

RESOLUTION NO. 2023 - 50

WHEREAS, Jerome James Odell, Amber Dawn Odell, William James Sarver IV, and Gabriella Noel Sarver have petitioned the Hernando County Board of County Commissioners to vacate, abandon, renounce and disclaim any right of the County and public in and to the hereinafter described Right-of-Way:

LEGAL DESCRIPTION:

WOODLAND WATERS BOULEVARD RIGHT OF WAY BETWEEN LOT 50 AND LOT 29, WOODLAND WATERS PHASE SIX, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 40, PAGES 1-3 INCLUSIVE OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA. SUBJECT TO A 25' COUNTY OWNED EASEMENT ON THE WESTERN BOUNDARY OF THE RIGHT OF WAY, TOGETHER WITH A 20 FOOT WIDE UTILITY EASEMENT WITH THE NORTHERN BOUNDARY, EAST TO WEST, ALONG THE PLATTED SOUTHERN PROPERTY LINE OF LOT 29.

WHEREAS, the Petitioners have shown that they have complied with the provisions and requirements in accordance with Hernando County Board of County Commissioners' Policy No. 19-07; and

WHEREAS, it appears that the Clerk of the Circuit Court has advertised a notice of proceeding to vacate, abandon, discontinue, renounce and disclaim any right of the County and public in and to the above-described Right-of-Way pursuant to Section 177.101, *Florida Statutes*, as made and provided prior to the date set forth for hearing as to the vacating, abandoning, and discontinuing of said Right-of-Way; and

WHEREAS, the above-described Right-of-Way is not situated within the incorporated city limits of any municipality within Hernando County, Florida, and the vacation of the above-described Right-of-Way will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

NOW, THEREFORE, BE IT RESOLVED BY THE HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

SECTION 1. The above-described Right-of-Way is hereby vacated, abandoned, discontinued and closed, and the Board of County Commissioners of Hernando County, Florida hereby renounces

any right of the County and the public in and to the land embraced in and constituting said Right-of-Way.

SECTION 2. The Perpetual Utility Easement dated December 29, 2023, is hereby accepted by the Board of County Commissioners, and must be recorded into public records.

ADOPTED IN REGULAR SESSION THE 14th DAY OF March 2023.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: Heidi Kuzge, Deputy Clerk
Douglas A. Chorvat, Jr.
Clerk of Circuit Court & Comptroller

By: [Signature]
John Allocco
Chairman

(SEAL)



Approved as to Form and
Legal Sufficiency

By: [Signature]

Prepared by and Return to:
Hernando County Attorney's Office
20 North Main Street
Brooksville, Florida 34601

PERPETUAL UTILITY EASEMENT

THIS EASEMENT, made this 19th day of October, 2022, between William Sarver, property owner(s), whose address is 9915 Partera Loop Weeki Wachee, FL 34613, hereinafter referred to as the "Grantor", and **Hernando County Water and Sewer District**, a body corporate and politic of the State of Florida, by and through its Board of County Commissioners, whose address is 15470 Flight Path Drive, Brooksville, Florida 34604, hereinafter referred to as the "Grantee":

WITNESSETH:

The Grantor in consideration of the sum of ten dollars and no cents (\$10.00) and other good and valuable consideration in hand paid by the said Grantee to the Grantor, receipt whereof is hereby acknowledged, has granted, quitclaimed and conveyed unto the said Grantee, its successors and assigns forever, a Perpetual Utility Easement and right-of-way, hereinafter referred to as the "Easement", for the purpose of clearing, excavating, constructing, inspecting, improving, repairing and/or maintaining public utility facilities in, upon, under, over, across and through the following described land in the County of Hernando, State of Florida, to wit:

See **Exhibits "A" and "B"** (legal description and sketch consisting of 2 sheets) attached hereto and made a part hereof by reference.

Parcel ID Number: 1700644

TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns forever, together with the reasonable right to enter and depart over and upon adjoining lands of the Grantor for the purpose of exercising the rights herein granted, so long as the land is restored to as good or better condition than originally found upon completion of construction or maintenance.

