

RESOLUTION NO. 2025-085

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, SITTING AS THE GOVERNING BODY OF THE HERNANDO COUNTY WATER AND SEWER DISTRICT, RELATING TO UTILITY SERVICE EASEMENTS FOR SEPTIC TO SEWER PHASE ONE PROJECT; INCORPORATING WHEREAS CLAUSES; APPROVING FORM TEMPORARY CONSTRUCTION EASEMENT TO ACCOMMODATE DECOMMISSIONING OF SEPTIC TANKS AND CONNECTION OF SEWER LINES FOR THE SEPTIC TO SEWER PHASE ONE PROJECT; AUTHORIZING THE DIRECTOR OF UTILITIES TO EXECUTE AND RECORD THE UTILITY SERVICE EASEMENTS ON BEHALF OF THE HERNANDO COUNTY WATER AND SEWER DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Hernando County Water and Sewer District (the "District") is implementing a utility project called the "Septic to Sewer phase one Project" (the "Project"), which will decommission existing septic tanks in the Septic to Sewer phase one area; and

WHEREAS, the District plans to construct and install new and updated sewer system in the County road right-of-way in front of properties in the Septic to Sewer phase one area and decommission existing septic tanks; and

WHEREAS, the Project will require decommissioning of existing septic tank on the property and, installation of new sewer service line to the property from the new sewer system to the house or building on the property, and connection of the new sewer service line to the new gravity sewer line in the road right-of-way; and

WHEREAS, decommissioning of existing septic tank and installation and connection of the sewer service line on the property will involve employees, consultants and contractors working on private property; and

WHEREAS, the County has prepared a form Utility Service Easement, a copy of which is attached to this Resolution, for execution by the record owner of each parcel of property; and

WHEREAS, the proposed Utility Service Easement allows the District to enter onto the property for the purpose of decommissioning of existing septic tank, installing, connecting, and final inspecting the sewer service line on the property at the cost and expense of the District; and

WHEREAS, the Utility Service Easement provides that, following installation, the sewer system shall be the responsibility of the District and the sewer service line on the owner's property shall be the responsibility of the record owner; and

WHEREAS, to ensure uniformity and consistency in the conditions regarding the Utility Service Easement, the Utilities Department has requested that the Board approve a document in substantially the form attached to this Resolution for execution by the record owner of each parcel of property; and

WHEREAS, to expedite the time for processing and recording the Utility Service Easements, the Utilities Department has requested that the Board authorize the Director of Utilities to execute and record the Utility Service Easements on behalf of the District following receipt of the signed documents from the record owners; and

WHEREAS, in the interests of uniformity and consistency in the conditions and expediting the time for processing and recording the Utility Service Easements, the Board of County Commissioners desires to approve the form Utility Service Easement attached to this Resolution and authorize the Director of Utilities to execute the Utility Service Easements on behalf of the District; and

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

SECTION 1. The Whereas clauses contained in this Resolution are true and correct and are incorporated herein by reference.

SECTION 2. The form of document entitled Utility Service Easement attached to this Resolution is hereby approved for execution by the record owner of each parcel of property to accommodate relocation of water lines for the Project.

SECTION 3. The Director of Utilities is hereby authorized to execute and record the Utility Service Easements on behalf of the District following receipt of the signed documents from the record owners.

SECTION 4. In the event that any provision, portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining provisions, portions or sections of this Resolution which shall remain in full force and effect.

SECTION 5. This Resolution shall become effective immediately upon adoption.

ADOPTED in Regular Session this 13th day of May, 2025.

ATTEST:

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

Heidi Proase, Deputy Clerk
Douglas A. Chorvat, Jr.
Clerk of the Circuit Court & Comptroller

By: [Signature]
Brian Hawkins
Chairman



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: Victoria Anderson
County Attorney's Office