

RESOLUTION NUMBER 25-106

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF A PERPETUAL UTILITY EASEMENT IN FAVOR OF DUKE ENERGY FLORIDA, LLC, OVER A PORTION OF CITY-OWNED PROPERTY IDENTIFIED AS GREENWOOD CEMETERY ADDITION F; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Eustis ("City") owns real property identified as Greenwood Cemetery Addition F, recorded in Plat Book 27, Page 49, of the Public Records of Lake County, Florida; and

WHEREAS, Duke Energy Florida, LLC ("Duke Energy") has requested a perpetual utility easement across a portion of said property for the installation, operation, maintenance, repair, replacement, relocation, and technological support of electrical and communications facilities necessary to serve the public; and

WHEREAS, the final easement document includes a ten-foot (10') wide centerline-based easement area and expressly prohibits disturbance of cemetery grave markers, monuments, burial vaults, or related features without the City's prior written consent; and

WHEREAS, the City Commission finds that granting the easement is in the public interest and is within the City's authority under its municipal home rule powers; and

WHEREAS, the easement has been reviewed and approved as to form and content and is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA:

Section 1. Approval. The City Commission hereby approves the Perpetual Utility Easement in favor of Duke Energy Florida, LLC, across a portion of Greenwood Cemetery Addition F as shown in Exhibit A attached hereto and incorporated herein.

Section 2. Authorization. The Mayor is authorized to execute the easement on behalf of the City, and the City Clerk is authorized to attest to the same. Staff is authorized to take all actions necessary to record the easement in the Public Records of Lake County, Florida.

Section 3. Conflicts. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is held invalid, the remainder shall remain in full force and effect.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED, ORDAINED, AND ADOPTED in Regular Session of the City Commission of the City of Eustis, Florida, this 9th day of December 2025.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Willie L. Hawkins
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this 9th day of December 2025 by Willie L. Hawkins, Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for reliance and use by the Eustis City Commission.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 25-106 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk