

RESOLUTION NO. 2023 - 49

WHEREAS, Germaliz I. Castro, Joel Franco, and Steven A. Gillespie 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:

ROUGH BARK WAY RIGHT OF WAY BETWEEN LOT 19 AND LOT 20, 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 SOUTHERLY BOUNDARY OF THE RIGHT OF WAY, TOGETHER WITH A 20' WIDE UTILITY EASEMENT FROM THE NORTHERLY BOUNDARY OF THE RIGHT OF WAY TO THE 25' COUNTY OWNED EASEMENT ON THE SOUTHERN BOUNDARY WITH THE EASTERN BOUNDARY OF THE UTILITY EASEMENT ALONG THE WESTERN PROPERTY LINE OF LOT 20.

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 easements are 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 28, 2022, 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 Kuzze, 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 28 day of DECEMBER, 2022, between Geraliz I. Castro / Joel Franco, property owner(s), whose address is 9185 Bunting Rd. 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: R18 222 18 4326 0000 0200

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):
Gerald Castro
Joel Franco

(Signature of two Witnesses required by Florida Law)

Witness: [Signature]

Print Name: Dionicio Franco

Witness: [Signature]

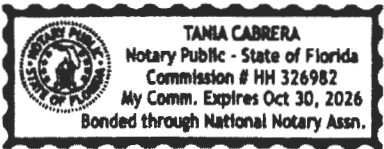
Print Name: mohab Haraka

STATE OF FLORIDA
COUNTY OF Hernando

The foregoing instrument was acknowledged before me this 08 day of December, 2022, by _____, who are personally known to me or have produced Florida Driver License, as identification.
EXP. 12/18/2030

Tania Cabrera
Signature of Notary
Print Name: Tania Cabrera
Notary Public, State of Florida
Commission No. #HH 326982
My Commission expires: Oct. 30. 2026

(NOTARY SEAL)

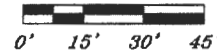


SPECIFIC PURPOSE SURVEY

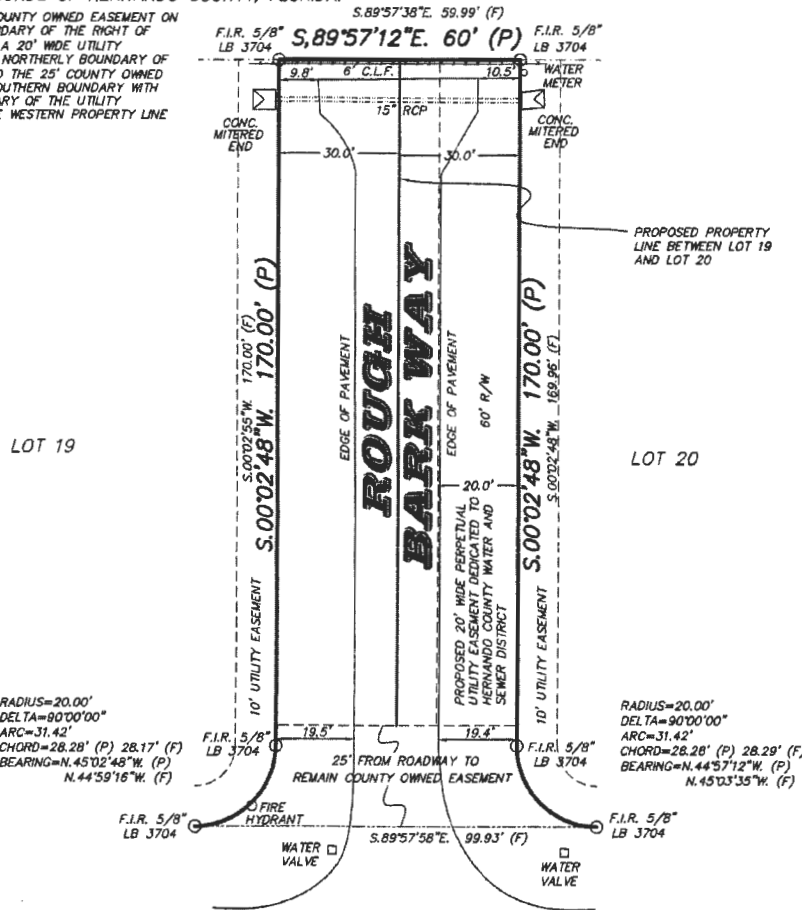
SECTION 17, TOWNSHIP 22 SOUTH, RANGE 18 EAST
HERNANDO COUNTY, FLORIDA

LEGAL DESCRIPTION:
ROUGH BARK WAY RIGHT OF WAY BETWEEN LOT 19 AND LOT 20,
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.

SCALE 1" = 30'



SUBJECT TO A 25' COUNTY OWNED EASEMENT ON
THE SOUTHERLY BOUNDARY OF THE RIGHT OF
WAY, TOGETHER WITH A 20' WIDE UTILITY
EASEMENT FROM THE NORTHERLY BOUNDARY OF
THE RIGHT OF WAY TO THE 25' COUNTY OWNED
EASEMENT ON THE SOUTHERN BOUNDARY WITH
THE EASTERN BOUNDARY OF THE UTILITY
EASEMENT ALONG THE WESTERN PROPERTY LINE
OF LOT 20.



CERTIFIED TO:
DEREK VENEMA

PANTERA LOOP

BEARINGS ARE BASED ON THE EAST R/W LINE OF ROUGH BARK WAY AS BEING, "N.00°02'48\"/>

Legend	Surveyor's Notes:
<p>PC :Point of Curvature PT :Point of Tangency PRC :Point of Reverse Curvature PCC :Point of Compound Curvature PI :Point of Intersection SIR :Set Capped Iron Rod 1/2" #6962 FIR :Found Iron Rod FIP :Found Iron Pipe FCM :Found Concrete Monument S.C.M. :Set Concrete Monument SET DSK :Set P-K Nail & Disk FND DSK :Found P-K Nail & Disk FND RRC :Found Railroad Spike NCF :No Corner Found or Set PRM :Permanent Reference Monument O/W :Overhead Wire C.L.F. :Chain Link Fence P.O.B. :Point of Beginning P.O.C. :Point of Commencement P-W :Parker-Katon D.R.B. :Official Records Book V.G. :Concrete Valley Gutter TBM :Temporary Benchmark BM :Benchmark FP :Power/Futility Pole PSM :Professional Surveyor & Mapper LI :Licensed Business RLS :Registered Land Surveyor ATA :As Their Interests May Appear SAGA :It's Successors And/Or Assigns R.C.P. :Reinforced Concrete Pipe U.S. :United States</p>	<p>(P) :Plat (D) :Deed (Desc) :Description (Calc) :Calculation (F) :Field Measured SEC. :Section TWP. :Township R/OE :Range C/L :Centerline A/C :Air Conditioner O/A :Overall CONC. :Concrete A.P.O. :A Part Of COV. :Covered MAS. :Masonry RES. :Residence P.B. :Plat 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 :Sewer C.B. :Chord Bearing COL. :Column SQ. :Square DIA. :Diameter</p> <p>1) Property shown hereon appears to be located in Flood Zone "X" per F.I.R.M. No. 120530 01560 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. 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. 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. 4) Unless otherwise noted, distances shown hereon refer to plat and field measurements and are measured in U.S. feet. 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> <div style="text-align: center;"> <p>DAVID L. SMITH SURVEYING AND MAPPING, INC. 1406 W. LINEBAUGH AVE., TAMPA, FL 33612 Phone (813) 935-1960, Fax (813) 933-9446</p> </div> <p style="text-align: center;">Certificate of Authorization "L.B. #6962"</p> <p style="text-align: center;">SURVEYOR'S CERTIFICATE</p> <p>I hereby certify that the survey represented hereon meets the requirements of Florida Administrative Code pursuant to Chapter 30-17.062, 051.052, of the Florida Statutes. Unless it bears the signature and the original raised seal of the Florida licensed surveyor and mapper this drawing, sketch, plat or map is for informational purposes only and is not valid.</p> <div style="display: flex; justify-content: space-between;"> <div> <p>J. MICHAEL FUDKA P.S.M. 4192</p> <p>Signature: </p> </div> <div> <p>Field Date: 08/24/22</p> <p>Date: 12/27/22</p> <p>Job Number: 2208-084</p> </div> </div>

EXHIBIT B



David L. Smith

Surveying & Mapping, Inc.
1406 W Linebaugh Avenue
Tampa, FL 33612

Petition 1448571 Rough Bark Way. Easement Legal Description.

Subject to a county owned easement 25 feet from the edge of the roadway on the southern boundary of the right of way, together with a 20 foot wide utility easement from the northern boundary of the right of way, north to south, to the 25 foot county owned easement on the southern boundary of the Right of Way. With the eastern boundary of the easement along the western boundary of the property line of lot 20 and the western boundary of the easement lying 10 feet east of the proposed property line between lots 19 and 20.