

RESOLUTION NO. 2024-086

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, DETERMINING THE NECESSITY OF ACQUISITION BY EMINENT DOMAIN BY HERNANDO COUNTY CERTAIN PROPERTY WITHIN THE COUNTY FOR THE PURPOSE OF IMPROVING, CONSTRUCTING, RECONSTRUCTING, WIDENING, AND MAINTAINING AN EXTENSION OF BARCLAY ROAD FROM LUCKY LANE TO HIGHWAY 50W (CORTEZ BLVD.) AND FURTHER FINDING THAT THE PUBLIC WOULD BENEFIT THEREFROM; AND AUTHORIZING THE COUNTY ATTORNEY'S OFFICE TO ACQUIRE CERTAIN PROPERTY INTEREST BY INITIATING AN EMINENT DOMAIN FOR THE PUBLIC PURPOSE OF IMPROVING, CONSTRUCTING, RECONSTRUCTING, WIDENING, AND MAINTAINING THE DESIGNATED PORTION OF BARCLAY ROAD AND THE PROVISION OF DRAINAGE STRUCTURES INCIDENTAL THERETO.

**WHEREAS**, Hernando County is a political subdivision of the State of Florida authorized to exercise the power of eminent domain as provided in Chapters 73, 74, and 127, *Florida Statutes*; and

**WHEREAS**, the growth and development of Hernando County requires the improvement, construction, reconstruction, and maintenance of transportation facilities and drainage structures incidental thereto including the widening, improving, and extension of Barclay Road, a County Road, in Hernando County, Florida;

**WHEREAS**, Hernando County recognizes the need to ensure the safety and functionality of the roadway infrastructure within the County;

**WHEREAS**, the Hernando County Board of County Commissioners has considered all known relevant factors including alternative typical sections for design in the widening and extension of the roadway, safety requirements, future transportation planning issues, environmental, and cost considerations;

**WHEREAS**, the acquisition of these properties is deemed essential to address critical safety concerns and to maintain the flow of traffic in a safe and efficient manner;

**WHEREAS**, Section 127.02, Florida Statutes, and the due process protections of the Florida Constitution as implemented by general law requires adoption of a resolution authorizing the acquisition of property to be taken by eminent domain prior to initiating condemnation.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Hernando County, Florida, in regular meeting this 26<sup>th</sup> day of March 2024, as follows:

**SECTION 1.** That the Board finds that the property described herein is to be used for the widening/expansion, road improvements, all of the right-of-way, permanent ingress, egress, utility, and drainage easements, and temporary construction easements outlined and described on the property sketches and accompanying legal descriptions in accordance with the County's plans for Barclay Road improvements.

**SECTION 2.** That all conditions precedent to the adoption of this Resolution, will have been performed prior to filing legal suit.

**SECTION 3.** That all property sought to be acquired for the Barclay Road project, under this Resolution, is legally described in Exhibit A.

**SECTION 4.** The interest in the portion of this property sought to be acquired is fee simple.

**SECTION 5.** The Hernando County Board of County Commissioners hereby finds that the property described herein is reasonably necessary for the widening/expansion of Barclay Road and the acquisition of the described property is in the public interest and that all possible alternatives to such acquisitions have been considered.

**SECTION 6.** The Board of County Commissioners hereby directs and authorizes its staff to take whatever actions are required consistent with the private property and due process rights granted under the United States and Florida Constitutions and laws enacted thereunder to acquire the property described herein, including, but not limited to, purchase or commencing such legal proceedings in eminent domain as may result in acquisition by condemnation.

**SECTION 7.** This Resolution shall take effect upon its adoption.

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

Attest: *Doug Chorvat* Deputy Clerk By *Elizabeth Narverud* Vice Chairman  
Doug Chorvat, Jr. Clerk Elizabeth Narverud Chairperson



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY *[Signature]*  
County Attorney's Office



