VENETIAN COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FLORIDA 33912

VENETIAN
COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS MEETING
OCTOBER 28, 2013
VENETIAN COMMUNITY
DEVELOPMENT DISTRICT AGENDA
October 28, 2013 at 1:30 p.m.

To be held at the Venetian River Club, 502 Veneto Boulevard, North Venice, Florida 34275.

District Board of Supervisors
Tom Jones
Jerry Jasper
Mike Craychee
Jim Shea
Barry Snider

Chairman
Vice Chairman
Assistant Secretary
Assistant Secretary
Assistant Secretary

District Manager
Molly Syvret
Rizzetta & Company, Inc.

District Counsel
Andrew Cohen
Persson & Cohen, P.A.

District Engineer
Rick Schappacher
Schappacher Engineering, LLC

All Cellular phones and pagers must be turned off while in the meeting room.

The District Agenda is comprised of five different sections:

The meeting will begin promptly at 1:30 p.m. with the first section which is called Audience Comments. The Audience Comment portion of the agenda is where individuals may comment on matters for which the Board may be taking action or that may otherwise concern the District. Each individual is limited to three (3) minutes for such comment. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted. IF THE COMMENT CONCERNS A MAINTENANCE RELATED ITEM, THE ITEM WILL NEED TO BE ADDRESSED BY THE DISTRICT MANAGER OUTSIDE THE CONTEXT OF THIS MEETING. The second section is called Business Items. The business items section contains items for approval by the District Board of Supervisors that may require discussion, motion and votes on an item-by-item basis. Occasionally, certain items for decision within this section are required by Florida Statute to be held as a Public Hearing. During the Public Hearing portion of the agenda item, each member of the public will be permitted to provide one comment on the issue, prior to the Board of Supervisors’ discussion, motion and vote. The third section is called Business Administration. The Business Administration section contains items that require the review and approval of the District Board of Supervisors as a normal course of business. Agendas can be reviewed by contacting the Manager’s office at (239) 936-0913 at least seven days in advance of the scheduled meeting. Requests to place items on the agenda must be submitted in writing with an explanation to the District Manager at least fourteen (14) days prior to the date of the meeting. The fourth section is called Staff Reports. This section allows the District Manager, Engineer, and Attorney to update the Board of Supervisors on any pending issues that are being researched for Board action. The final section is called Supervisor Requests and Comments. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs.

Public workshops sessions may be advertised and held in an effort to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (239) 936-0913, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770, who can aid you in contacting the District Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that this same person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.
AGENDA

The regular meeting of the Board of Supervisors of Venetian Community Development District will be held on **Monday, October 28, 2013 at 1:30 p.m.** at the Venetian River Club located at 502 Veneto Boulevard, North Venice, Florida 34275. The following is the agenda for this meeting:

1. **CALL TO ORDER/ROLL CALL**
2. **AUDIENCE COMMENTS**
3. **BUSINESS ADMINISTRATION**
   A. Consideration of the Minutes of the Board of Supervisors’ Meeting held on October 14, 2013

4. **BUSINESS ITEMS**
   A. Update Regarding Stormwater Utility Tax Exemption
   B. Update Regarding Portofino (Peshkin) Development
   C. Update Regarding Fiscal Year 2011/2012 Audit
   D. Update Regarding Cash Balances-River Club and Venetian CDD Operating and Other Cash Accounts
   E. Update Regarding POA 2014 Budget
   F. Update Regarding River Club Access System
   G. River Club Selection/Appointment of Advisory Committee Members Replacing Those Resigning or Declining to Serve
      A Second Term
   H. Preliminary Review of WCI/VCDD Responsibility For Installation of Sidewalk Ramp Warning Surfaces
   I. Discussion Concerning Proposed Phase 5 Land Swap
      1. Consideration of Resolution 2014-01, Related to Exchange of CDD Property with WCI Communities (Under Separate Cover)
   J. Update Regarding Golf Course Boundaries Agreement
   K. Amended Irrigation Cost Sharing Agreement

5. **STAFF REPORTS**
   A. District Counsel
   B. District Engineer
   C. River Club
   D. District Manager

6. **SUPERVISOR REQUESTS AND COMMENTS**

7. **ADJOURNMENT**
We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to contact me at (239) 936-0913.

Very truly yours,

Molly A. Syvert
District Manager

cc: Andrew Cohen, Persson & Cohen, P.A.
MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

VENETIAN COMMUNITY DEVELOPMENT DISTRICT

A regular meeting of the Board of Supervisors of the Venetian Community Development District was held on Monday, October 14, 2013 at 9:30 a.m. at the Venetian River Club, 502 Veneto Boulevard, North Venice, Florida 34275.

Present and constituting a quorum were:

  Tom Jones                  Board Supervisor, Chairman
  Jerry Jasper               Board Supervisor, Vice Chairman
  Mike Craychee              Board Supervisor, Assistant Secretary
  Jim Shea                   Board Supervisor, Assistant Secretary
  Barry Snyder               Board Supervisor, Assistant Secretary

Also present were:

  Molly Syvret              District Manager, Rizzetta & Company, Inc.
  Pete Williams             Rizzetta Management Services
  Andy Cohen                District Counsel, Persson & Cohen, P.A.
  Rick Schappacher          District Engineer, Schappacher Engineering
  Josh Grant                General Manager, River Club
  David Liston              Castle Management
  Roger Aman                WCI
  Richard Barber            WCI
  Audience

FIRST ORDER OF BUSINESS

   Call to Order

Ms. Syvret called the meeting to order and conducted the roll call.

Ms. Syvret reviewed the timing of agendas and items to be on each agenda. She also noted that audience comments have been moved to the first item on the agenda in order to comply with recently passed legislation concerning the public opportunity to be heard at public meeting, as Mr. Cohen had previously reviewed with the Board.

SECOND ORDER OF BUSINESS

   Audience Comments

Ms. Syvret opened the floor to audience comments. They were none.
THIRD ORDER OF BUSINESS  Discussion Regarding Land Swap Between CDD and WCI

Mr. Richard Barber explained that properties identified as encumbered by a drainage easement would affect the ability to place pools on those lots and, therefore, WCI needs about 20” across the back of all affected lots. He advised WCI is requesting that the CDD designate a Board member to work with WCI, the District Engineer, and District Counsel to find property to swap with the CDD in order to obtain the 20” on the back of the identified lots. Discussion ensued. The Board designated Mr. Tom Jones as the CDD representative to work with WCI.

FOURTH ORDER OF BUSINESS  Consideration of the Minutes of the Board of Supervisors Meeting held on September 23, 2013

Ms. Syvret presented the minutes of the Board of Supervisors meeting held on September 23, 2013 and asked if there were any revisions from the Board or Staff. The following changes were noted: page four, item nine, Peshkin is missing the “h”; page five, item “J”, should reflect the POA attorney, not WCI; item “I” 2, delete “upon a vote of the full Board”; page four, item seven, delete “POA is responsible for work but would not complete it this year”; last page, item “J” 2, revise to state the O&M certification for Phase 6 had been executed and submitted to Southwest Florida Water Management District.

On a Motion by Mr. Craychee, seconded by Mr. Snyder, with all in favor, the Board approved the Minutes of the Board of Supervisors meeting held on September 23, 2013, subject to the revisions made on the record, for Venetian Community Development District.

FIFTH ORDER OF BUSINESS  Monthly Financial Update, August Financials – River Club

Mr. Grant provided an overview of the financials for the River Club for the month of August. He advised he has received year end numbers but hasn’t had a chance to complete the variance report. Questions were entertained.

SIXTH ORDER OF BUSINESS  Monthly Financial Update, August Financials - CDD

Mr. Williams provided an overview of the District’s financials for August, as well as current account balances and other financial matters as of the transition in management. He further provided an update on the status of the audit for the fiscal year ending 2012, noting that the auditors were still waiting on some follow-up information they had requested from the prior district manager.

Mr. Jones left the meeting in progress.
SEVENTH ORDER OF BUSINESS

Preliminary Review of WCI/CDD Responsibility for Installation of Sidewalk Ramp Warning Surfaces

Mr. Craychee provided an overview of the list of sidewalks requiring ADA ramps and recommended responsibility of each area. Discussion ensued. It was determined that a letter to WCI outlining the ADA ramps for which the CDD believes they are responsible should be drafted for review by District Staff.

EIGHTH ORDER OF BUSINESS

District Engineer Report

Mr. Schappacher noted that an issue had come up at lake 48 concerning the water overflowing across the shell path. Mr. Schappacher advised that the outfall for this lake is not installed yet, but once installed the water will outfall to another lake and this problem will go away. He further advised lake 48 is not owned by the District yet.

Mr. Schappacher provided an overview of updates proposed to the current ownership and maintenance map, which resulted from a meeting held a week prior among himself, Mr. Jasper, and representatives of District Management and the golf course. He further advised that the District’s landscape contractor was also present, and marked out all of the areas they currently maintain on a large map, so that the parties could clearly identify areas that overlap with the golf course and itemize the cost of maintenance of those areas for purposes of the District obtaining reimbursement from the golf course for the associated costs. Discussion ensued.

NINTH ORDER OF BUSINESS

Update Regarding Stormwater Utility Tax Exemption

Mr. Jasper advised no further response has yet been received since the prior letter.

TENTH ORDER OF BUSINESS

Update Regarding Portofino (Peshkin) Development

This item was tabled to the next meeting.

ELEVENTH ORDER OF BUSINESS

Update Regarding River Club O&M Collection

Mr. Cohen advised there is one account left and that the current year tax roll needs to be amended to add the delinquent amount to the assessment for this particular parcel.

TWELFTH ORDER OF BUSINESS

Update Regarding Fiscal Year 2011/2012 Audit

An update regarding the status of the Fiscal Year 2011/2012 was covered under Item 3.
THIRTEENTH ORDER OF BUSINESS

Update Regarding Cash Balances-River Club and Venetian CDD Operating and Other Cash Accounts

An update regarding cash balances related to the River Club and Venetian CDD operating and other cash accounts was covered under Item 3.

FOURTEENTH ORDER OF BUSINESS

Update Regarding POA Budget Workshop

Mr. Jasper advised he sat in on the workshop and expressed concern over a large variation in the actual number of hours of the on site manager from what had previously been represented and suggested that the fee reduction proposed by the POA was not competitive, as not all revenues were taken into account.

FIFTEENTH ORDER OF BUSINESS

Update Regarding River Club Access System

Mr. Grant indicated they are getting closer on rolling out the new system, advising the gates have been tested and they are working through some minor issues. Mr. Grant further advised that they are currently aiming for a November 1st activation date, but that may be pushed to ensure issuance of access cards is significantly complete. Total cost of the system so far is about $26,000.

SIXTEENTH ORDER OF BUSINESS

Discussion Concerning City Telemetry Concerning Reclaimed Irrigation Water

Mr. Jasper advised the City controls reclaim water flow into the community, noting that there is the ability to manually shut it off, as well as built in controls for flow to automatically shut off when certain levels are reached in the lake. Mr. Jasper advised the cost of the reclaim water is slightly more than the use of the pump and well system, and that there is a potential for a significant rate increase in the new year. He also noted concern that if the community is not using the allotment of water usage from the well under the SFWMD permit, they could reduce the allowance, so the District needs to keep an eye on it.

SEVENTEENTH ORDER OF BUSINESS

River Club Selection/Appointment of Advisor Committee Members Replacing those Resigning or Declining to Serve a Second Term

Mr. Craychee advised one member of the social committee and one member in facilities have resigned, and replacements will need to be selected. He also advised that there are several committee members with terms expiring at the end of the year, but those individuals have expressed interest in continuing on for another term. Discussion ensued. This item was tabled to the next meeting.
EIGHTEENTH ORDER OF BUSINESS

A. District Counsel
   Mr. Cohen advised he will be working with the District Manager to start
developing rules of procedure for the District. He also advised he would like to
aim for a Sunshine/Public Records refresher for the Board and Committees to take
place in January.

B. District Engineer
   Mr. Schappacher provided his report in the Eighth Order of Business.

C. River Club
   Mr. Grant advised he received an e-mail from the pool maintenance company that
two heater were down, including the one for the hot tub. He further advised the
vendor suggested that the heaters could be reduced from a 450,000 BTU to
250,000 BTU heater, noting that the temperature would take slightly longer to heat
but would maintain the same. Discussion ensued.

On a Motion by Mr. Jasper, seconded by Mr. Craychee, with all in favor, the Board authorized Mr.
Grant to procure two new heaters in an amount not to exceed $6,000, for Venetian Community
Development District.

   Mr. Grant advised he received a resignation from Angela, which is effective
November 2, 2013.

D. District Manager
   Ms. Syvret advised the next meeting of the Board of Supervisors is scheduled for
Tuesday, October 28, 2013 at 1:30 pm.

   Ms. Syvret advised the updates regarding the golf course boundaries meeting and
POA/Tri-County Area Maintenance Coverage Meeting were provided under the
engineer’s report.

   Ms. Syvret provided an update on the plan for hiring an on-site field manager by
January 1, 2014.

   Ms. Syvret advised she would be working with District Counsel to ensure
transition of the contracts relating to maintenance of CDD facilities, currently
held by the POA, would be completed for January 1, 2014.

NINETEENTH ORDER OF BUSINESS

Supervisor Requests

   Ms. Syvret opened the floor for Supervisor requests and comments.

   Mr. Snyder advised e-mail addresses are needed for committee members. He further
stated the current e-mail system and web site needs evaluated and possibly transitioned to the
Rizzetta system. Ms. Syvret advised she will start looking into the matters related to the email and website.

Mr. Snyder also asked for a current contracts list.

Mr. Snyder suggested that an annual report/update on finances, completed projects and accomplishments, and future projections be prepared that could be distributed to the residents.

Mr. Jasper asked to ensure irrigation maintenance is also accounted for in cost reimbursements for the areas the CDD bills the Golf Course.

**TWENTIETH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Craychee, seconded by Mr. Snyder, with all in favor, the Board adjourned the meeting at 12:25 p.m., for Venetian Community Development District.

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Secretary / Assistant Secretary

Chairman / Vice Chairman
Mr. Tom Jones, Chairman
Venetian Community Development District
9530 Marketplace Road, Suite 206
Ft. Myers, FL 33912

October 21, 2013

Re: Exchange of Land with WCI Communities, LLC

Dear Tom:

Per our discussion of October 16, 2013, I would propose that the Venetian Community Development District ("VCDD") agree to the following exchange of land and services:

VCDD to WCI: 20" of land as shown in green on the attached sketch and as presented in the attached legal description. Both sketch and legal description are in Exhibit A. This constitutes 4,922 SF of land (0.11 Acre).

WCI to VCDD: WCI Communities, LLC will provide one office space at no charge to the VCDD (or the CDD manager) at the WCI Venetian Welcome Center for a period of three years. If WCI is still using the Welcome Center after 3 years, we will provide for extensions for use of this space at no cost until such time as WCI Communities, LLC either ceases to use this building or until the building is sold to a third party. This office space will be at no cost to the VCDD for rent, CAM charges or electric charges. VCDD must provide its own office equipment, internet and phone service. Exhibit B shows the location of the proposed office. Prior to VCDD’s possession of the office space, the parties will enter into a license agreement for the office space containing customary terms regarding insurance, operating hours and other commercially reasonable items.
In addition, at the VCDD's request, WCI Communities, LLC (as current owner of the golf club) agrees to take back fee title ownership of the wetland located in Common Area #33 located directly East of the driving range and West of Hole #10 at the golf course. A sketch and legal description of Common Area #33 is attached in Exhibit C. Long term maintenance of this site will be the responsibility of the golf club owner (now WCI Communities, LLC, but there may be a third party owner at a later date).

Please let me know if this proposal is agreeable to the VCDD.

Thank you.

Sincerely,

Richard Barber
Vice President

Cc: Andy Cohen
    Roger Aman
    David Caldwell
    Nicole Schwartz

Exhibits:

Exhibit A: Sketch and Description of land proposed from VCDD to WCI.
Note: Legal Description of Land to follow by October 28, 2013

Exhibit B: Location of proposed office space in Welcome Center.

Exhibit C: Sketch and Description of Common Area #33.
SKETCH OF DESCRIPTION

Section 26, Township 38 South, Range 19 East
Sarasota County, Florida

DESCRIPTION: COMMON AREA 33

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 38 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA; THENCE N.01'18"46"W., ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 1,763.75 FEET; THENCE S.88'41"14"W., PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 304.50 FEET TO THE POINT OF BEGINNING; SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE RIGHT, WITH A CHORD BEARING OF S.41'40"33"W., A RADIAL DISTANCE OF 25.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 55'38"18", A DISTANCE OF 24.28 FEET; THENCE S.69'29"42"W., A DISTANCE OF 53.21 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 55'15"20", WITH A CHORD BEARING OF N.82'52"38"W.; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 24.11 FEET; THENCE N.55'14"58"W., A DISTANCE OF 39.90 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 02'07"03", WITH A CHORD BEARING OF N.54'11"26"W.; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 0.92 FEET; THENCE N.53'07"55"W., A DISTANCE OF 32.39 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 39'21"12", WITH A CHORD BEARING OF N.33'27"19"W.; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 17'17 FEET; THENCE N.13'46"43"W., A DISTANCE OF 39.53 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 45'47"21", WITH A CHORD BEARING OF N.09'06"58"E.; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 19.96 FEET; THENCE N.32'00"39"E., A DISTANCE OF 34.74 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 73'27"55", WITH A CHORD BEARING OF N.68'44"36"E.; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 32.06 FEET; THENCE S.74'31"26"E., A DISTANCE OF 12.95 FEET; THENCE N.00'29"50"W., A DISTANCE OF 10.86 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 110'46"29", WITH A CHORD BEARING OF N.54'53"25"E.; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 48.33 FEET; THENCE S.69'43"21"E., A DISTANCE OF 48.92 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 23'03"28", WITH A CHORD BEARING OF S.58'11"37"E.; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 10.06 FEET; THENCE S.46'39"53"E., A DISTANCE OF 31.58 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 49'49"35", WITH A CHORD BEARING OF S.21'45"05"E.; THENCE SOUTHERNLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 21.74 FEET; THENCE S.03'09"42"W., A DISTANCE OF 38.76 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 10'41"42", WITH A CHORD BEARING OF S.08'30"33"W.; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 4.67 FEET; THENCE S.13'51"24"W., A DISTANCE OF 46.95 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 26, TOWNSHIP 38 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA.

CONTAINING 25,257 SQUARE FEET OR 0.58 ACRES.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.

PREPARED FOR:

NICOLAS APARICIO
WCI COMMUNITIES, LLC

SCHAPPACHER ENGINEERING L.L.C
CERTIFICATE OF AUTHORIZATION LB 0007859
3604 53RD AVENUE EAST
BRADENTON, FLORIDA 34203
(941) 748-8240 (941) 747-2450 FAX
TONY L. PURSLEY, PSM No. 4461

DATE: 4/19/2011
JOB: S110033
Items Under Separate Cover
RESOLUTION 2014-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE VENETIAN COMMUNITY DEVELOPMENT DISTRICT IN SUPPORT OF AN EXCHANGE OF PROPERTY RIGHTS WITH WCI COMMUNITIES, LLC; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of the Venetian Community Development District (the "District") has been approached by WCI Communities, LLC ("WCI"), regarding WCI’s need for a certain parcel of land owned by the District; and

WHEREAS, the Board of Supervisors has determined that the District owns certain parcels of land, including the parcel of interest to WCI, that no longer serve a purpose to the District; and

WHEREAS, the District has a need for additional office space for the purpose of conducting District business; and

WHEREAS, Section 190.011(1), Florida Statutes (F.S.), grants community development districts certain general powers that their boards may exercise, including “to acquire, by purchase, gift, devise, or otherwise, and to dispose of, real and personal property, or any estate therein.”

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE VENETIAN COMMUNITY DEVELOPMENT DISTRICT, THAT:

SECTION 1. The above recitals are hereby adopted.

SECTION 2. WCI has expressed an interest in acquiring a 20"-wide sliver of land as shown in green on the sketch attached hereto as Exhibit "A" and further described in the legal description attached hereto as Exhibit “A-1” (hereinafter referred to as Parcel “A”) from the District. As noted in the legal description, Parcel "A" constitutes 4,922 square feet (0.11 acre).

SECTION 3. The District’s Board of Supervisors have considered Parcel "A" and determined that the property does not serve a District purpose. Accordingly, the Board of Supervisors has decided that it is in the “best interest of the District” to convey Parcel "A" to WCI.
SECTION 4. The District’s Board of Supervisors have also considered a wetland parcel as shown on the sketch attached hereto as Exhibit “B” and further described in the legal description attached hereto as Exhibit “B-1” (hereinafter referred to as Parcel “B”). Parcel “B” is located in Common Area #33, directly east of the Driving Range and west of Hole #10 of the Venetian Golf Course. The Board of Supervisors has determined that Parcel “B” does not serve a District purpose. More specifically, the District no longer desires the responsibilities and financial obligations associated with maintenance of Parcel “B.” WCI has expressed its willingness to accept responsibility for long-term maintenance of Parcel “B.” Accordingly, the Board of Supervisors has decided that it is in the “best interest of the District” to convey Parcel “B” to WCI.

SECTION 5. Further, the District’s Board of Supervisors has determined that it is in the District’s best interest to have office space in the WCI Venetian Welcome Center for the purpose of conducting District business.

SECTION 6. WCI has identified available office space in the WCI Venetian Welcome Center which is shown as the “Proposed CDD Office” on the sketch attached hereto as Exhibit “C.”

SECTION 7. In addition to accepting the ownership and the long-term maintenance responsibility for Parcel “B,” WCI has agreed to provide the office space shown on Exhibit “C” to the District for a period of three years, in exchange for the District conveying Parcel “A” to WCI. Further, WCI has agreed it will provide for extensions of time related to the District’s continued use of this office space until such time that WCI no longer uses the WCI Venetian Welcome Center or it is sold to a third party.

SECTION 8. The District shall enter into an agreement with WCI regarding the use of the office space as shown on Exhibit “C.” This agreement shall include the following terms:

- The District’s use of the office space shall be at no cost to the District for rent, Common Area Maintenance (CAM), or electric.
- WCI will not provide the District with office equipment, phone service, or internet service.
- Customary terms including, but not limited to, insurance requirements and operating hours will be specified.

SECTION 9. This Resolution shall be effective as of its adoption on the date listed below and shall apply to any acts or omissions occurring after that date.

SECTION 10. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.
PASSED AND ADOPTED this ______ day of _______________, 2013.

ATTEST:

BOARD OF SUPERVISORS OF THE
VENETIAN COMMUNITY
DEVELOPMENT DISTRICT

_________________________  __________________________
Assistant Secretary     Chairman
SKETCH OF DESCRIPTION

Section 26, Township 38, South, Range 19 East
Sarasota County, Florida

DESCRIPTION: COMMON AREA 33

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 38 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA; THENCE N.01'18"46"W., ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 1,763.75 FEET; THENCE S.86'41"14"W., PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 314.50 FEET TO THE POINT OF BEGINNING; SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE RIGHT, WITH A CHORD BEARING OF S.41'10"33"W., A RADIAL DISTANCE OF 50.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 55'38"18", A DISTANCE OF 24.28 FEET; THENCE S.69'29"42"W., A DISTANCE OF 53.21 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 55'15"20", WITH A CHORD BEARING OF N.82'52"38"W.; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 24.11 FEET; THENCE N.55'14"58"W., A DISTANCE OF 39.90 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 02'07"03", WITH A CHORD BEARING OF N.54'11"26"W.; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 0.92 FEET; THENCE N.53'07"55"W., A DISTANCE OF 32.39 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 38'21"12", WITH A CHORD BEARING OF N.33'27"19"W.; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 17.17 FEET; THENCE N.13'48"43"W., A DISTANCE OF 39.53 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 45'47"21", WITH A CHORD BEARING OF N.09'06"58"E.; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 19.98 FEET; THENCE N.32'07"39"E., A DISTANCE OF 34.74 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 73'27"55", WITH A CHORD BEARING OF N.68'44"36"E.; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 32.06 FEET; THENCE S.74'31"26"E., A DISTANCE OF 12.65 FEET; THENCE N.00'28"50"W., A DISTANCE OF 10.69 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 110'46"29", WITH A CHORD BEARING OF S.54'53"25"E.; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 48.35 FEET; THENCE S.89'43"21"E., A DISTANCE OF 16.92 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 23'03"28", WITH A CHORD BEARING OF S.58'11"37"E.; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 10.06 FEET; THENCE S.45'39"53"E., A DISTANCE OF 31.58 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 49'49"35", WITH A CHORD BEARING OF S.21'45"05"E.; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 21.74 FEET; THENCE S.03'09"42"W., A DISTANCE OF 38.78 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 10'41"42", WITH A CHORD BEARING OF S.08'30"33"W.; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 4.67 FEET; THENCE S.13'81"24"W., A DISTANCE OF 46.95 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 26, TOWNSHIP 38 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA.

CONTAINING 25,257 SQUARE FEET OR 0.58 ACRES.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.

PREPARED FOR:
NICOLAS APARICIO
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THEREIN PROJECTIONS: VERNERI GOLF AND INVESTMENT CLUB DBA: WATERGATE 2/17-2/17

DATE: 4/19/2011
JOB: S110033