trustee of Trust Number 1-A and 1-D and Osprey Land Trust, a Florida General Partnership.

WHEREAS, the City and Lloyd P. Miller, as Successor Trustee of Trust Number 1-A and 1-D and Osprey Land Trust, a Florida General Partnership, are parties to a Pre-Annexation Agreement dated November 12, 2002; and

WHEREAS, Sarasota County Public Hospital District has purchased the property subject to the Pre-Annexation Agreement; and

WHEREAS, Sarasota County Public Hospital District requested a revision to Section 2, Zoning, which is acceptable to the city.

NOW, THEREFORE, in consideration of the covenants and promises contained herein and in the November 12, 2002 Pre-Annexation Agreement, the City and Sarasota County Public Hospital District agree as follows:

SECTION 1. The above recitals are true and correct and are incorporated herein.

SECTION 2. The property subject to the Pre-Annexation Agreement owned by Sarasota County Public Hospital District is shown on "Exhibit A" attached hereto.

SECTION 3. Section 2 of the November 12, 2002 Pre-Annexation Agreement is hereby amended as follows:

2. **ZONING.** The Subject Property is currently zoned by Sarasota County as OUA and OUE-1. The Owner shall petition the City to rezone the Subject Property to a district or districts under the Venice Zoning Code within one (1) year of the City's adoption of an ordinance annexing the property in to the corporate limits of the City. Pursuant to the City's land use policies, designation of the Subject Property as subject to the Venetian Gateway Overlay signage and architectural standards is required; provided, however, that nothing herein shall be deemed to require application of those standards to hospitals and related healthcare facilities. No development orders shall be granted until the Subject Property is so rezoned. Following annexation, the Subject Property shall be subject to all codes, laws, ordinances, and regulations in force within the City.

SECTION 4. The above-described amendments shall be effective as of September 11, 2018.

SECTION 5. All other terms and conditions of the November 12, 2002 Pre-Annexation Agreement not specifically amended herein remain in full force and effect.

IN WITNESS WHEREOF, the City and the Sarasota County Public Hospital District, set their hands and seals hereto on the day and year first above written.

CITY OF VENICE, FLORIDA

BY: _____
John W. Holic, Mayor

ATTEST:

Lori Stelzer, MMC, City Clerk

(SEAL)

Kelly Fernandez, City Attorney

WITNESS

SARASOTA COUNTY PUBLIC HOSPITAL DISTRICT, A
Body Corporate Under the Laws of the State of
Florida

_____ David C. Verinder, President & CEO

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by _____, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.

Notary Public Signature: _____

Printed name of notary: _____

Commission Number: _____ My Commission Expires: _____