



Rcpt: 1666665 Rec: 52.50
 DS: 0.00 IT: 0.00
 03/11/2015 J. G., Dpty Clerk

PAULA S. O'NEIL, Ph.D. PASCO CLERK & COMPTROLLER
 03/11/2015 04:18pm 1 of 6
 OR BK 9160 PG 770

Prepared by:

R

Robert Baltzer
 Pasco County Real Estate Division
 8731 Citizens Drive, Suite 230
 New Port Richey, FL 34654

Portion of Property Appraiser's Parcel ID #(s):

31-26-16-0010-04500-0000
 31-26-16-0130-00200-0030
 31-26-16-0130-00200-0021

4/2

DRAINAGE EASEMENT

THIS DRAINAGE EASEMENT is made between Holiday Square, LTD, a Florida Limited Partnership, whose address is 34266 US Highway 19 North, Palm Harbor, FL 34684, hereinafter referred to as Grantor, and PASCO COUNTY, a Political Subdivision of the State of Florida, whose address is 37918 Meridian Avenue, Dade City, Florida 33525, hereinafter referred to as Grantee.

1. **GRANT OF EASEMENT.** Grantor, for good and valuable consideration by Grantee, the receipt and sufficiency of which is hereby acknowledged, by these presents does remise, release and quit-claim unto Grantee, a nonexclusive perpetual easement for any drainage purpose, as well as to access, construct, reconstruct, operate, maintain and modify drainage structures, features and improvements over, under and across the property described in Exhibit "A," attached hereto and incorporated herein (the Easement). Grantee intends to construct the improvements generally described in Exhibit "B."

2. **PERMITTING.** Grantee shall provide and is solely responsible for securing all permits/exemptions from applicable regulatory entities including without limitation the United States Army Corps of Engineers, the Florida Department of Environmental Protection and/or the Southwest Florida Water Management District prior to any construction activities by the Grantee, for "the Projects." The Projects consist of work on Grantor's property that is described as structure SD-17 on sheet 10 of the Forest Hills Outfall Plans, attached as Exhibit "B." The County shall also have the right to modify the inlet pipes into the easement area, such as is approximately depicted in Exhibit "C," provided the drainage basin boundaries are not changed.

3. **MAINTENANCE.** The Grantee agrees to maintain the stormwater structures Grantee constructs for the Project in good working order and in compliance with all regulatory requirements, at Grantee's sole cost and expense.

4. **NOT FOR GENERAL ACCESS.** This Easement shall not be construed, expressly or by implication, to include any right of access by the general public. Grantor reserves the right and benefit to use the Easement for any purpose that does not interfere with or unreasonably burden Grantee's rights under this Easement.

5. **MODIFICATION AND EFFECT.** This Easement may be modified only in writing executed by Grantor and Grantee. This Easement and all of the conditions, obligations and covenants set forth herein are intended to be and shall be construed as covenants running with the land and binding upon and inuring to the benefit of Grantor and Grantee, and their respective heirs, successors and assigns.

TO HAVE AND TO HOLD the same with all and singular the appurtenances thereunto belonging or in anywise appertaining to the granting of this easement in law or equity to the only proper use, benefit and behoof of said Grantee, its successors and assigns.

ATTEST:

Holiday Square, LTD.

(SEAL)

BY:

Print name: MEHRBARD Moshtagh

Title: Registered Agent.

Signed, sealed and delivered in the presence of:

1st Witness signature

LYNDA MAI

1st Witness print name

2nd Witness signature

Aronia Harkin

2nd Witness print name

STATE OF FLORIDA
COUNTY OF PASCO

I HEREBY CERTIFY that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Mehrdad Moshtagh, who produced _____ as identification, or who is personally known to me, and is well known to be the _____ of the entity named above, and that he/she acknowledged executing the same in the presence of the two subscribing witnesses freely and voluntarily under the authority duly vested in him/her by said entity.

WITNESS my hand and official seal in the County and State last aforesaid this 4th day of March, 2015.



Lisa Marie Moffett
Notary Signature
My Commission Expires:
March 28, 2018

EXHIBIT "A"

LEGAL DESCRIPTION

DRAINAGE AND ACCESS EASEMENT
HOLIDAY SQUARE, LTD.
31-26-16-0130-00200-0030
31-26-16-0010-04500-0000
31-26-16-0130-00200-0021
FOREST HILLS OUTFALL

A portion of Tracts 45, 47 and 48 of TAMPA-TARPON SPRINGS LAND COMPANY SUBDIVISION of Section 31, Township 26 South, Range 16 East, as shown on the plat recorded in Plat Book 1, Pages 68, 69 and 70 of the Public Records of Pasco County, Florida, a portion Lot 2, Block 2 of PAPPAS COLONY SUBDIVISION FIRST ADDITION as shown on the plat recorded in Plat Book 5, Page 20 of the Public Records of Pasco County, Florida and a portion of Lot 165 of COUNTRY ESTATES UNIT 1, as shown on the plat recorded in Plat Book 8, Page 73 of the Public Records of Pasco County, Florida, all being further described as follows:

Commence at the Southwest corner of the Southeast $\frac{1}{4}$ of said Section 31; thence along the South boundary of said Section 31, North $89^{\circ}52'49''$ East, a distance of 327.62 feet; thence North $01^{\circ}23'37''$ East, a distance of 142.74 feet to the Southeast corner of Lot 12, Block 2 of said PAPPAS COLONY SUBDIVISION FIRST ADDITION, the same being on the North boundary of CREST RIDGE GARDENS UNIT 1, as shown on the plat recorded in Plat Book 7, Page 147 of the Public Records of Pasco County, Florida; thence along the North boundary of said CREST RIDGE GARDENS UNIT 1, North $89^{\circ}52'49''$ East, a distance of 259.97 feet for a POINT OF BEGINNING; thence North $00^{\circ}34'20''$ East, a distance of 364.00 feet; thence North $63^{\circ}17'24''$ East, a distance of 41.00 feet; thence North $00^{\circ}34'20''$ East, a distance of 211.26 feet; thence North $63^{\circ}14'19''$ West, a distance of 85.15 feet; thence North $00^{\circ}34'20''$ East, a distance of 415.02 feet; thence North $89^{\circ}53'48''$ West, a distance of 453.00 feet; thence North $00^{\circ}34'16''$ East, a distance of 150.00 feet to the North boundary of said Lot 165; thence along the North boundary of said Lot 165, South $89^{\circ}53'52''$ East, a distance of 24.00 feet to the Northeast corner of said Lot 165; thence along the East boundary of said Lot 165, South $00^{\circ}34'16''$ West, a distance of 100.00 feet to the Southeast corner of said Lot 165; thence along the South boundary of said COUNTRY ESTATES UNIT 1, South $89^{\circ}53'48''$ East; a distance of 479.00 feet to the Northwest corner of Lot 155 of COUNTRY ESTATES UNIT 3, as shown on the plat recorded in Plat Book 8, Page 133 of the Public Records of Pasco County, Florida; thence along the West boundary of said COUNTRY ESTATES UNIT 3, South $00^{\circ}34'20''$ West, a distance of 434.30 feet; thence along the Southwesterly boundary of said COUNTRY ESTATES UNIT 3, South $63^{\circ}14'19''$ East, a distance of 569.88 feet; thence along the Southerly boundary of said COUNTRY ESTATES UNIT 3, South $89^{\circ}53'48''$ East, a distance of 208.60 feet to the Southeast corner Lot 140 of said COUNTRY ESTATES UNIT 3, the same being the West boundary of CREST RIDGE GARDENS UNIT 2, as shown on the plat recorded in Plat Book 8, Page 3 of the Public Records of Pasco County, Florida; thence along the West boundary of said CREST RIDGE GARDENS UNIT 2, South $00^{\circ}34'20''$ West, a distance of 404.14 feet to the Northeast corner of Lot 122 of said CREST RIDGE GARDENS UNIT 1; thence along the North boundary of said CREST RIDGE GARDENS UNIT 1, South $89^{\circ}52'49''$ West, a distance of 730.05 feet to the POINT OF BEGINNING.

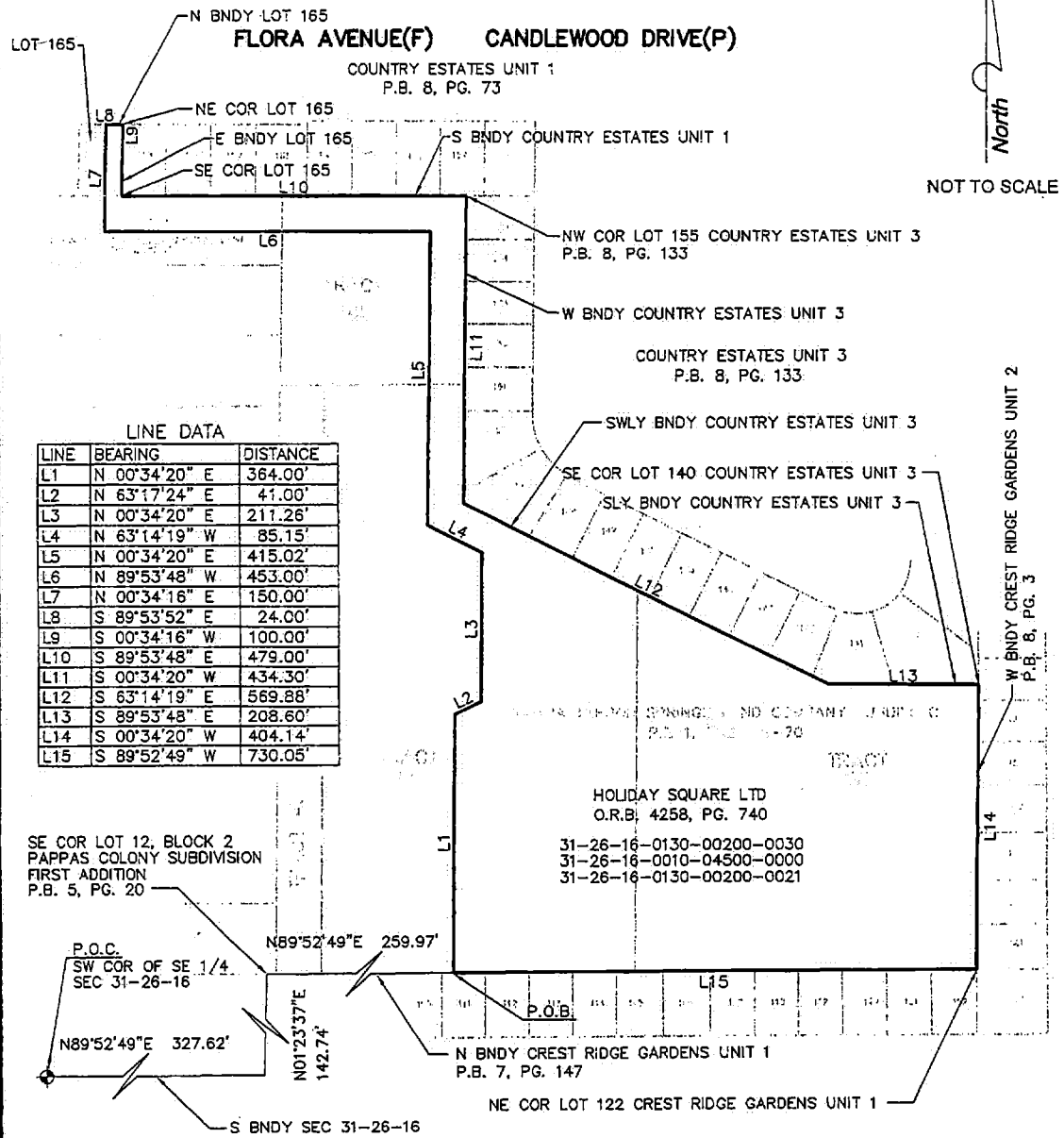
The above described parcel contains 9.275 Acres more or less.

SHEET 1 of 2



**SECTION 31, TOWNSHIP 26 SOUTH, RANGE 16 EAST
PASCO COUNTY, FLORIDA**

OR BK 9160 of 6 PG 773



LINE DATA

LINE	BEARING	DISTANCE
L1	N 00°34'20" E	364.00'
L2	N 63°17'24" E	41.00'
L3	N 00°34'20" E	211.26'
L4	N 63°14'19" W	85.15'
L5	N 00°34'20" E	415.02'
L6	N 89°53'48" W	453.00'
L7	N 00°34'16" E	150.00'
L8	S 89°53'52" E	24.00'
L9	S 00°34'16" W	100.00'
L10	S 89°53'48" E	479.00'
L11	S 00°34'20" W	434.30'
L12	S 63°14'19" E	569.88'
L13	S 89°53'48" E	208.60'
L14	S 00°34'20" W	404.14'
L15	S 89°52'49" W	730.05'

- NOTES:**
- Bearings are based on an assumed bearing of N89°52'49"E for the South boundary of Section 31, Township 26 South, Range 16 East.
 - See sheet 1 for Legal Description.
 - This sketch is not a survey.
 - Not valid without the signature and the original raised seal of this Florida licensed surveyor and mapper.

- LEGEND**
- P.O.C. POINT OF COMMENCEMENT
 - COR CORNER
 - SEC SECTION
 - BNDY BOUNDARY
 - P.O.B. POINT OF BEGINNING
 - P.B. PLAT BOOK
 - PG. PAGE
 - O.R.B. OFFICIAL RECORD BOOK



**PASCO COUNTY ENGINEERING
SERVICES DEPARTMENT**
8731 CITIZENS DRIVE
NEW PORT RICHEY, FL 34654

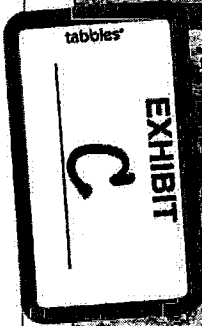
HOLIDAY SQUARE LTD
DRAINAGE & ACCESS EASEMENT
31-26-19-0130-00200-0030, 31-26-19-0010-04500-0000,
31-26-16-0130-00200-0021

DATE OF SKETCH: APRIL 23, 2014	DRAWING FILE: HOLSQ.DWG	W/O # X9280.50
REVISION DATE:	DRAWN: SK	CHECK: DD

**DENNIS J. DeHOFF, FLORIDA LICENSED
SURVEYOR AND MAPPER NO. 4289**

This certifies that this sketch was made under my supervision and meets the Minimum Technical Standards set forth by Board of Professional Surveyors & Mappers in Chapter 5J-17, of the Florida Administrative code, pursuant to Section 472.027, Florida Statutes.

C:\Data\9280\FORRESTHILL\HOLIDAY SQUARE\REV\HOLSQ.dwg, May 21, 2014 9:58 AM, Bacsurvey09



Pasco County
 Stormwater Management Division
 4454 Grand Boulevard
 New Port Richey, FL 34652

LAND & WATER
 ENGINEERING SCIENCE

9887 4th Street N, S # 319
 St Petersburg, FL 33702

Forest Hills Proposed Improvement

Exhibit C

OR BK 9160 of 6 PG 775