## Exhibit "A"

### LEGAL DESCRIPTION FOR RIGHT-OF-WAY TAKING ON PARCEL 24.0

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID NORTHWEST 1/4  $00^{\circ}39'19''$ E, 23.99 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF S.R. HWY. #50 AND THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF BARCLAY AVENUE; THENCE  $S89^{\circ}41'54''$ W, 50.00 FEET TO THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF BARCLAY AVENUE AND THE POINT OF BEGINNING; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE  $00^{\circ}05'33''$ W, 380.94 FEET TO THE SOUTH LINE OF PARCEL 24.0 AS DESCRIBED IN O.R. BOOK 2741, PG. 1662 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE ALONG SAID SOUTH LINE  $S89^{\circ}53'45''$ W, 52.16 FEET TO THE NEW WESTERLY RIGHT-OF-WAY LINE OF BARCLAY AVENUE. SAID POINT BEING ON A CURVE CONCAVE TO THE EAST HAVING A CENTRAL ANGLE OF  $01^{\circ}08'29''$ , A RADIUS OF 3874.00 FEET, A CHORD BEARING AND DISTANCE OF  $N03^{\circ}45'16''$ E, 77.18 FEET; THENCE ALONG SAID NEW WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE 77.18 FEET TO A POINT OF REVERSE CURVE. SAID CURVE BEING CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF  $04^{\circ}15'36''$ , A RADIUS OF 3766.00 FEET, A CHORD BEARING AND DISTANCE OF  $N02^{\circ}11'43''$ E, 279.94 FEET; THENCE ALONG THE ARC OF SAID CURVE 280.00 FEET; THENCE  $N00^{\circ}03'55''$ E, 23.94 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF S.R. HWY. #50; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE  $N89^{\circ}28'07''$ E, 36.98 FEET TO THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF BARCLAY AVENUE AND THE POINT OF BEGINNING

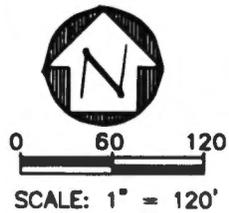
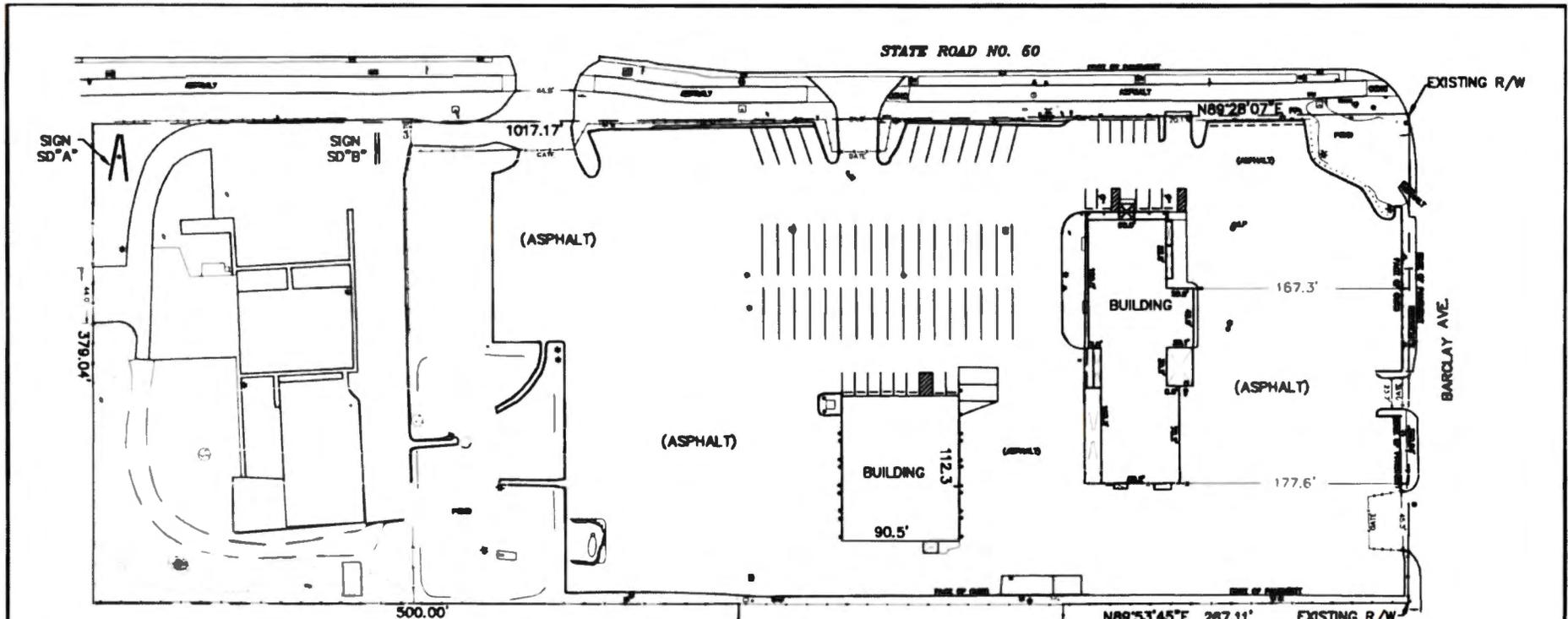
CONTAINING 0.37 ACRES MORE OR LESS.

### LEGAL DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT ON PARCEL 24.0

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID NORTHWEST 1/4  $00^{\circ}39'19''$ E, 23.99 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF S.R. HWY. #50 AND THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF BARCLAY AVENUE; THENCE  $S89^{\circ}41'54''$ W, 50.00 FEET TO THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF BARCLAY AVENUE; THENCE CONTINUE ALONG THE SOUTH RIGHT-OF-WAY LINE OF S.R. HWY. #50  $S89^{\circ}28'07''$ W, 36.98 FEET TO THE NEW WESTERLY RIGHT-OF-WAY LINE OF BARCLAY AVENUE AND THE POINT OF BEGINNING; THENCE ALONG SAID NEW WESTERLY RIGHT-OF-WAY LINE  $00^{\circ}03'55''$ W, 23.94 FEET TO THE PC OF A CURVE BEING CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF  $00^{\circ}29'17''$ , A RADIUS OF 3766.00 FEET, A CHORD BEARING AND DISTANCE OF  $S00^{\circ}18'34''$ W, 32.08 FEET; THENCE ALONG THE ARC OF SAID CURVE 32.08 FEET; THENCE  $N64^{\circ}15'43''$ W, 34.74 FEET; THENCE  $N37^{\circ}41'21''$ W, 13.97 FEET; THENCE  $N00^{\circ}03'55''$ E, 29.51 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF S.R. HWY. #50; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE  $N89^{\circ}28'07''$ E, 40.00 FEET TO THE NEW WESTERLY RIGHT-OF-WAY LINE OF BARCLAY AVENUE AND THE POINT OF BEGINNING.

CONTAINING 1819.5 SQ.FT. MORE OR LESS.

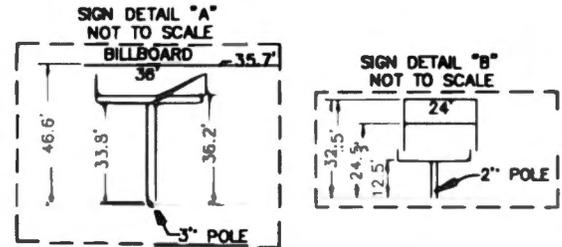
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**NOTES:**

THIS IS A SKETCH ONLY, THIS IS NOT A BOUNDARY SURVEY  
 THE PURPOSE OF THIS SKETCH IS TO AID IN THE APPRAISAL  
 OF THE SUBJECT PARCEL

ALL BOUNDARY INFORMATION AND CALCULATIONS ARE BASED  
 ON A SKETCH OF AREA OF TAKING PROVIDED BY THE CLIENT  
 & INFORMATION FROM THE PROPERTY APPRAISER'S DATA  
 BASE, HERNANDO COUNTY, FL



**BARCLAY AVE/STATE ROAD 50—HERNANDO COUNTY, FLORIDA**  
**PARCEL NA - SKETCH OF SURVEYED PARCEL**  
**OWNER: REGISTER FAMILY, LLC**  
**AREA OF PARENT TRACT - 10.900 ACRES±**  
**AREA OF TAKING - 0.370 ACRES±**  
**AREA OF REMAINDER - 9.930 ACRES±**  
**AREA OF T.C.E. - 1,819.6 SF±**

