

RESOLUTION NO.: 2022-161

RESOLUTION OF THE HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS TERMINATING PREVIOUSLY-SUPERSEDED GROUND LEASES FOR LOT 37, HERNANDO COUNTY AIRPORT INDUSTRIAL PARK, UNIT ONE; PROVIDING FOR RECORDING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, at all times pertinent to this Resolution, Hernando County has owned the parcel of real property described as Lot 37, Hernando County Airport Industrial Park, Unit One, according to the plat thereof, as recorded in Plat Book 17, Page 80, of the Public Records of Hernando County, Florida (the "Lot 37"); and,

WHEREAS, on August 31, 1988, the Hernando County Board of County Commissioners (the "BOCC"), entered into a ground lease with Bruce V. Sargent for Lot 37 (the "Sargent Lease"), which lease was recorded in the Public Records of Hernando County, Florida, at Book 705, Page 1106; and,

WHEREAS, on December 14, 1989, the BOCC and Bruce V. Sargent entered into an amendment to the Sargent Lease (the "Amendment to Sargent Lease"), which was recorded in the Public Records of Hernando County, Florida, at Book 761, Page 443; and,

WHEREAS, on October 10, 1989, Bruce V. Sargent assigned the Sargent Lease, as it was amended by the First Amendment to the Sargent Lease, to First Florida Bank, N.A. (the "First Sargent Lease Assignment"); a copy of the First Sargent Lease Assignment was recorded in the Public Records of Hernando County, Florida at Book 761, Page 445; and,

WHEREAS, on April 9, 1991, First Florida Bank, N.A., assigned the Sargent Lease, as it was amended by the First Amendment to the Sargent Lease, to Dennis Howard Wilfong and Pamela Sue Wilfong, as husband and wife (the "Second Sargent Lease Assignment"); a copy of the Second Sargent Lease Assignment was recorded in the Public Records of Hernando County, Florida at Book 817, Page 97; and,

WHEREAS, on July 24, 1991, First Florida Bank, N.A., reassigned the Sargent Lease, as it was amended by the First Amendment to the Sargent Lease, to Dennis Howard Wilfong and Pamela Sue Wilfong, as husband and wife (the "Third Sargent Lease Assignment"); a copy of the Third Sargent Lease Assignment was recorded in the Public Records of Hernando County, Florida at Book 832, Page 1537; and,

WHEREAS, on December 3, 1991, without first formally terminating the Sargent Lease, the BOCC entered into a new, superseding ground lease with Dennis Howard Wilfong and Pamela Sue Wilfong for Lot 37 (the "First Wilfong Lease"), a copy of which was recorded in the Public Records of Hernando County, Florida at Book 844, Page 299; and,

WHEREAS, on February 4, 1997, the BOCC, Dennis Wilfong, and Pamela Wilfong entered

into an amendment to the First Wilfong Lease (the "Amendment to First Wilfong Lease"), which was recorded in the Public Records of Hernando County, Florida, at Book 1108, Page 1362; and,

WHEREAS, on April 24, 2007, without first formally terminating either the Sargent Lease or the First Wilfong Lease, the BOCC entered into a new, superseding ground lease with Dennis Howard Wilfong and Pamela Sue Wilfong for Lot 37 (the "Second Wilfong Lease"), a copy of which was recorded in the Public Records of Hernando County, Florida at Book 2434, Page 756; and,

WHEREAS, the Second Wilfong Lease, as it was subsequently amended, remains in effect; and,

WHEREAS, the Sargent Lease and the First Wilfong Lease were never formally terminated and therefore remain clouds on the title of Lot 37.

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

1. Termination of Sargent Lease. The Sargent Lease, as it was amended by the Amendment to the Sargent Lease, and as it was assigned by the First Sargent Lease Assignment, the Second Sargent Lease Assignment, and the Third Sargent Lease Assignment, is hereby terminated, with an effective date retroactive to December 3, 1991.
2. Termination of First Wilfong Lease. The First Wilfong Lease, as it was amended by the Amendment to the First Wilfong Lease, is hereby terminated, with an effective date retroactive to April 24, 2007.
3. Clerk to Record Resolution. Upon adoption, the Clerk is hereby directed to record a copy of this Resolution in the Public Records of Hernando County, Florida.
4. Effective Date. This Resolution shall take effect immediately upon adoption.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY in Regular Session this 23rd day of August 2022.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

Attest: Hindi Kuyper, D.C.
DOUGLAS CHORVAT, JR.
Clerk

By: [Signature]
STEVE CHAMPION
Chairman

Approved for Form and Legal Sufficiency

[Signature]
County Attorney

