

AMENDMENT NO. 3 TO THE AMENDED AND RESTATED
JOINT PLANNING AND INTERLOCAL SERVICE
BOUNDARY AGREEMENT BETWEEN THE CITY OF
VENICE AND SARASOTA COUNTY

This Amendment is made and entered into this 9 day of October, 2018, by and between the City of Venice, a municipal corporation organized and existing under the laws of the State of Florida (the "City") and Sarasota County, a charter county and political subdivision of the State of Florida (the "County").

WHEREAS, the City and County are the parties to a Joint Planning and Interlocal Service Boundary Agreement dated January 9, 2007 (the "Original JPA"), which was amended on November 12, 2008, amended and restated on October 26, 2010 and further amended on March 13, 2012 and July 10, 2012 (collectively, the "JPA/ILSBA"); and

WHEREAS, paragraph 6.B.(1) of the JPA/ILSBA identifies "Area 1-Rustic Road Neighborhood" as being eligible for annexation by the City; and

WHEREAS, on April 20, 2018, the City received a request to amend the JPA/ILSBA to add Sarasota County Parcel ID Nos. 0364-10-0001 and 0377-02-0001, as described in Exhibit "C" hereof (the "Hurt properties"), to a Potential Annexation Area; and

WHEREAS, Sarasota County Parcel ID No. 0377-02-0002 owned by the Florida Department of Transportation (FDOT), as described in Exhibit "C" hereof (the "FDOT property"), would be the only remaining parcel of land in this area not within the boundaries of the City or within a Potential Annexation Area; and

WHEREAS, in order to allow for the consideration by the City of the annexation of the Hurt properties and the FDOT property, the parties wish to amend the JPA/ILSBA to add Sarasota County Parcel ID Nos. 0377-02-0002, 0364-10-0001, and 0377-02-0001, comprising approximately 218.42± acres of land, to the Potential Annexation Area identified as "Area 1-Rustic Road Neighborhood."

NOW, THEREFORE, in consideration of the mutual covenants contained within the JPA/ILSBA and this Amendment No. 3, the City and County agree as follows:

1. Subparagraph 6.B.(1) is hereby amended to read as follows:

- (1) Area 1 – Rustic Road Neighborhood: The land use adopted in the Venice Comprehensive Plan for Subarea 1 (area abutting I-75 and extending approximately 0.73 mile northward and approximately 0.60 mile eastward of the intersection of I-75 and Cow Pen Slough, and the 218.46+/- acres of property north of the Triple Diamond Commerce Park (comprised of Parcel Nos. 0377-02-0002, 0364-10-0001, and 0377-02-0001 is 5 to 9 units per acre, calculated on a gross area basis. The land use adopted for Subarea 2 (area abutting Knights Trail Road and extending approximately 0.75 mile westward of Knights

Trail Road) is up to 5 units per acre. Up to 50% of the acreage in Area 1 will be allowable for nonresidential (retail, office space, industrial and manufacturing) uses. The total square footage of non-residential uses allowed in this area shall not exceed a floor area ratio (FAR) of 2.0. Development shall be served by City water and sewer. Given environmental corridors along the creeks on properties 0364-10-0001 and 0377-02-0001, the parties agree to apply section 10.L. relating to establishing and maintaining wildlife corridors during processes outlined in this Joint Planning Agreement. An environmental/habitat assessment will be required at the time of rezone or development approval stage to identify appropriate habitat protection. The Party with jurisdiction over the development application will require transportation improvements to the intersection of Knights Trail and Rustic Lane to meet County standards and to be provided by the developer. For future expansion of Knights Trail Road, the Party with jurisdiction over the development application will require the reservation of necessary Right-of-Way (ROW) consistent with County roadway standards for a four-lane roadway.

2. Exhibit A of the JPA/ILSBA ("Joint Planning Area") is hereby amended to add the Hurt properties and FDOT property to Area 1-Rustic Road Neighborhood, as depicted on the attached Exhibit "A." All other portions of Exhibit A remain unchanged.

3. Exhibit B of the JPA/ILSBA ("Joint Planning Agreement Matrix") is hereby amended to revise Area 1-Rustic Road Neighborhood in relation to the addition of the Hurt Properties and FDOT property, as depicted on the attached Exhibit "B". All other sections of the Joint Planning Agreement Matrix remain unchanged.

IN WITNESS WHEREOF, the CITY OF VENICE, FLORIDA has cause this Amendment No. 3 to the JPA/ILSBA to be executed by its Mayor and affixed its official seal, attested by its Clerk, pursuant to the Authorization of the Venice City Council, and SARASOTA COUNTY, FLORIDA has caused this Amendment to be executed by its Chair and affixed its official seal, attested by its Clerk, pursuant to the authorization of the Board of County Commissioners, on the day and year indicated above.

