

Record and Return to:
DeSoto County Engineer
DeSoto County Board of County Commissioners
201 E. Oak Street, Suite 204
Arcadia, FL 34266

This Document Prepared By:

1500 Mahan Drive, Suite 200
Tallahassee, FL 32308

PERMANENT UTILITIES EASEMENT

THIS EASEMENT, made this 17th day of SEPTEMBER, 2025, by and between HWY 17 ARCADIA LLC, whose principal address is 3304 Dominica Court, Punta Gorda, Florida, hereinafter called Grantor, to **DESOTO COUNTY**, a political subdivision of the state of Florida, whose mailing address is 201 E. Oak Street, Suite 201, Arcadia Florida, its successors and assigns, hereinafter called Grantee: (Wherever used herein the terms Grantor and Grantee include all the parties to this instrument and the successors and assigns of organizations).

WITNESSETH, That the Grantor, for and in consideration of the sum of ten dollars (\$10.00) and other valuable consideration paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the Grantee, its successors and assigns, a perpetual public easement for the construction, operation, and maintenance of utilities and related appurtenances including, without limitation, above ground and underground stormwater drainage utility system permitted by DeSoto County (all of which items to be located in the easement area being referred to as the facilities) upon, over, under and across the following described land (the easement area), situate, lying and being in DeSoto County, Florida, to wit:

See Exhibit "A" attached hereto and made a part hereof

The easement rights specifically include: (a) the right of perpetual ingress and egress to patrol, inspect, alter, improve, construct, repair, maintain, rebuild, remove and provide access and service to the facilities; (b) the right to decrease or increase, or to change the quantity and type of, the facilities; (c) the right to clear the easement area of the trees, limbs, undergrowth, and other physical objects (regardless of the location of such trees, limbs, undergrowth and other objects) which, in the opinion of Grantee, endanger or interfere with the safe and efficient installation, operation, or maintenance of the facilities; and (d) the right to permit any other person or entity to attach pipes, lines, or wires to such facilities within the easement area; and (e) all other rights and privileges reasonably necessary or convenient for the safe and efficient installation, operation and maintenance of the facilities and for the enjoyment and use of the easement for the purposes described above. No buildings, structures, or obstacles are permitted within the easement area. Nothing contained herein shall be construed to impose upon the Grantee any duty or obligation to exercise the rights granted under this Easement. The rights granted are permissive in nature only, and the decision whether, when, and how to exercise such rights shall be in the sole discretion of the Grantee.

AND Grantor covenants that it is authorized to execute this easement.

TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns

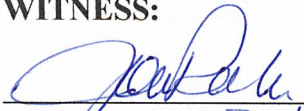
forever, and the Grantor will defend the title to said lands against all persons claiming by, through or under said Grantor.

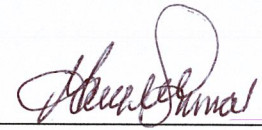
SUBJECT, HOWEVER to any Easements and Restrictions of record.

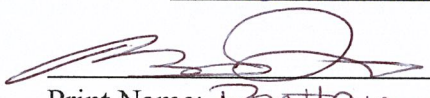
IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

GRANTOR

WITNESS:


Print Name: JOHN RAULERSON
Address: 10 S DESOTO AVE ARCADIA FL

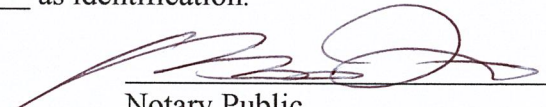

By: GARY L. GROSSMAN
Its: MANAGING MEMBER

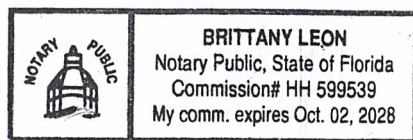

Print Name: Brittany Leon
Address: 10 S Desoto Ave Arcadia Fl

STATE OF Florida
COUNTY OF Desoto

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, 17 day of Sept, 2025, by GARY L. GROSSMAN as MANAGING MEMBER on behalf of HIGHWAY 17 ARCADIA, LLC who is personally known to me or who has produced Drivers License as identification.

