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November 17, 2020

Mr. Jeff Shrum, AICP
Community Development Director
City of Venice
401 W. Venice Ave.
Venice, FL 34285

Re: Catalyst HRE - Annexation Petition No. 20-52AN

Dear Mr. Shrum:

As you are aware, we represent the applicant in connection with Annexation Petition No. 20-52AN (the "Petition"). In response to the request contained in Technical Review Committee comments dated November 6, 2020, we are writing to provide our opinion as to whether the annexation proposed by the Petition would create an enclave.

Florida Statutes Chapter 171 governs municipal annexation. Section 171.031(13), F. S., defines "Enclave" as follows:

"(a) Any unincorporated improved or developed area that is enclosed within and bounded on all sides by a single municipality; or (b) Any unincorporated improved or developed area that is enclosed within and bounded by a single municipality and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the municipality."

The subject property of the Petition (the "Property") is part of the Woodland Acres Plat, as recorded in the public records of Sarasota County (attached hereto as Exhibit "A"). The Woodland Acres Plat identifies Curry Lane as a 60 foot private road right-of-way running east and west, and separating lots 1 – 7 to the north from lots 8 – 12 to the south. Consistent with recently approved Annexation Petition No. 20-01AN, Curry Lane is not included in this Petition, and it therefore will remain under the jurisdiction of Sarasota County.

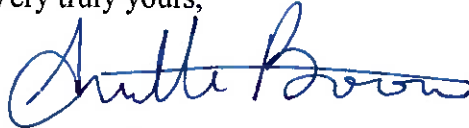
The Property's annexation would not create an enclave. Whereas an enclave is an unincorporated area that is "enclosed within and bounded *on all sides* by a single municipality"

(emphasis added), the unincorporated lots in the Woodland Acres Plat would neither be enclosed within nor bounded on all sides by the City of Venice, as all such lots will remain bound on at least one side by Sarasota County via Curry Lane. Similarly, because these unincorporated lots would remain bound by Curry Lane, the passage of vehicular traffic to the unincorporated area would not be only through the City of Venice.

Consequently, annexation of the Property would not create an enclave, and the remaining unincorporated area would maintain the same access for transportation and essential services through Sarasota County it enjoys today.

If you have any questions or wish to discuss this matter further, please do not hesitate to contact us.

Very truly yours,



Annette M. Boone

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16855\lts JS – Enclave Legal Opinion