Board of County Commissioners Sarasota
County, Florida,

By: 

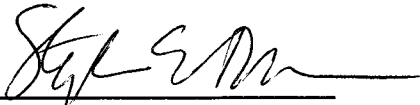
Chair

ATTEST:


Deputy Clerk

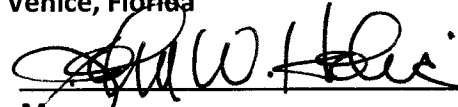
Approved as to Form and Execution

By:


County Attorney
ANK

City Council
City of Venice, Florida

By:


Mayor

ATTEST:


Lori Steizer, City Clerk

Approved as to Form and Execution

By: 
Kelly Fernandez, Attorney

EXHIBIT "A"

JPA MAP

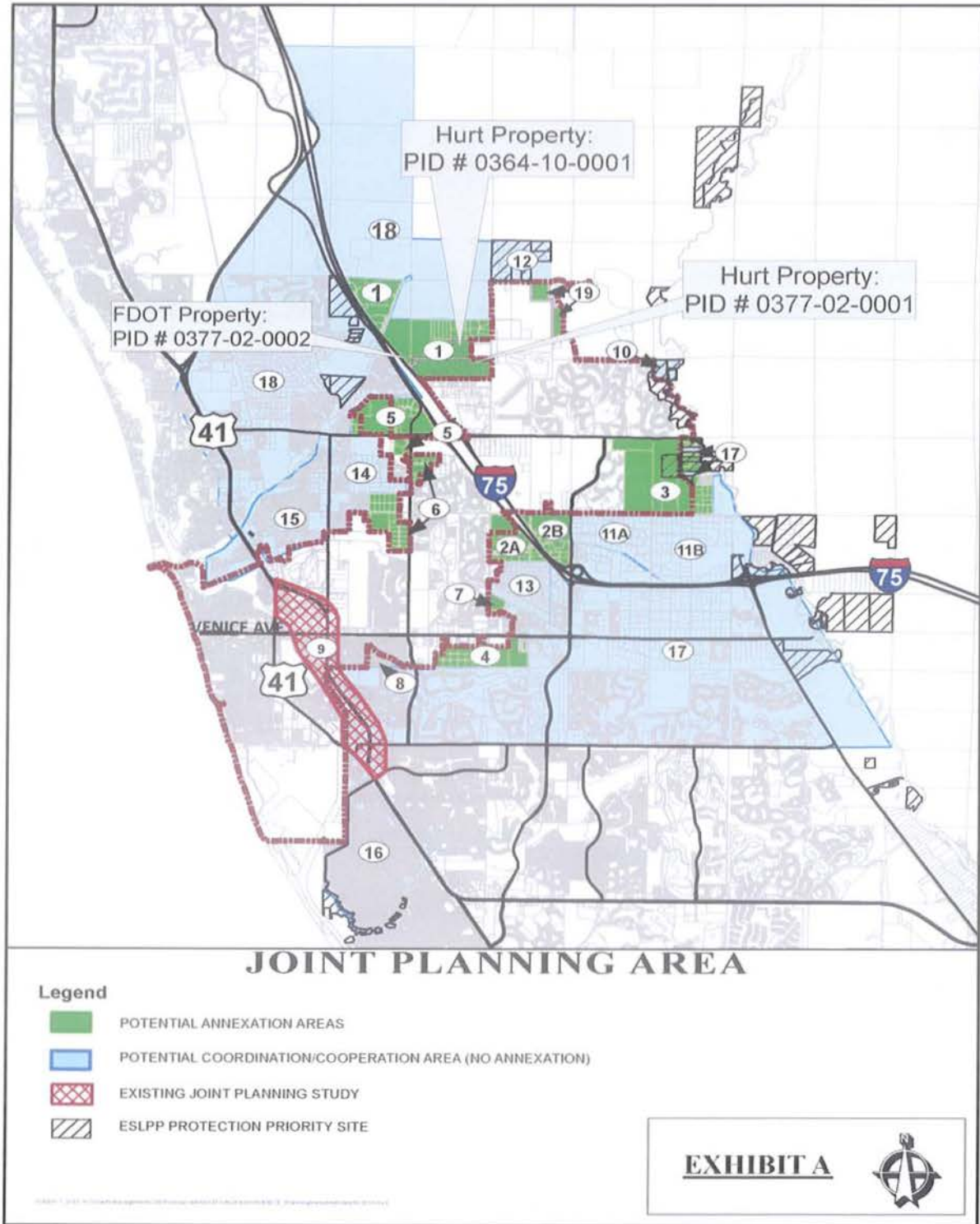


EXHIBIT "B"
JPA MATRIX

Location	Acreage	Existing County Future Land Use	Land Uses to be Determined by the City of Venice		Transportation	Water/Sewer	Environmental	Timing of Infrastructure Availability (years)
#1(Rustic Road)	489 708	County Semi-Rural <u>Rural</u>	Subarea 1: 5 to 9 du/ac. Subarea 2: 2 to 5 du/ac.		Intersection Improvements on Knights Trail. <u>Reserve ROW for future expansion of Knights Trail Road consistent with County standards for 4- lane roadways.</u>	City Water & Sewer	No Issues Identified <u>See Section 6.B.(1)</u>	6 1-15

EXHIBIT "C"
DESCRIPTION OF HURT PROPERTIES
DESCRIPTION OF FDOT PROPERTY

DESCRIPTION - HURT PROPERTIES:

DESCRIPTION (O.R.I. 2001181531):

(A) The SW 1/4 of the SE 1/4 of Section 21, Township 38 South, Range 19 East;

(B) The S 1/2 of the SE 1/4 of the SW 1/4 of Section 21, Township 38 South, Range 19 East,

TOGETHER WITH a perpetual non-exclusive access easement for ingress and egress and for drainage and utilities over the East 30 feet of the N 3/4 of the E 1/2 of the SW 1/4 and over the South 30 feet of the E 1/2 of the NW 1/4 and over the South 30 feet of the NE 1/4 of said Section 21, Township 38 South, Range 19 East. ALSO TOGETHER WITH a non-exclusive perpetual easement for public access, drainage and utilities over and across those certain easements described in Official Records Book 1317, Pages 931 and 932, of said Records.

(C) The NW 1/4 of the NE 1/4 and the N 1/2 of the NW 1/4 of Section 28, Township 38 South, Range 19 East, Less I-75 right-of-way described as.

BEGIN on the West line of said Section 28, at a point South 0°09'22" East 598.21 feet from the NW corner thereof, thence run South 39°47'50" East 607.25 feet, to the beginning of a curve concave to the South-westerly, having a radius of 23,036.31 feet, thence run Southeasterly along said curve 358.40 feet, through a central angle of 0°53'29" to the end of said curve, thence North 89°45'25" West 617.96 feet to the West line of said Section 28, thence North 0°09'22" East 741.04 feet along said West line to the POINT OF BEGINNING.

(D) The NE 1/4 of the NE 1/4 of Section 28, Township 38 South, Range 19 East, LESS the South 60 feet (except for the East 30 feet of said South 60 feet) thereof LESS portion thereof taken by Sarasota County in Eminent Domain (Case No. 88-5219-CA-01, Parcel 04-HR) described as: (Fee Simple)

Commence at the Northeast corner of Section 28, Township 38 South, Range 19 East, Sarasota County, Florida, which is certified to the Florida Department of Natural Resources by Corner Record Document No. 18855; thence run S 89°45'40" W along the North line of said Section 28 for a distance of 30 feet to the POINT OF BEGINNING; thence run S 0°03'02" W along a line 40.00 feet West of and parallel with the East line of said Section 28 for a distance of 1323.66 feet; thence run N 89°20'04" E along the South line of the properties described in O.R.B. 1872, Page 2609 of the Public Records of Sarasota County, Florida, for a distance of 10.00 feet; thence run N 00°03'02" E for a distance of 1323.58 feet to the POINT OF BEGINNING, containing 13,236.15 square feet, more or less.

(Perpetual Drainage Easement)

That part of O.R.B. 1350, page 1589 of the Public Records of Sarasota County, Florida, described as follows: Commence at the Northeast corner of Section 28, Township 38 South, Range 19 East, Sarasota County, Florida, which is certified to the Florida Department of Natural Resources by Corner Record Document No. 18855; thence run South 00°03'02" West along the East line of said Section 28 for a distance of 475.41 feet; thence run North 89°56'58" West for a distance of 40.00 feet to the POINT OF BEGINNING; thence continue North 89°56'58" West for a distance of 95.00 feet; thence to South 00°03'02" West for a distance of 193.00 feet; thence run South 89°56'58" East for a distance of 95.00 feet; thence run North 00°03'02" East along a line 40.00 feet West of and parallel with said Section line for a distance of 193.00 feet to the POINT OF BEGINNING, containing 18,335.00 square feet, more or less

(E) Begin at the Northeast corner of S 1/2 of N 1/2 of Section 28, Township 38 South, Range 19 East, for Point of Beginning. Thence North 89°31'23" W along N line of said tract, 4731.59' to Easterly right-of-way of I-75; thence southeasterly along said right-of-way, 24.79'; thence S 89°45'49" E, 720.04'; thence S 89°45'59" E, 1327.01' to the Point of Beginning, being 1.06 acres, subject to road right-of-way along Easterly side.

DESCRIPTION - FDOT PROPERTY:

That portion of the northwest 1/4 of Section 28, Township South, Range 19 East, Sarasota County, Florida.

Being described as follows:

BEGIN at the northwest corner of said Section 28; thence along the north line of said Section 28, South 89°35'24" East a distance of 435.46 feet; thence South 00°21'45" West a distance of 268.79 feet; thence South 52°35'21" West a distance of 533.67 feet to the west line of said Section 28; thence along said west line North 00°56'50" West a distance of 596.20 feet to the POINT OF BEGINNING.

Containing 4.281 acres.