

**From:** [County Ordinances](#)  
**To:** [Ordinances](#); [County Ordinances](#)  
**Cc:** [Darlene Christensen](#); [Heidi Kurppe](#)  
**Subject:** RE: Hernando County Ordinance No. 2022-05 - Adopted on February 22, 2022  
**Date:** Friday, February 25, 2022 10:04:26 AM  
**Attachments:** [Hernando20220224\\_Ordinance2022\\_05\\_Ack.pdf](#)

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Linda Bryant, Accountant I  
Florida Department of State  
Administrative Code and Register  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

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**From:** Ordinances <ord@hernandoclerk.org>  
**Sent:** Thursday, February 24, 2022 3:26 PM  
**To:** County Ordinances <CountyOrdinances@dos.myflorida.com>  
**Cc:** Darlene Christensen <dchristensen@hernandoclerk.org>; Heidi Kurppe <hkurppe@hernandoclerk.org>  
**Subject:** Hernando County Ordinance No. 2022-05 - Adopted on February 22, 2022

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Sender Full Name:	Heidi Kurppe
Sender Phone number:	352-754-4970
County Name:	Hernando
Ordinance Number:	2022-05

Thank You,

Heidi Kurppe  
Administrative Services | Deputy Clerk  
Office of Doug Chorvat Jr., Clerk of Circuit Court and Comptroller  
Phone: (352)754-4970 | Email: [ord@hernandoclerk.org](mailto:ord@hernandoclerk.org)  
20 N Main Street, Brooksville, FL 34601

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## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

February 25, 2022

Honorable Doug Chorvat, Jr.  
Hernando County Clerk's Office  
20 North Main Street, Rm. 362  
Brooksville, Florida 34601

Attention: Ms. Heidi Kurppe, Deputy Clerk

Dear Mr. Chorvat:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2022-05, which was filed in this office on February 24, 2022.

Sincerely,

Anya Owens  
Program Administrator

AO/lb

**ORDINANCE NO.: 2022-05**

1  
2 AN ORDINANCE MODIFYING THE LANGUAGE IN CHAPTER 26, ARTICLE  
3 V OF THE HERNANDO COUNTY CODE OF ORDINANCES RELATED TO  
4 THE FORM LANGUAGE FOR DEDICATIONS IN PLATS; PROVIDING FOR  
5 SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING  
6 FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN  
7 EFFECTIVE DATE.

8 WHEREAS, Chapter 26, Article V, Section 26-91 of the Hernando County Code of  
9 Ordinances sets forth the form language required for the dedications contained within platted  
10 subdivisions in Hernando County; and

11 WHEREAS, the form language in dedications contained within platted subdivisions in  
12 Hernando County states that utility easements in the plats are granted to Hernando County and public  
13 service providers for "ground level, aboveground, and below ground installations, maintenance, and  
14 operation of said utilities and service including drainage"; and

15 WHEREAS, it is intended to add express language concerning "construction" of utilities in  
16 addition to "operation and maintenance" to the form for dedications contained within platted  
17 subdivisions in Hernando County so that the ordinance is clear regarding the ability of Hernando  
18 County and public service providers to repair, replace, or add new connections to existing Hernando  
19 County utility facilities in all platted subdivisions.

20 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY

1 COMMISSIONERS OF HERNANDO COUNTY:

2           **Section 1. Modification of Chapter 26, Article V, Section 26-91 of the Hernando**  
3 **County Code of Ordinances.** Chapter 26, Article V, Section 26-91 of the Hernando County Code  
4 of Ordinances is hereby amended as follows:

5           Sec. 26-91. - Dedications; form.

6           (a)   Each plat must contain a dedication executed and acknowledged by the owner  
7                           in the manner prescribed by law for the execution of deeds. Such dedication  
8                           shall dedicate to the public or purchasers all streets, canals, parks and other  
9                           public places shown on the plat, warrant that the dedicators are the owners of  
10                          the lands platted, and authorize the recording of such plat.

11           (b)   Dedications and acknowledgments in substantially the following form shall  
12                           be deemed as sufficient compliance with this section:

13                   (1)   By individual:

14           DEDICATION

15           (LEGAL DESCRIPTION)

16           The above legal description contains \_\_\_\_\_ acres more or less.

17  
18                                           . the owners of the lands described in this  
19 plat, do hereby dedicate to the public, the purchasers, and Hernando County all streets,  
20 rights-of-way, parks, drainage canals and retention areas, and other public areas as depicted

1 hereon. The easements as designated on this plat are hereby reserved to the declarant, its  
2 successors and assigns and granted to Hernando County and public service providers to the  
3 subdivision on a nonexclusive basis for the ground level, aboveground, and below ground  
4 installations, construction, upgrades, connections, maintenance, and operation of said utilities  
5 and service including drainage; and said owners further do hereby dedicate to the perpetual  
6 use of the public and Hernando County, Florida, all lands upon which or within which water  
7 and sewer system improvements or facilities exist; and further do hereby dedicate to the  
8 perpetual use of the Hernando County Water and Sewer District water and sewer system  
9 improvements and facilities including, but not limited to, water or sewer lines or pipes, fire  
10 hydrants, wells, lift stations, pumping stations, buildings, sewage disposal plants, other water  
11 and sewer system plants and other appurtenant facilities lying within or upon the lands  
12 depicted on this plat; and further do hereby reserve unto itself, its heirs, successors, assigns  
13 or legal representatives the right to construct, operate and maintain all such dedicated lands,  
14 streets, water and sewer system improvements or facilities and appurtenances until such time  
15 as the construction operation and maintenance of said lands, improvements, facilities and  
16 appurtenances is assumed by Hernando County, Florida; and further do hereby reserve unto  
17 itself, its heirs, successors, assigns or legal representatives including, but not limited to, any  
18 private utility furnishing water and sewer services and appurtenances thereto, the title to any  
19 lands or improvements dedicated to the public or to the County if for any reason such  
20 dedication shall be either voluntarily or involuntarily vacated, voided or invalidated.

1           Witness our hands and seals as dedicators this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

2           Signed and Sealed in the Presence of:

3

4           \_\_\_\_\_ (seal)

5           Witness

6           \_\_\_\_\_ (seal)

7           Witness

8

9           State of \_\_\_\_\_

10          County of \_\_\_\_\_

11

12          Before me the undersigned, an officer duly authorized and acting personally appeared

13          \_\_\_\_\_ and \_\_\_\_\_ to me known to be the individuals

14          described in and who executed the foregoing dedication and they, being duly sworn,

15          acknowledged the same. WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_,

16          20\_\_.

17

18          \_\_\_\_\_

19          NOTARY PUBLIC

20          My Commission expires: \_\_\_\_\_

1 (2) By corporation:

2 DEDICATION

3 (LEGAL DESCRIPTION)

4 The above legal description contains \_\_\_\_\_ acres more or less.

5  
6 \_\_\_\_\_, a Corporation under the laws of the State of \_\_\_\_\_,

7 the owner of the lands herein platted, as dedicator, does hereby dedicate to the public, the  
8 purchasers, and Hernando County all streets, rights-of-way, parks, drainage canals and  
9 retention areas, and other public areas as depicted hereon. The easements as designated on  
10 this plat are hereby reserved to the declarant, its successors and assigns and granted to  
11 Hernando County and public service providers to the subdivision on a nonexclusive basis for  
12 the ground level, aboveground, and below ground installations, construction, upgrades,  
13 connections, maintenance and operation of said utilities and service including drainage; and  
14 said owners further do hereby dedicate to the perpetual use of the public and Hernando  
15 County, Florida, all lands upon which or within which water and sewer system improvements  
16 or facilities exist; and further do hereby dedicate to the perpetual use of ~~Hernando County,~~  
17 ~~Florida; the Hernando County Water and Sewer District~~ water and sewer system  
18 improvements and facilities including, but not limited to, water or sewer lines or pipes, fire  
19 hydrants, wells, lift stations, pumping stations, buildings, sewage disposal plants, other water  
20 and sewer system plants and other appurtenant facilities lying within or upon the lands

1 depicted on this plat; and further do hereby reserve unto itself, its heirs, successors, assigns  
2 or legal representatives the right to construct, operate and maintain all such dedicated lands,  
3 streets, water and sewer system improvements or facilities and appurtenances until such time  
4 as the construction, operation and maintenance of said lands, improvements, facilities and  
5 appurtenances is assumed by Hernando County, Florida; and further do hereby reserve unto  
6 itself, its heirs, successors, assigns or legal representatives, including, but not limited to, any  
7 private utility furnishing water and sewer services and appurtenances thereto, the title to any  
8 lands or improvements dedicated to the public or to the County if for any reason such  
9 dedication shall be either voluntarily or involuntarily vacated, voided or invalidated.

10 IN WITNESS WHEREOF, the said dedicator has caused its name and corporate seal to be  
11 affixed hereto by its President, attested by its Secretary heretofore duly authorized by its  
12 Board of Directors, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

13  
14 (Corporate Seal)

15 Attest: \_\_\_\_\_

16 By:

17 \_\_\_\_\_

18 President



1 STATE OF \_\_\_\_\_

2 COUNTY OF \_\_\_\_\_

3  
4 Before me the undersigned, an officer duly authorized and acting, personally appeared  
5 \_\_\_\_\_ and \_\_\_\_\_, to me known to be the  
6 individuals who executed the foregoing dedication as President and Secretary, respectively,  
7 of \_\_\_\_\_ a corporation, under the laws of the State of \_\_\_\_\_,  
8 and being duly sworn, acknowledged then and there before me that they executed the same  
9 as such officers of such Corporation heretofore duly authorized by the Board of Directors of  
10 such Corporation as the act and deed of such Corporation.

11  
12 WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

13 \_\_\_\_\_

14 NOTARY PUBLIC

15 My Commission expires: \_\_\_\_\_

16 (3) For private development, the dedicatory language must be approved  
17 by the county.

18 Section 2. Severability. It is declared to be the intent of the Board of County  
19 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this

1 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the  
2 validity of the remaining portions of this ordinance.

3 **Section 3. Inclusion in the Code.** It is the intention of the Board of County Commissioners  
4 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall  
5 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the  
6 sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that  
7 the word "ordinance" may be changed to "section," "article," or any other appropriate designation.

8 **Section 4. Conflicting Provisions Repealed.** All ordinances or parts of ordinances in  
9 conflict with the provisions of this ordinance are hereby repealed.

10 **Section 5. Effective Date.** This ordinance shall take effect immediately upon receipt of  
11 official acknowledgment from the office of the Secretary of State of Florida that this ordinance has  
12 been filed with said office.

13 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**  
14 **HERNANDO COUNTY** in Regular Session this 22<sup>nd</sup> day of February 2022.

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

15  
16  
17  
18  
19  
20  
21 Attest: Heidi Kuppe, D.C.  
22 **DOUG CHORVAT, JR.**  
23 **Clerk**

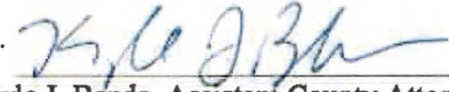
*for*

By: [Signature]  
**STEVE CHAMPION**  
**Chairman**



1  
2  
3  
4  
5  
6

Approved for legal form and sufficiency:



Kyle J. Benda, Assistant County Attorney