

RESOLUTION NO. 2023 - 51

**WHEREAS, Linda A. Hartwell, Mark C. Watson, and Tina M. Watson** 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:

TRACT A, WOODLAND WATERS PHASE 5, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 33, PAGES 33-35 INCLUSIVE OF THE PULBIC RECORDS OF HERNANDO COUNTY, FLORIDA. SUBJECT TO A 25' COUNTY OWNED EASEMENT ON THE SOUTHERLY BOURNDARY OF TRACT "A"; SUBJECT TO TWO 10' UTILITY EASEMENTS FROM THE NORTHERN BOUNDARY OF TRACT "A" TO THE 25' COUNTY OWNED EASEMENT ON THE SOUTHERLY BOUNDARY AND LYING 20' WEST OF THE EAST LINE OF TRACT "A" AND 20' EAST OF THE WEST LINE OF TRACT "A".

**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 January 6, 2023 and January 17, 2023, is hereby accepted by the Board of County Commissioners, and must be recorded into public records.

**ADOPTED IN REGULAR SESSION THE** 14<sup>th</sup> **DAY OF** March **2023.**

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

Attest: Heidi Kuppe, 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 6<sup>TH</sup> day of JANUARY, 2023, between Linda A. Hartwell., property owner(s), whose address is 212 North Rd. White Plains NY 10603, 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 4325 0000 0380/W.W./Lazy Days Ct, Lot 38

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)

Linda A. Hartwell  
Linda A. Hartwell

Witness: Edward Robinson

Print Name: Edward Robinson

Witness: Marguerite Robinson

Print Name: Marguerite Robinson

STATE OF ~~FLORIDA~~ NEW YORK  
COUNTY OF Westchester

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of JANUARY, 2023, by LINDA A. HARTWELL who are personally known to me or have produced NEW YORK STATE as identification.

DRIVERS LICENSE Karen Pollard

Signature of Notary  
Print Name: KAREN POLLARD  
Notary Public, State of Florida NEW YORK  
Commission No. 01P05063718  
My Commission expires: 8/12/2026

(NOTARY SEAL)

KAREN POLLARD  
Notary Public, State of New York  
No. 01P05063718  
Qualified in Westchester County  
Commission Expires August 12, 2026

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

### PERPETUAL UTILITY EASEMENT

THIS EASEMENT, made this 17 day of January, 2023, between Mark C. Watson / Tina M. Watson, property owner(s), whose address is 10138 Lazy Days Ct. 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 4325 0000 0370

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)

Mark E Watson  
Tina M. Watson

Witness: [Signature]

Print Name: Kaitlyn Fotianni

Witness: [Signature]

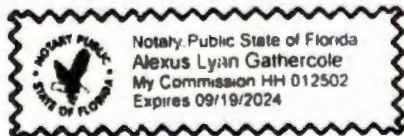
Print Name: Destiny Shea

STATE OF FLORIDA  
COUNTY OF Hernando

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of January, 2023, by Mark & Tina Watson, who are personally known to me or have produced Driver License, as identification.

[Signature]  
Signature of Notary  
Print Name: Alexis Lynn Gathercole  
Notary Public, State of Florida  
Commission No. HH 012502  
My Commission expires: 09/19/2024

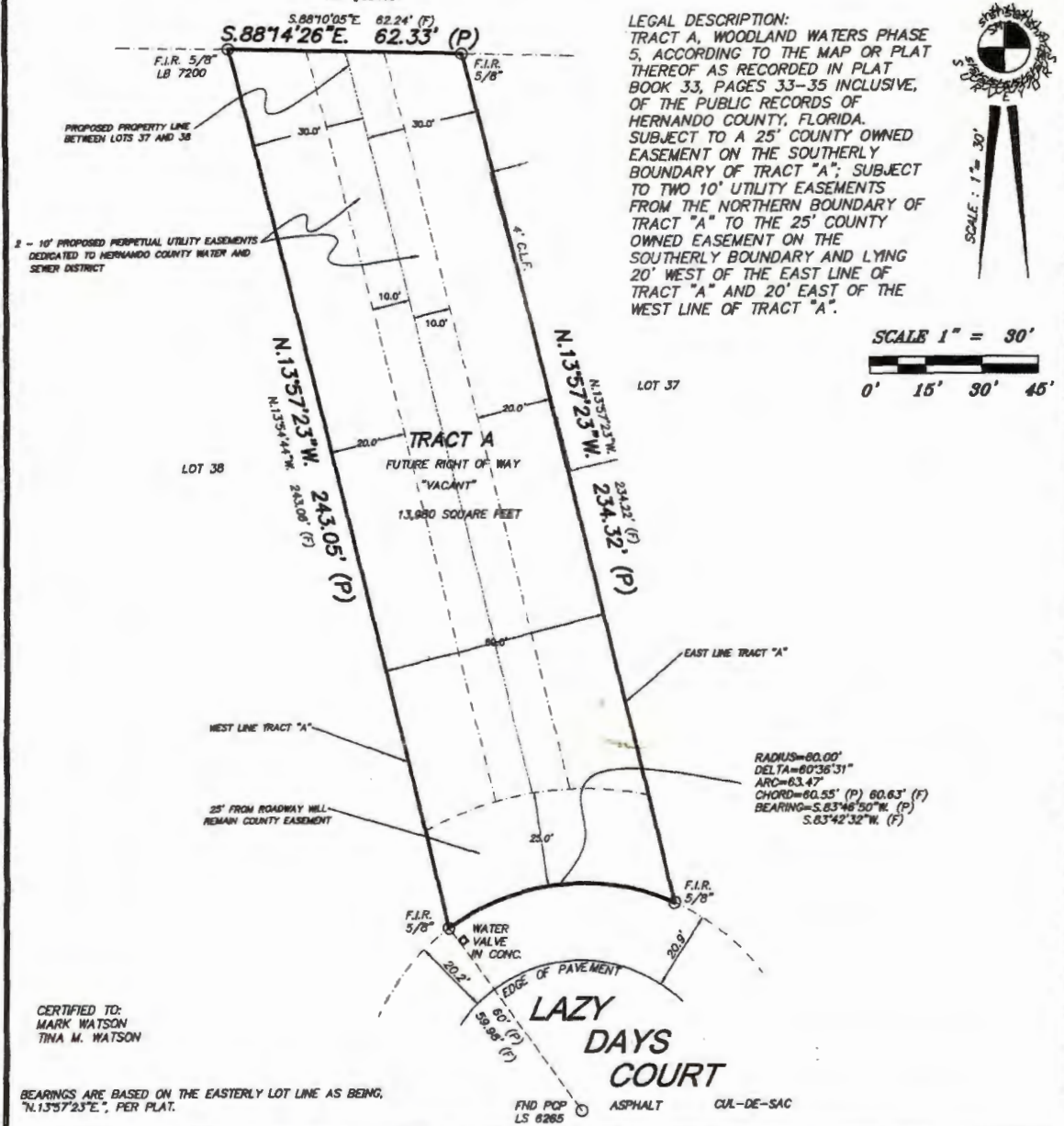
(NOTARY SEAL)



# BOUNDARY SURVEY

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

KEY #539001



<b>Legend</b>	
PC	:Point of Curvature
PT	:Point of Tangency
PRC	:Point of Reverse Curvature
PCC	:Point of Compound Curvature
P.I.	:Point of Intersection
SR	:Set Capped Iron Rod 1/2" #6002
FR	:Found Iron Rod
FRP	: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 RYS	:Found Railroad Spikes
NCF	:No Corner Found or Set
PRM	:Permanent Reference Monument
O/H	:Overhead Wires
C.L.F.	:Chain Link Fence
S.O.B.	:Point of Beginning
S.O.C.	:Point of Commencement
P-K	:Parker-Kalon
O.R.B.	:Official Records Book
W.G.	:Concrete Valley Gutter
TRM	:Temporary Benchmark
BM	:Benchmark
PP	:Power/Utility Pole
PSM	:Professional Surveyor & Mapper
LD	:Licensed Business
RLS.	:Registered Land Surveyor
ATMA	:As Their Interests May Appear
MSQA	:N's Successors And/O'r Assigns
R.C.P.	:Reinforced Concrete Pipe
U.S.	:United States
PARTY CHECK?	D.S.
DRAWN BY?	C.B.

**Surveyor's Notes:**

- 1) Property shown hereon appears to be located in Flood Zone "X" per F.I.R.M. No. 12053C 0158D Dated 2-2-12. This surveyor makes no guarantees 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 plot 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.

**DAVID L. SMITH**  
SURVEYING AND MAPPING, INC.  
1406 W. LIMEBAUGH AVE. Tampa, FL 33612  
Phone (813) 933-1950 Fax (813) 933-9446

**Certificate of Authorization "L.B. #6962"**

**SURVEYOR'S CERTIFICATE**

I hereby certify that the survey represented hereon meets the requirements of Florida Administrative Code pursuant to Chapter 64-12.050,051,052, 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.

*David L. Smith*  
Signature Date 12/27/22 Job Number: 2208-082

J. MICHAEL FODOR P.S.M. 4182  
Signature Date 12/27/22 Job Number: 2208-082

EXHIBIT B



*David L. Smith*

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

**Petition 1445618 Lazy Days Ct. Easement Legal Description.**

Subject to a county owned easement 25 feet from the edge of the roadway on the southerly boundary of the right of way, together with two 10 feet wide utility easements.

Subject to; A 10 feet wide easement from the northern boundary of the Right of Way to the 25 foot County owned easement on the southerly boundary of the Right of Way. With the easements western boundary along the proposed property line north to south, between lots 37 and 38 and the easements eastern boundary lying 20 feet west of the eastern boundary of the Right of Way.

Subject to; A 10 feet wide easement from the northern boundary of the Right of Way to the 25 foot County owned easement on the southerly boundary of the Right of Way. With the easements eastern boundary along the proposed property line of the Right of Way, north to south, between lots 37 and 38. And the easements western boundary lying 20 feet east of the western boundary of the Right of Way.