**LEGEND**

R/W RIGHT OF WAY

FIELD BOOK/PAGE: P08/30	<b>CORNERSTONE</b> LAND SURVEYING, INC.	PROJECT: BARCLAY AVE—STATE ROAD 50 HERNANDO COUNTY, FL
SKETCH DATE: 12/21/2021		SHEET TITLE: SKETCH OF SURVEY PARENT TRACT
OFFICE ADDRESS: 2837 FOX CROFT DRIVE TALLAHASSEE, FLORIDA 32308	PHONE: (850) 668-7330 MOBILE: (850) 933-7113 FAX: (850) 894-9883	CLIENT: HERNANDO COUNTY JOB NO.: 2021015-541 SHEET NO.: 1

**BARCLAY AVE/STATE ROAD 50-HERNANDO COUNTY, FLORIDA**

**PARCEL NA - SKETCH OF SURVEYED PARCEL**

**OWNER: REGISTER FAMILY, LLC**

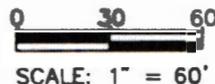
**AREA OF PARENT TRACT = 10.900 ACRES±**

**AREA OF TAKING = 0.370 ACRES±**

**AREA OF REMAINDER = 9.930 ACRES±**

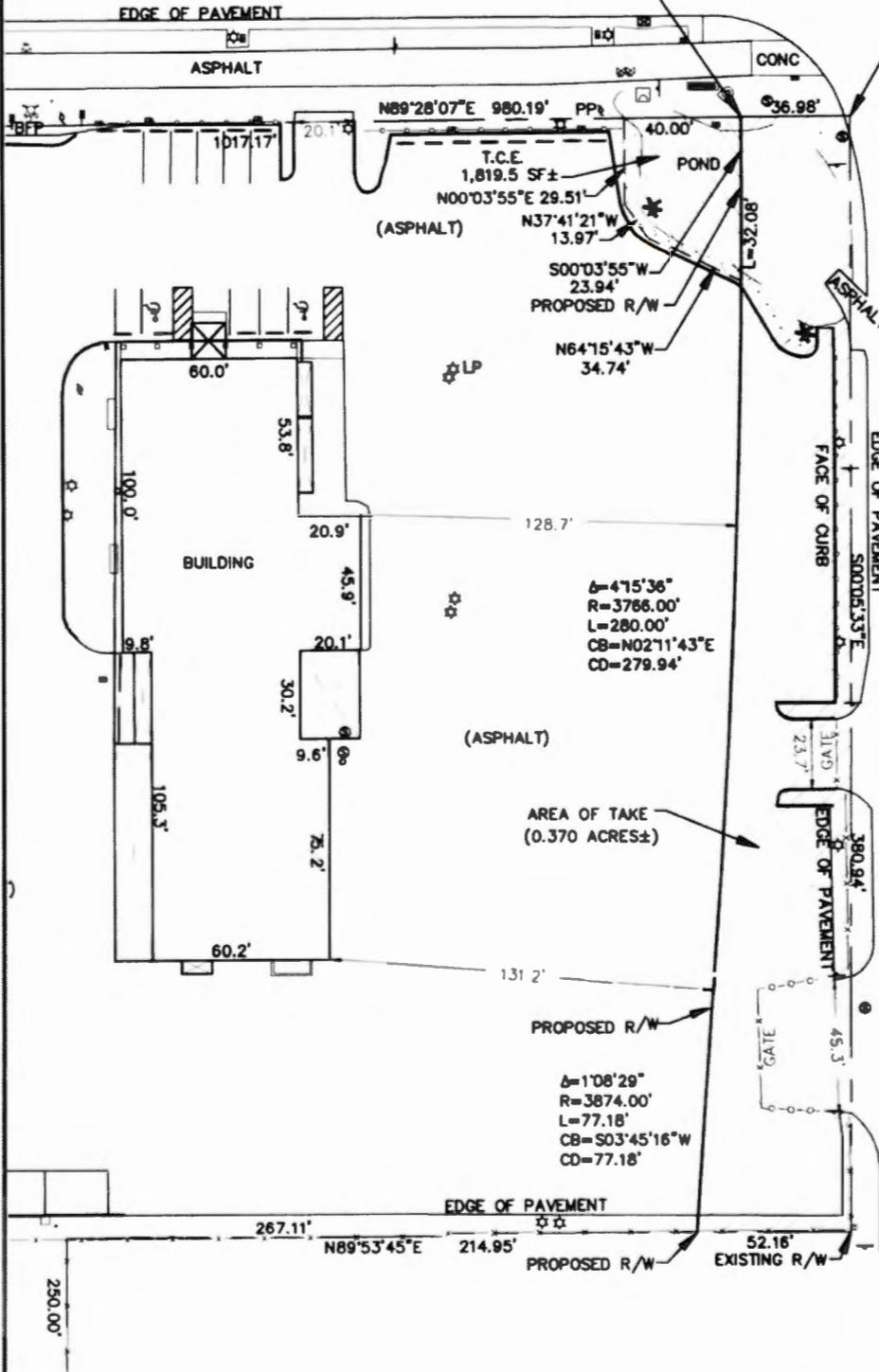
**AREA OF T.C.E. = 1,819.5 SF±**

SEE SHEET 4 OF 4 FOR LEGAL DESCRIPTIONS



STATE ROAD NO. 50

PROPOSED R/W



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**LEGEND**

R/W	RIGHT OF WAY
—	SIGN
BOC	BACK OF CURB
TYP	TYPICAL
EOP	EDGE OF PAVEMENT
MES	MITERED END SECTION
UB	UTILITY BOX
LSA	LANDSCAPED AREA
CPP	CONCRETE POWER POLE
PP	POWER POLE
LP	LAMP POLE
CLP	CONCRETE LAMP POLE
—	LINE NOT TO SCALE
CONC	CONCRETE
GENER	GENERATOR
IRC	IRRIGATION CONTROL
CO	CLEAN OUT
EB	ELECTRIC BOX
TPED	TELEPHONE PEDESTAL
SD	SEE DETAIL
WSP	WATER SPICKET
FP	FLAG POLE
CBX	CABLE BOX
ET	ELECTRIC TRANSFORMER
PB	PULL BOX
TSP	TRAFFIC SERVICE POLE
TSB	TRAFFIC SERVICE BOX
BCP	BURIED CABLE POST
BFP	BACK FLOW PREVENTER

FIELD BOOK/PAGE:

POS/30

SKETCH DATE:

12/21/2021

**CORNERSTONE LAND SURVEYING, INC.**

OFFICE ADDRESS:  
2937 FOX CROFT DRIVE  
TALAHASSEE, FLORIDA 32309

PHONE: (850) 688-7330  
MOBILE (850) 933-7115  
FAX : (850) 894-9693

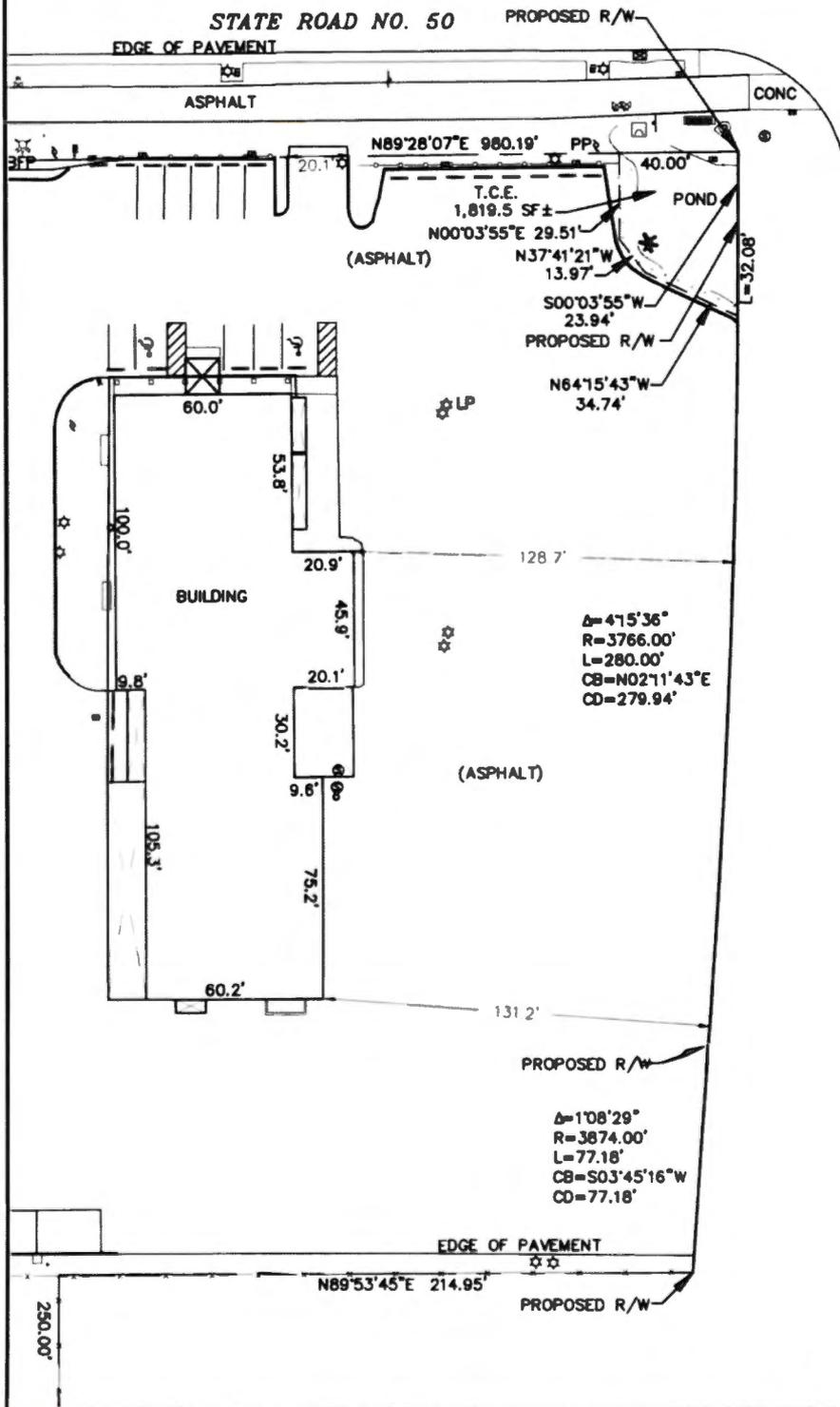
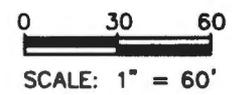
PROJECT: BARCLAY AVE-STATE ROAD 50  
HERNANDO COUNTY, FL

SHEET TITLE: SKETCH OF SURVEY  
PARENT TRACT AND AREA OF TAKING

HERNANDO COUNTY JOB NO. 2021015-541 SHEET NO. 2

**BARCLAY AVE/STATE ROAD 50-HERNANDO COUNTY, FLORIDA**  
**PARCEL NA - SKETCH OF SURVEYED PARCEL**  
**OWNER: REGISTER FAMILY, LLC**  
**AREA OF PARENT TRACT = 10.300 ACRES±**  
**AREA OF TAKING = 0.970 ACRES±**  
**AREA OF REMAINDER = 9.930 ACRES±**  
**AREA OF T.C.E. = 1,819.5 SF±**

SEE SHEET 4 OF 4 FOR LEGAL DESCRIPTIONS



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**LEGEND**

- R/W RIGHT OF WAY
- SIGN
- BOC BACK OF CURB
- TYP TYPICAL
- EOP EDGE OF PAVEMENT
- MES MITERED END SECTION
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- BCP BURIED CABLE POST
- BFP BACK FLOW PREVENTER

FIELD BOOK/PAGE:  
 PDS/30  
 SKETCH DATE:  
 12/21/2021

**CORNERSTONE**  
**LAND SURVEYING, INC.**

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 2837 FOX CROFT DRIVE  
 TALLAHASSEE, FLORIDA 32309

PHONE: (850) 688-7330  
 MOBILE: (850) 933-7115  
 FAX: (850) 894-9893

PROJECT BARCLAY AVE-STATE ROAD 50 HERNANDO COUNTY, FL		
SHEET TITLE SKETCH OF SURVEY AREA OF REMAINDER		
CLIENT HERNANDO COUNTY	JOB NO. 2021015-541	SHEET NO. 3