

AMENDMENT TO LINEAR PARK PROJECT AGREEMENT

This Amendment to Agreement dated February 1, 2000 (the "Linear Park Project Agreement") is by and among The School Board of Sarasota County, Florida (the "Board"), the Venice Area Beautification, Inc. ("VABI"), and the City of Venice, Florida (the "City").

WHEREAS, paragraph 5 of the Linear Park Project Agreement called for the Board to grant an easement to the City; and

WHEREAS, the parties wish to formalize the easement (including a slight modification to the legal description).

NOW, THEREFORE, for and in consideration of the premises and the covenants herein contained, the Board, the City and VABI do mutually covenant and agree as follows:

1. The easement referenced in paragraph 5 of the Linear Park Project Agreement shall be granted in the form attached hereto (the "Pedestrian Easement").
2. The sketch and legal description attached as Exhibit "3" to the Linear Park Project Agreement are superseded by the sketch and legal description attached to the Pedestrian Easement.
3. Except as modified by this Amendment, all of the terms and provisions of the Linear Park Project Agreement are hereby ratified and declared to be in full force and effect.

SIGNATURE PAGE TO FOLLOW

VENICE AREA BEAUTIFICATION, INC.

By: _____
_____, President

**CITY OF VENICE
CITY COUNCIL**

By: _____
_____, Mayor

ATTEST:

City Clerk

Approved as to form and legality:


City Attorney

**THE SCHOOL BOARD OF SARASOTA
COUNTY, FLORIDA**

By: _____
Shirley Brown, Chairman

APPROVED FOR LEGAL CONTENT
Date: May 5, 2010

**ATTORNEYS FOR THE SCHOOL BOARD
OF SARASOTA COUNTY**

By: 

Jeffrey A. Grebe, Esq.
WILLIAMS PARKER HARRISON
DIETZ & GETZEN
200 South Orange Avenue
Sarasota, Florida 34236

Prepared by:
Jeffrey A. Grebe, Esq.
Williams, Parker, Harrison, Dietz & Getzen
1550 Ringling Boulevard
Sarasota, Florida 34236
(941) 366-4800

PEDESTRIAN EASEMENT

THIS EASEMENT is made by and between **THE SCHOOL BOARD OF SARASOTA COUNTY, FLORIDA**, a body politic under the laws of the State of Florida (the "School Board"), and the **CITY OF VENICE, FLORIDA**, a municipal corporation (the "City").

WHEREAS, the School Board, the City, and Venice Area Beautification, Inc. previously enter into an agreement dated February 1, 2000 (the "Agreement") regarding a linear park project (the "Project") on the campus of Venice High School; and

WHEREAS, paragraph 5 of the Agreement states that the School Board shall grant a non-exclusive easement to the City related to the Project.

NOW, THEREFORE, in consideration of the sum of \$1.00 and other valuable consideration, the School Board does hereby grant unto the City a non-exclusive easement over that portion of the Property described in Exhibit "A" attached hereto (the "Easement Areas"), for the purpose of pedestrian usage on the pathways constructed and maintained by the City within the Easement Areas, and maintenance by the City of the Project and related improvements and appurtenances.

This easement grant is made by the School Board and accepted by the City subject to the following conditions by which the City covenants and agrees to abide:

1. This is a non-exclusive easement, with the School Board reserving unto itself, its successors and assigns, the right to the continued free use and enjoyment of the Easement Areas, for any purposes which are not inconsistent with the rights granted unto the City.
2. The City acknowledges that the School Board may in the future elect to reconfigure its campus. The School Board, therefore, reserves the right to relocate the easement in the event of such a reconfiguration, provided the School Board pays all costs of relocating the easement, and that the width of the easement is approximately the same width of the easement granted herein. Once the easement has been relocated: (a) the description of the easement property set forth in Exhibit "A" shall be amended to conform to the relocated easement, which amendment shall be evidenced by instrument executed by the parties and recorded in the Public Records of Sarasota County, Florida; and (b) the City (and the public) shall abandon use of the original Easement Areas.

3. Pursuant to the Agreement, the City agrees to maintain at its sole cost and expense the Easement Areas and all Project improvements and appurtenances.

IN WITNESS WHEREOF, the parties hereto have executed this easement on the dates indicated below.

WITNESSES:

Signature of Witness

Print Name of Witness

Signature of Witness

Print Name of Witness

**CITY OF VENICE
CITY COUNCIL**

By: _____
_____, Mayor

Date: _____

ATTEST:

City Clerk

Approved as to form and legality:

City Attorney

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this _____ day of _____ 2010 by _____, as Mayor of the City of Venice, a municipal corporation. The above-named person is personally known to me or has produced _____ as identification. If no type of identification is indicated, the above-named person is personally known to me.

(Notary Seal)

Signature of Notary Public

Print Name of Notary Public

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

WITNESSES:

Signature of Witness

Print Name of Witness

Signature of Witness

Print Name of Witness

**THE SCHOOL BOARD OF SARASOTA
COUNTY, FLORIDA**

By: _____
Shirley Brown, Chair

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this _____ day of _____ 2010 by Shirley Brown, as Chair of the Sarasota County School Board. The above-named person is personally known to me or has produced _____ as identification. If no type of identification is indicated, the above-named person is personally known to me.

(Notary Seal)

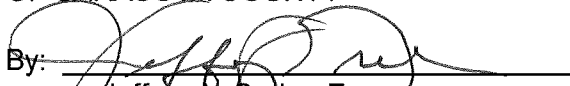
Signature of Notary Public

Print Name of Notary Public

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

APPROVED FOR LEGAL CONTENT
Date: May 5, 2010

ATTORNEYS FOR THE SCHOOL BOARD
OF SARASOTA COUNTY

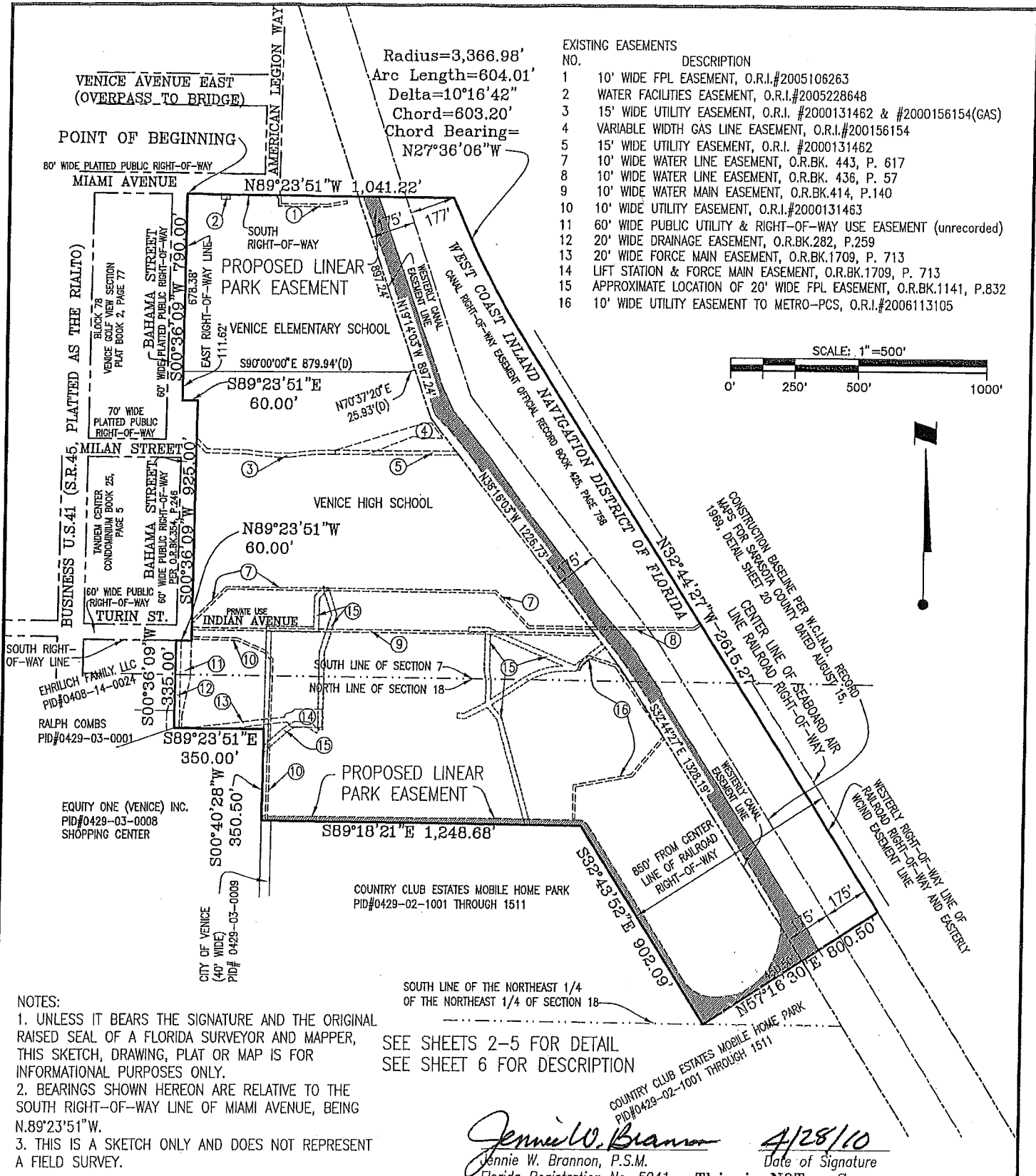
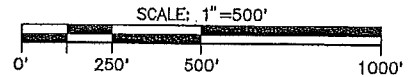
By: 

Jeffrey A. Grebe, Esq.
WILLIAMS PARKER HARRISON
DIETZ & GETZEN
200 South Orange Avenue
Sarasota, Florida 34236

EXHIBIT "A"

EXISTING EASEMENTS NO.	DESCRIPTION
1	10' WIDE FPL EASEMENT, O.R.I.#2005106263
2	WATER FACILITIES EASEMENT, O.R.I.#2005228648
3	15' WIDE UTILITY EASEMENT, O.R.I. #2000131462 & #2000156154(GAS)
4	VARIABLE WIDTH GAS LINE EASEMENT, O.R.I.#200156154
5	15' WIDE UTILITY EASEMENT, O.R.I. #2000131462
7	10' WIDE WATER LINE EASEMENT, O.R.BK. 443, P. 617
8	10' WIDE WATER LINE EASEMENT, O.R.BK. 436, P. 57
9	10' WIDE WATER MAIN EASEMENT, O.R.BK.414, P.140
10	10' WIDE UTILITY EASEMENT, O.R.I.#2000131463
11	60' WIDE PUBLIC UTILITY & RIGHT-OF-WAY USE EASEMENT (unrecorded)
12	20' WIDE DRAINAGE EASEMENT, O.R.BK.282, P.259
13	20' WIDE FORCE MAIN EASEMENT, O.R.BK.1709, P. 713
14	LIFT STATION & FORCE MAIN EASEMENT, O.R.BK.1709, P. 713
15	APPROXIMATE LOCATION OF 20' WIDE FPL EASEMENT, O.R.BK.1141, P.832
16	10' WIDE UTILITY EASEMENT TO METRO-PCS, O.R.I.#2006113105

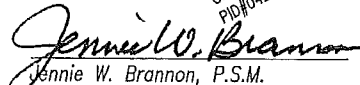
Radius=3,366.98'
Arc Length=604.01'
Delta=10°16'42"
Chord=603.20'
Chord Bearing=N27°36'06"W



NOTES:

- UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER, THIS SKETCH, DRAWING, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY.
- BEARINGS SHOWN HEREON ARE RELATIVE TO THE SOUTH RIGHT-OF-WAY LINE OF MIAMI AVENUE, BEING N.89°23'51"W.
- THIS IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY.

SEE SHEETS 2-5 FOR DETAIL
SEE SHEET 6 FOR DESCRIPTION


 Jennie W. Brannon, P.S.M.
 Florida Registration No. 5041

4/28/10
 Date of Signature

This is NOT a Survey.

FOR: SARASOTA COUNTY SCHOOL BOARD

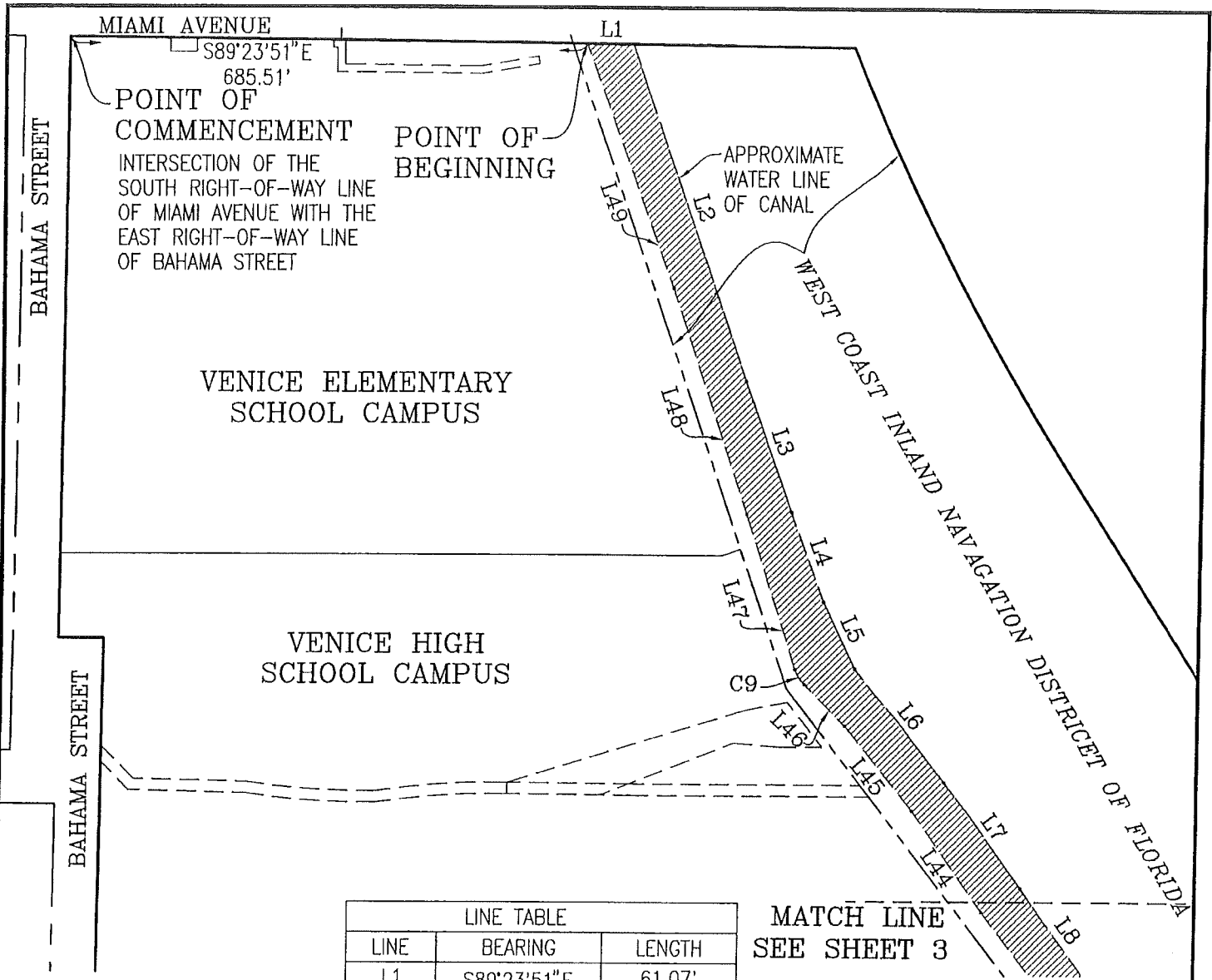
SKETCH & DESCRIPTION OF
LINEAR PARK EASEMENT AT VENICE CAMPUS
SECTIONS 7 & 18, TOWNSHIP 39 S., RANGE 19 E.,
SARASOTA COUNTY, FLORIDA

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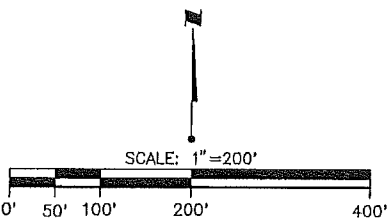
TASK CODE: 21000	DRAWN BY: JWB	CHKD BY: RRC	CAD FILE: SM-2711-135-K03	PROJECT NO: S2711-001-003	SHEET 1 OF 6	DRAWING INDEX NO: A-S2711-001-002-004*	REV:
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LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°23'51"E	61.07'
L2	S19°25'13"E	467.68'
L3	S20°01'23"E	182.69'
L4	S20°33'40"E	126.49'
L5	S25°51'11"E	97.70'
L6	S39°08'34"E	193.13'
L7	S37°04'14"E	172.94'
L8	S36°16'11"E	164.32'
L44	N35°37'53"W	163.20'
L45	N39°23'33"W	144.05'
L46	N45°11'10"W	77.19'
L47	N18°13'52"W	215.33'
L48	N18°51'47"W	312.77'
L49	N20°17'30"W	341.99'

MATCH LINE
SEE SHEET 3

CURVE TABLE		
CURVE	RADIUS	DELTA
C9	50.00'	26°57'18"
LENGTH	CHORD	CHORD BRG.
23.52'	23.31'	S31°42'31"E



FOR: SARASOTA COUNTY SCHOOL BOARD

This is NOT a Survey.

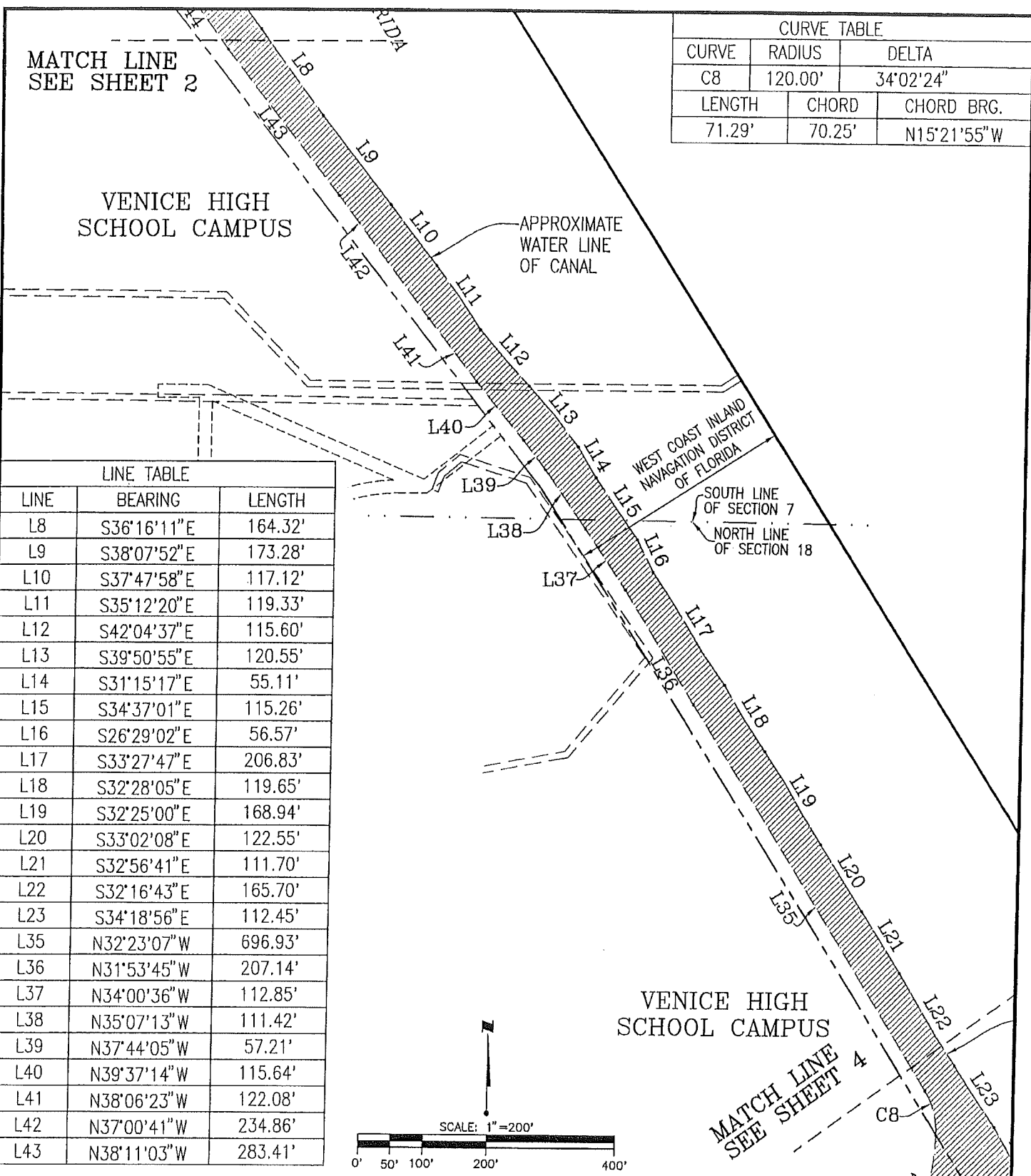
SKETCH & DESCRIPTION OF
LINEAR PARK EASEMENT AT VENICE CAMPUS
SECTIONS 7 & 18, TOWNSHIP 39 S., RANGE 19 E.,
SARASOTA COUNTY, FLORIDA

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 Florida Inc. - The State of Arkansas Inc.

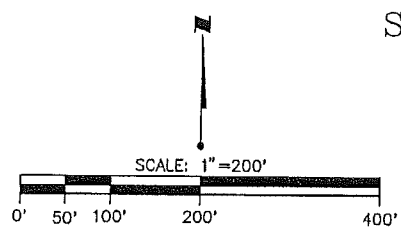
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CURVE TABLE		
CURVE	RADIUS	DELTA
C8	120.00'	34°02'24"
LENGTH	CHORD	CHORD BRG.
71.29'	70.25'	N15°21'55"W



LINE TABLE		
LINE	BEARING	LENGTH
L8	S36°16'11"E	164.32'
L9	S38°07'52"E	173.28'
L10	S37°47'58"E	117.12'
L11	S35°12'20"E	119.33'
L12	S42°04'37"E	115.60'
L13	S39°50'55"E	120.55'
L14	S31°15'17"E	55.11'
L15	S34°37'01"E	115.26'
L16	S26°29'02"E	56.57'
L17	S33°27'47"E	206.83'
L18	S32°28'05"E	119.65'
L19	S32°25'00"E	168.94'
L20	S33°02'08"E	122.55'
L21	S32°56'41"E	111.70'
L22	S32°16'43"E	165.70'
L23	S34°18'56"E	112.45'
L35	N32°23'07"W	696.93'
L36	N31°53'45"W	207.14'
L37	N34°00'36"W	112.85'
L38	N35°07'13"W	111.42'
L39	N37°44'05"W	57.21'
L40	N39°37'14"W	115.64'
L41	N38°06'23"W	122.08'
L42	N37°00'41"W	234.86'
L43	N38°11'03"W	283.41'



FOR: SARASOTA COUNTY SCHOOL BOARD

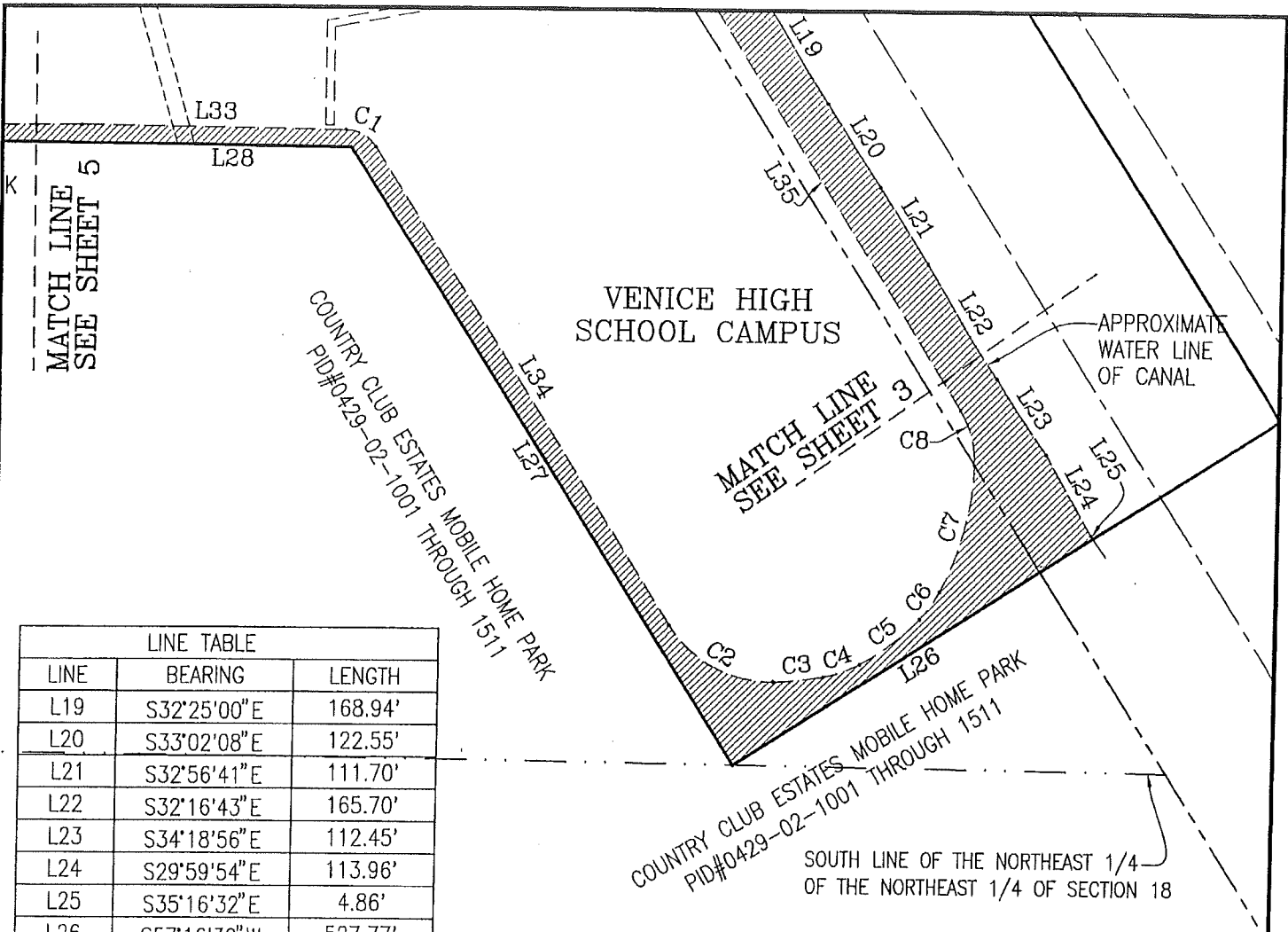
This is NOT a Survey.

SKETCH & DESCRIPTION OF
 LINEAR PARK EASEMENT AT VENICE CAMPUS
 SECTIONS 7 & 18, TOWNSHIP 39 S., RANGE 19 E.,
 SARASOTA COUNTY, FLORIDA

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Florida Inc. - FL 01120099
 Wisconsin, Inc. - Certificate of Authorization Act

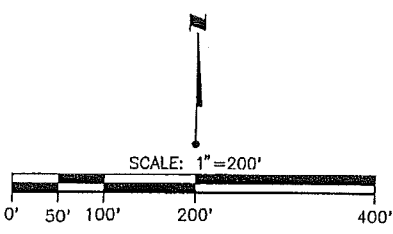
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TASK CODE: 21000	DRAWN BY: JWB	CHKD BY: RRC	CAD FILE: SM-2711-135-K03	PROJECT NO: S2711-001-003	SHEET 3 OF 6	DRAWING INDEX NO: A-S2711-001-002-004*	REV:
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LINE TABLE		
LINE	BEARING	LENGTH
L19	S32°25'00"E	168.94'
L20	S33°02'08"E	122.55'
L21	S32°56'41"E	111.70'
L22	S32°16'43"E	165.70'
L23	S34°18'56"E	112.45'
L24	S29°59'54"E	113.96'
L25	S35°16'32"E	4.86'
L26	S57°16'30"W	527.77'
L27	N32°43'52"W	902.09'
L28	N89°18'21"W	1248.68'
L33	S89°09'33"E	328.17'
L34	S32°35'19"E	696.04'
L35	N32°23'07"W	696.93'

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BRG.
C1	45.00'	56°34'14"	44.43'	42.65'	N60°52'26"W
C2	150.00'	59°07'45"	154.80'	148.02'	S62°09'11"E
C3	411.67'	8°43'33"	62.69'	62.63'	N83°55'10"E
C4	150.00'	18°27'47"	48.34'	48.13'	N70°19'30"E
C5	306.00'	17°26'23"	93.14'	92.78'	N52°22'25"E
C6	150.00'	16°00'49"	41.92'	41.79'	N35°38'49"E
C7	359.91'	25°59'07"	163.23'	161.83'	N14°38'51"E
C8	120.00'	34°02'24"	71.29'	70.25'	N15°21'55"W



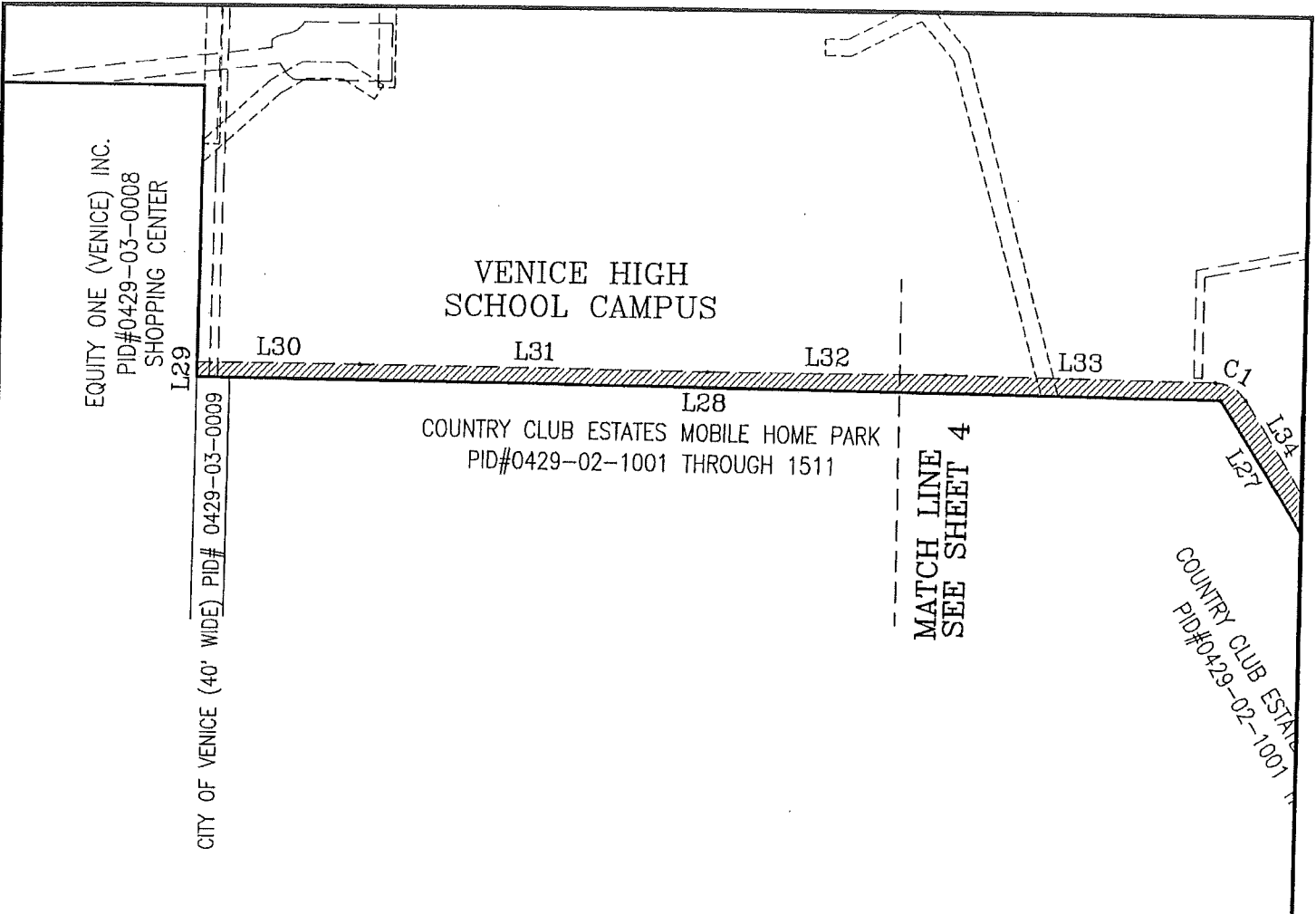
FOR: SARASOTA COUNTY SCHOOL BOARD

SKETCH & DESCRIPTION OF
 LINEAR PARK EASEMENT AT VENICE CAMPUS
 SECTIONS 7 & 18, TOWNSHIP 39 S., RANGE 19 E.,
 SARASOTA COUNTY, FLORIDA

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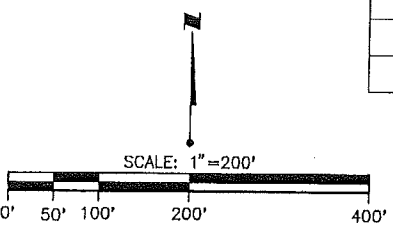
TASK CODE: 21000	DRAWN BY: JWB	CHKD BY: RRC	CAD FILE: SM-2711-135-K03	PROJECT NO: S2711-001-003	SHEET 4 OF 6	DRAWING INDEX NO: A-S2711-001-002-004*	REV:
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SOUTH LINE OF THE NORTHEAST 1/4
OF THE NORTHEAST 1/4 OF SECTION 18

LINE TABLE		
LINE	BEARING	LENGTH
L27	N32°43'52"W	902.09'
L28	N89°18'21"W	1,248.68'
L29	N00°40'28"E	17.95'
L30	S89°34'04"E	198.29'
L31	S89°18'36"E	424.12'
L32	S89°56'16"E	290.91'
L33	S89°09'33"E	328.17'
L34	S32°35'19"E	696.04'

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BRG.
C1	45.00'	56°34'14"	44.43'	42.65'	S60°52'26"E



FOR: SARASOTA COUNTY SCHOOL BOARD

This is NOT a Survey.

SKETCH & DESCRIPTION OF
LINEAR PARK EASEMENT AT VENICE CAMPUS
SECTIONS 7 & 18, TOWNSHIP 39 S., RANGE 19 E.,
SARASOTA COUNTY, FLORIDA

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A strip of land lying within the Venice Elementary and High School Campuses in Sections 7 and 18, Township 39 South, Range 19 East, Sarasota County, Florida and described as follows:

Commence at the intersection of the south right-of-way line of Miami Avenue (80 foot wide platted public right-of-way) and east right-of-way line of Bahama Street (60 foot wide platted public right-of-way), said lines being the north and west property lines for the above stated Venice campuses; thence S.89°23'51"E., along said south right-of-way line of Miami Avenue, a distance of 685.51 feet to the POINT OF BEGINNING; thence continue S.89°23'51"E., along said south right-of-way line, a distance of 61.07 feet to the approximate edge of water of a canal (West Coast Inland Navigation District of Florida); thence along said approximate water line for the following twenty-four (24) calls; (1) thence S.19°25'13"E., a distance of 467.68 feet; (2) thence S.20°01'23"E., a distance of 182.69 feet; (3) thence S.20°33'40"E., a distance of 126.49 feet; (4) thence S.25°51'11"E., a distance of 97.70 feet; (5) thence S.39°08'34"E., a distance of 193.13 feet; (6) thence S.37°04'14"E., a distance of 172.94 feet; (7) thence S.36°16'11"E., a distance of 164.32 feet; (8) thence S.38°07'52"E., a distance of 173.28 feet; (9) thence S.37°47'58"E., a distance of 117.12 feet; (10) thence S.35°12'20"E., a distance of 119.33 feet; (11) thence S.42°04'37"E., a distance of 115.60 feet; (12) thence S.39°50'55"E., a distance of 120.55 feet; (13) thence S.31°15'17"E., a distance of 55.11 feet; (14) thence S.34°37'01"E., a distance of 115.26 feet; (15) thence S.26°29'02"E., a distance of 56.57 feet; (16) thence S.33°27'47"E., a distance of 206.83 feet; (17) thence S.32°28'05"E., a distance of 119.65 feet; (18) thence S.32°25'00"E., a distance of 168.94 feet; (19) thence S.33°02'08"E., a distance of 122.55 feet; (20) thence S.32°56'41"E., a distance of 111.70 feet; (21) thence S.32°16'43"E., a distance of 165.70 feet; (22) thence S.34°18'56"E., a distance of 112.45 feet; (23) thence S.29°59'54"E., a distance of 113.96 feet; (24) thence S.35°16'32"E., a distance of 4.86 feet to a point on the south line of the above mentioned Venice High School Campus; thence along the south boundary of said Venice High School Campus for the following four (4) calls; (1) thence S.57°16'30"W., a distance of 527.77 feet; (2) thence N.32°43'52"W., a distance of 902.09 feet; (3) thence N.89°18'21"W., a distance of 1,248.68 feet; (4) thence N.00°40'28"E., a distance of 17.95 feet; thence S.89°34'04"E., a distance of 198.29 feet; thence S.89°18'36"E., a distance of 424.12 feet; thence S.89°56'16"E., a distance of 290.91 feet; thence S.89°09'33"E., a distance of 328.17 feet to a point of curvature of a curve to the right having a radius of 45.00 feet and a central angle of 56°34'14"; thence southeasterly along the arc of said curve a distance of 44.43 feet to the point of tangency of said curve; thence S.32°35'19"E., a distance of 696.04 feet to a point of curvature of a curve to the left having a radius of 150.00 feet and a central angle of 59°07'45"; thence southeasterly along the arc of said curve a distance of 154.80 feet to a point of compound curvature of a curve to the left having a radius of 411.67 feet and a central angle of 08°43'33"; thence easterly along the arc of said curve, a distance of 62.69 feet to a point of compound curvature of a curve to the left having a radius of 150.00 feet and a central angle of 18°27'47"; thence easterly along the arc of said curve, a distance of 48.34 feet to a point of compound curvature of a curve to the left having a radius of 306.00 feet and a central angle of 17°26'23"; thence northeasterly along the arc of said curve, a distance of 93.14 feet to a point of compound curvature of a curve to the left having a radius of 150.00 feet and a central angle of 16°00'49"; thence northeasterly along the arc of said curve, a distance of 41.92 feet to a point of compound curvature of a curve to the left having a radius of 359.91 feet and a central angle of 25°59'07"; thence northerly along the arc of said curve, a distance of 163.23 feet to a point of compound curvature of a curve to the left having a radius of 120.00 feet and a central angle of 34°02'24"; thence northerly along the arc of said curve, a distance of 71.29 feet to the point of tangency of said curve; thence N.32°23'07"W., a distance of 696.93 feet; thence N.31°53'45"W., a distance of 207.14 feet; thence N.34°00'36"W., a distance of 112.85 feet; thence N.35°07'13"W., a distance of 111.42 feet; thence N.37°44'05"W., a distance of 57.21 feet; thence N.39°37'14"W., a distance of 115.64 feet; thence N.38°06'23"W., a distance of 122.08 feet; thence N.37°00'41"W., a distance of 234.86 feet; thence N.38°11'03"W., a distance of 283.41 feet; thence N.35°37'53"W., a distance of 163.20 feet; thence N.39°23'33"W., a distance of 144.05 feet; thence N.45°11'10"W., a distance of 77.19 feet to a point of curvature of a curve to the right having a radius of 50.00 feet and a central angle of 26°57'18"; thence northwesterly along the arc of said curve a distance of 23.52 feet to the point of tangency of said curve; thence N.18°13'52"W., a distance of 215.33 feet; thence N.18°51'47"W., a distance of 312.77 feet; thence N.20°17'30"W., a distance of 341.99 feet to the POINT OF BEGINNING.

Containing 272,376 square feet, more or less.

FOR: SARASOTA COUNTY SCHOOL BOARD

This is NOT a Survey.

SKETCH & DESCRIPTION OF
 LINEAR PARK EASEMENT AT VENICE CAMPUS
 SECTIONS 7 & 18, TOWNSHIP 39 S., RANGE 19 E.,
 SARASOTA COUNTY, FLORIDA

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