Grantor covenants to the Grantee that it is lawfully seized of said land and that it has good, right and lawful authority to grant this Easement.

Grantor hereby covenants and agrees that the Grantor shall not locate, place, construct, install, create, permit or allow any buildings or permanent structures or obstacles (including but not limited to landscaping, trees, fences and walls) within the Easement and the Grantor shall not interfere with the Grantee's utility facilities within the Easement.

Grantor further covenants to indemnify and hold harmless Grantee from any and all damages and injuries, whether to persons or property, resulting from interference with the Grantee's utility facilities by the Grantor or its officers, directors, employees, agents, guests, heirs, successors, or assigns.

This Easement shall be recorded in the Public Records of Hernando County, Florida.

IN WITNESS WHEREOF, Grantor has caused these presents to be duly signed the day and year first above written.

Signed, sealed and delivered in the presence of:

Grantor(s):

(Signature of two Witnesses required by Florida Law)

W/Sarver 10/19/2022
William Sarver

Witness: Bernard Embden

Print Name: BERNARD EMBDEN

Witness: Magda Embden

Print Name: Magda Embden

STATE OF FLORIDA
COUNTY OF Hernando

The foregoing instrument was acknowledged before me this 19th day of October, 2022, by William Sarver, who are personally known to me or have produced FL DL, as identification.

(NOTARY SEAL)

Misty J Pritchett
Signature of Notary
Print Name: Misty J Pritchett
Notary Public, State of Florida
Commission No. GG 311293
My Commission expires: March 13, 2023



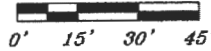
EXHIBIT A

SPECIFIC PURPOSE SURVEY

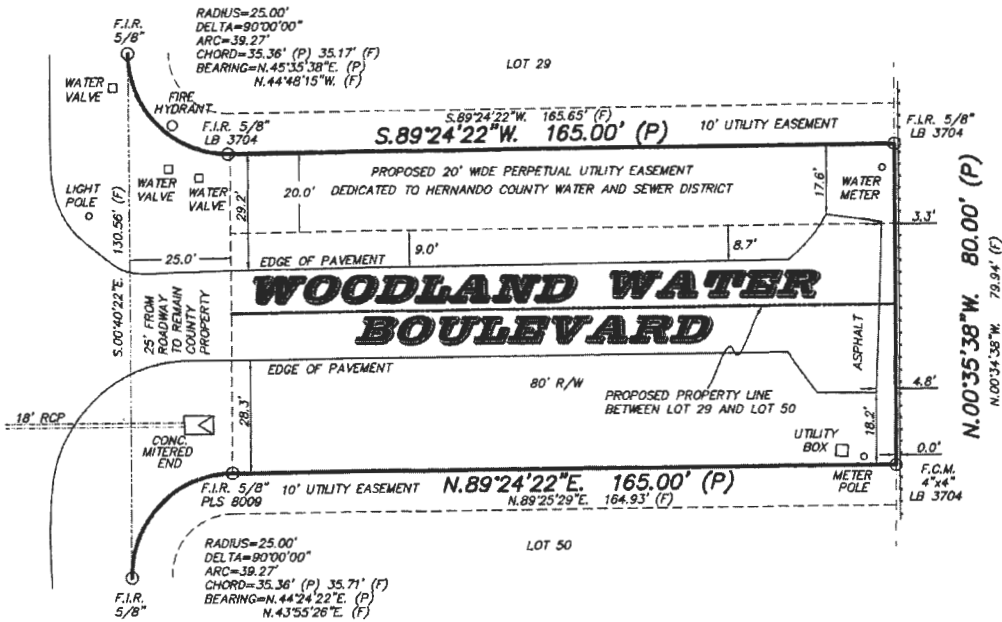
SECTION 17, TOWNSHIP 22 SOUTH, RANGE 18 EAST
HERNANDO COUNTY, FLORIDA

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SCALE 1" = 30'



