



THIS INSTRUMENT PREPARED BY & RETURN TO:  
Fred A. Morrison  
McLin & Burnsed, P.A.  
Post Office Box 491357  
Leesburg, Florida 34749-1357

INSTRUMENT #2013086544  
OR BK 4360 PG 1546 - 1549 (4 PGS)  
DATE: 8/1/2013 3:44:52 PM  
NEIL KELLY, CLERK OF THE CIRCUIT COURT  
LAKE COUNTY  
RECORDING FEES \$35.50 DEED DOC \$0.70

**Utility Easement**

RESERVED FOR RECORDING

THIS EASEMENT given the 25<sup>th</sup> day of July, 2013, by WINSTON E. EVALLE AND JOSEPHINE CIPRIANO, HUSBAND AND WIFE, whose address is 4755 County Road 121D, Wildwood, FL 34785, hereafter referred to as Grantor, to THE CITY OF LEESBURG, FLORIDA, whose address is P.O. Box 490630, Leesburg, FL 34749-0630, hereafter referred to as Grantee,

**WITNESSETH:**

That for and in consideration of the sum of \$1.00 and other good and valuable considerations, in hand paid and tendered unto Grantor, receipt whereof is hereby acknowledged, Grantor does hereby grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, a perpetual easement over and across the following described real property:

AS DESCRIBED ON EXHIBIT "A" ATTACHED

for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications. If Grantee damages any surface improvements in its use of this easement, it shall repair any such damage at its expense, and restore the improvements to substantially the same condition they were in prior to the damage. Grantee is also given an irrevocable license, for so long as this Easement remains in effect, to cross the adjoining real property owned by Grantor, for the purpose of conducting any activities permitted by this Easement provided that such right of passage shall not interfere substantially with Grantor's use of its adjoining property.

**TO HAVE AND TO HOLD** unto Grantee, its successors and assigns forever. Grantor does hereby warrant the title to the interests conveyed to Grantee hereunder and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, Grantor has set his or her hand and seal the day and year first above written. As used herein, the term "Grantor" shall refer to that person, or those persons, so named above, and shall be interpreted as being singular or plural, and shall be considered to have the person, number and gender appropriate to the context of the named individuals or entities.

CL3511

WITNESSES (two required)

GRANTOR:

Juzette Herman  
Juzette Herman  
(Type or print name of Witness)

Wm E. Evalle  
WINSTON E. EVALLE

Gail R. Bettelton  
Gail R. Bettelton  
(Type or print name of witness)

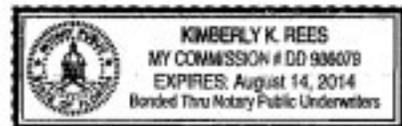
Josephine Cipriano  
JOSEPHINE CIPRIANO

STATE OF FLORIDA  
COUNTY OF Sumter

BEFORE ME, the undersigned Notary Public, personally appeared Winston E. Evalle and Josephine Cipriano, husband and wife, who acknowledged before me that they executed this instrument on the 15 day of July, 2013, and who were either  personally known to me, or who  produced FL DL as identification.

K Rees  
NOTARY PUBLIC  
**KIM REES**  
Type or print name of Notary

00986079  
Commission Number  
8/14/2014  
Commission expiration date



JOINDER & CONSENT OF MORTGAGEE

The undersigned, as holder of a mortgage or other lien on the above described property, as recorded in Official Records Book 4306, Page 2451, Public Records of Lake County, Florida, does hereby join in and consent to the granting of the easement to the City of Leesburg, Florida, and agrees that its interest in the property shall henceforth be inferior and subordinate to the easement rights herein created.

CITIZENS FIRST BANK

BY: *Brad Weber*  
BRAD WEBER SVP  
Type or print name and position or title

STATE OF Florida  
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared Brad Weber, the Senior Vice President/Senior Leader of CITIZENS FIRST BANK, who acknowledged before me that (s)he executed this instrument on the 25 day of July, 2013, and who was either  personally known to me, or who  produced \_\_\_\_\_ as identification.

*Maya Satmary*  
NOTARY PUBLIC

\_\_\_\_\_  
Commission Number

MAYA SATMARY  
Type or print name of Notary

\_\_\_\_\_  
Commission expiration date