(Notary Stamp)


Notary Public
Printed Name: Brittany Leon
License No: HH 599539
Expiration Date: 10/02/2028



LEGAL DESCRIPTION AND SKETCH:

LEGAL DESCRIPTION:

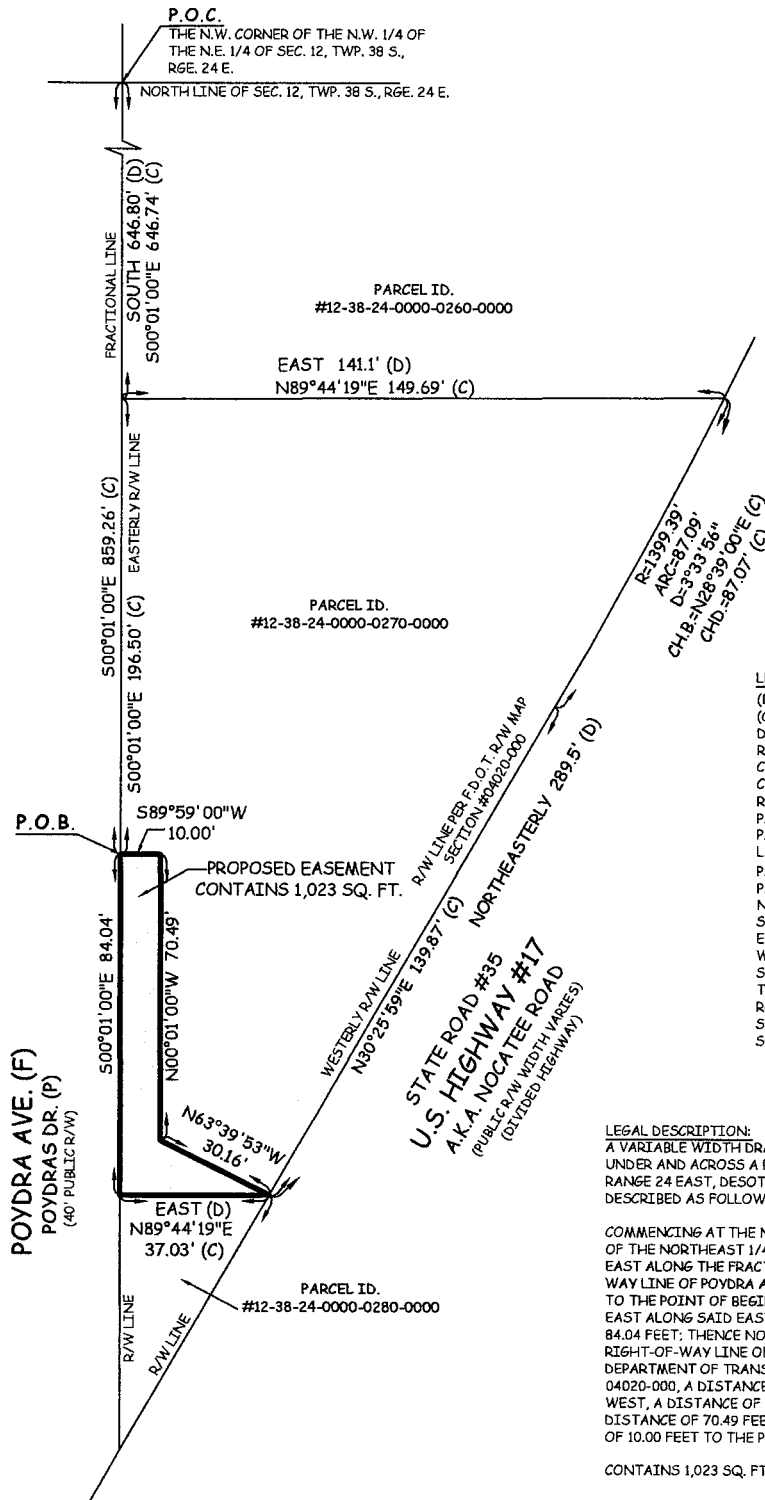
A VARIABLE WIDTH DRAINAGE AND UTILITY EASEMENT LYING OVER, UNDER AND ACROSS A PORTION OF SECTION 12, TOWNSHIP 38 SOUTH, RANGE 24 EAST, DESOTO COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 12; THENCE SOUTH 00°01'00" EAST ALONG THE FRACTIONAL LINE AND THE EASTERLY RIGHT OF WAY LINE OF POYDRA AVENUE (40' WIDE), A DISTANCE OF 859.26 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°01'00" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 84.04 FEET; THENCE NORTH 89°44'19" EAST TO THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17 (S.R. No. 35) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 04020-000, A DISTANCE OF 37.03 FEET; THENCE NORTH 63°39'53" WEST, A DISTANCE OF 30.16 FEET; THENCE NORTH 00°01'00" WEST, A DISTANCE OF 70.49 FEET; THENCE SOUTH 89°59'00" WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 1,023 SQ. FT., MORE OR LESS.