PANTERA LOOP



CERTIFIED TO:
JEROME ODELL

BEARINGS ARE BASED ON THE NORTH BOUNDARY LINE AS BEING, "S.89°24'22\"/>

Legend		Surveyor's Notes:
<ul style="list-style-type: none"> PC :Point of Curvature PT :Point of Tangency PRC :Point of Reverse Curvature POC :Point of Compound Curvature PI :Point of Intersection SIR :Set Capped Iron Rod 1/2" #5962 FIR :Found Iron Rod FIP :Found Iron Pipe FCM :Found Concrete Monument S.C.M. :Set Concrete Monument SET DISK :Set P-K Nail & Disk FND DISK :Found P-K Nail & Disk FND RRS :Found Railroad Spike NOF :No Corner Found or Set IRM :Permanent Reference Monument O/H :Overhead Wires C.L.F. :Chain Link Fence P.O.B. :Point of Beginning P.O.C. :Point of Commencement P-K :Parker-Kalon O.R.B. :Official Records Book V.G. :Concrete Valley Gutter TEMP :Temporary Benchmark BM :Benchmark PP :Power/Utility Pole PSM :Professional Surveyor & Mapper LB :Licensed Business R.L.S. :Registered Land Surveyor ATMA :As Their Interests May Appear ESADA :It's Successors And/Or Assigns R.C.P. :Reinforced Concrete Pipe U.S. :United States 	<ul style="list-style-type: none"> (P) :Plot (D) :Dead (Desc) :Description (C) :Calculation (F) :Field Measured SEC :Section TWP :Township RGE :Range C/L :Centaline A/C :Air Conditioner O/A :Overall CONC. :Concrete A.P.O. :A Part Of COV. :Covered MAS. :Masonry RES. :Residence P.B. :Plot Book PG. :Page TYP. :Typical W.F. :Wood Fence EL. :Elevation ASPH. :Asphalt W.C. :Witness Corner R/W :Right Of Way ESMT. :Easement S/W :Sidewalk C.B. :Chord Bearing COL. :Column SO. :Square DIA. :Diameter 	<p>1) Property shown hereon appears to be located in Flood Zone "X" per F.I.R.M. No. 12033C 0159D Dated 2-02-12. This surveyor makes no guarantee as to the accuracy of the above information. Local F.E.M.A. agent should be contacted for verification.</p> <p>2) No underground utilities, underground encroachments or building foundations were measured or located as part of this survey. Trees and shrubs were not located unless otherwise shown.</p> <p>3) This survey was conducted without the benefit of an abstract of title, therefore there may be other easements, rights of way, setback lines, agreements, reservations, restrictions or other similar matters of public record, not shown hereon.</p> <p>4) Unless otherwise noted, distances shown hereon refer to plat and field measurements and are measured in U.S. feet.</p> <p>5) Re-use of this survey for purposes other than it was intended, without written verification, will be the re-users sole risk and without liability to the surveyor. Nothing herein shall be construed to convey any rights or benefits to anyone other than those to whom this survey was originally certified.</p>
		<p>DAVID L. SMITH SURVEYING AND MAPPING, INC. 1406 W. LINEBAUGH AVE. Tampa, FL 33612 Phone (813) 935-1960 Fax (813) 933-9446</p>
		<p>Certificate of Authorization "L.B. #6962" SURVEYOR'S CERTIFICATE</p> <p>I hereby certify that the survey represented hereon meets the requirements of Florida Administrative code pursuant to Chapter 54-17.050,051,052, of the Florida Statutes. Unless it bears the signature and the original raised seal of this Florida licensed surveyor and mapper this drawing, sketch, plot or map is for informational purposes only and is not valid.</p>
<p>PARTY CHIEF: O.S. DRAWN BY: C.B.</p>	<p>J. MICHAEL FLUQUA P.S.M. #192</p> <p style="text-align: right;"> Signature Date: 10/18/22 </p>	
	<p>Field Date: 08/24/22 Job Number: 2208-083</p>	

Exhibit B

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