SKETCH ON PAGE TO FOLLOW:

SKETCH OF DESCRIPTION PREPARED FOR:
GARY L. GROSSMAN



LEGEND:
(D) = DEED DATA
(C) = CALCULATED DATA
D = DELTA
R = RADIUS
CHD. = CHORD LENGTH
CH.B. = CHORD BEARING
R/W = RIGHT-OF-WAY
P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
P.C. = POINT OF CURVATURE
L.B. = LICENSED BUSINESS
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
N. = NORTH
S. = SOUTH
E. = EAST
W. = WEST
SEC. = SECTION
TWP. = TOWNSHIP
R&E. = RANGE
S.R. = STATE ROAD
SQ. FT. = SQUARE FEET

LEGAL DESCRIPTION:
A VARIABLE WIDTH DRAINAGE AND UTILITY EASEMENT LYING OVER, UNDER AND ACROSS A PORTION OF SECTION 12, TOWNSHIP 38 SOUTH, RANGE 24 EAST, DESOTO COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 12; THENCE SOUTH 00°01'00" EAST ALONG THE FRACTIONAL LINE AND THE EASTERLY RIGHT OF WAY LINE OF POYDRA AVENUE (40' WIDE), A DISTANCE OF 859.26 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00°01'00" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 84.04 FEET; THENCE NORTH 89°44'19" EAST TO THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17 (S.R. No. 35) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 04020-000, A DISTANCE OF 37.03 FEET; THENCE NORTH 63°39'53" WEST, A DISTANCE OF 30.16 FEET; THENCE NORTH 00°01'00" WEST, A DISTANCE OF 70.49 FEET; THENCE SOUTH 89°59'00" WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 1,023 SQ. FT., MORE OR LESS.

Gen³
LAND SURVEYING INC.
17840 TOLEDO BLADE BLVD, SUITE B, PORT CHARLOTTE, FL, 33948
INFO@GEN3SURVEY.COM
(941)-629-6801 L.B. #8460

SURVEYOR'S NOTATIONS:
1) THIS IS NOT A BOUNDARY SURVEY.
2) BEARINGS ARE BASED ON DEED DATA.
3) DISTANCES ARE EXPRESSED IN DECIMAL FEET.

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE "STANDARDS OF PRACTICE FOR SURVEYS" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 63 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.02, FLORIDA STATUTES.

R.J. Strickland, Jr.
P.S.M. Florida
Registration #6144

Digitally signed by R.J. Strickland, Jr., P.S.M. Florida
Registration #6144
Date: 2025.08.26 13:26:01 -04'00'

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SHA AUTHENTICATION CODE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

AFFIDAVIT

Legal description of Property relevant to this Affidavit:

A VARIABLE WIDTH DRAINAGE AND UTILITY EASEMENT LYING OVER, UNDER AND ACROSS A PORTION OF SECTION 12, TOWNSHIP 38 SOUTH, RANGE 24 EAST, DESOTO COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

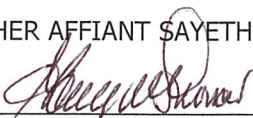
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CONTAINS 1,023 SQ. FT., MORE OR LESS.

BEFORE ME, the undersigned authority, on 17th day of SEPTEMBER, 2025, personally appeared **Gary L. Grossman** as managing Member of **HWY 17 ARCADIA LLC**, who by me, being first duly cautioned and sworn, deposes and says:

1. I, **Gary L. Grossman**, hereby warrant and certify that I am the current **Managing Member** of **HWY 17 ARCADIA LLC**, a **Florida Limited Liability Company**, and that I have the full power and authority to execute any/all documents on behalf of the **HWY 17 ARCADIA LLC**.
2. I, **Gary L. Grossman**, hereby warrant and certify that **HWY 17 ARCADIA LLC** is active and in good standing with the state of **Florida**.
3. This Affidavit is given to induce the **DeSoto County**, to accept the Permanent Utility Easement.

FURTHER AFFIANT SAYETH NAUGHT



Gary L. Grossman

State of **Florida**

County of **Desoto**

Sworn to and subscribed before me by means of [] physical presence, this 17th day of September, 2025 by **Gary L. Grossman on behalf of Hwy 17 Arcadia, LLC** who is personally known to me or who has produced (Pennsylvania Drivers License 196 907 685) which expires 1/14/2028. Driver's License as identification.

Notary Public Signature 

Notary Public Printed Brittany Leon My

Commission Expires 10/02/2028



Notary Seal: