

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

CFN 2009121445
Bk 03840 Pgs 1638 - 1641 (4pgs)
DATE: 11/13/2009 09:43:59 AM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 35.50
DEED DOC 0.70

Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 27th day of October, 2009, by BOB EVANS FARMS, INC., AN OHIO CORPORATION, whose address is 3776 South High Street, Columbus, Ohio 43207, 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 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. All work shall be completed at times and in a manner so as to interfere with Grantor's business operation as little as possible. The free flow of traffic shall not be obstructed and the use of the parking and delivery facilities shall not be interfered with.

To the extent provided in Section 768.28, Fla. Stat., and without further waiving its sovereign immunity, Grantee indemnifies Grantor, its successors and assigns, from all claims by third parties arising out of the use of the easement by Grantees or its agents or assigns, and from all claims of third parties arising from the improvements installed by Grantee or any person or entity acting for or under the Grantee.

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.

GRANTOR: BOB EVANS FARMS, INC.,
An Ohio corporation

APPROVED BY
BOB EVANS FARMS
LEGAL DEPARTMENT

BY: John J. Wyatt
JOHN J. WYATT, Vice President



STATE OF OHIO
COUNTY OF Franklin

BEFORE ME, the undersigned Notary Public, personally appeared John J. Wyatt, as Vice President of Bob Evans Farms, Inc., an Ohio corporation, who acknowledged before me that he executed this instrument on the 27th day of October, 2009, and who was either personally known to me, or who produced _____ as identification.

Teresa A. Ehmman
NOTARY PUBLIC

Commission Number

TERESA A. EHMANN
Type or print name of Notary

11-6-12
Commission expiration date



TERESA A. EHMANN
Notary Public, State of Ohio
My Commission Expires 11-06-2012

EXHIBIT "A"

PARENT PARCEL: OR. BOOK 895, PAGE 0421, TO WIT;

THE SOUTH 100.00 FEET OF THE NORTH 650.00 FEET OF THE WEST 300.00 FEET OF THE EAST 345.00 FEET OF THE NE. 1/4 OF THE NE. 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

AND

THE SOUTH 290.00 FEET OF THE NORTH 770.00 FEET OF THE WEST 75.00 FEET OF THE EAST 420.0 FEET OF THE NE. 1/4 OF THE NE. 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

ALSO DESCRIBED AS:

FROM THE NE. CORNER OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN S. 00°24'30" W. ALONG THE EAST LINE OF SAID SECTION 650.0 FEET; THENCE N. 89°46'20" W., PARALLEL WITH THE NORTH LINE OF SAID SECTION 45.0 FEET TO THE WEST RIGHT OF WAY OF 14th STREET (U.S. HWY. 27) AND THE POINT OF BEGINNING; FROM SAID P.O.B., CONTINUE N. 89°46'20" W., 300.0 FEET; THENCE S. 00°24'30" W. 120.00 FEET; TO THE NORTH RIGHT OF WAY OF HILL STREET; THENCE N. 89°46'20" W. ALONG SAID NORTH R/W 75.00 FEET; THENCE N. 00°24'30" E., 280.00 FEET; THENCE S. 89°46'20" E., 375.0 FEET TO THE WEST R/W OF SAID 14th STREET; THENCE S. 00°24'30" W., ALONG SAID R/W 160.0 FEET TO THE POINT OF BEGINNING.

DESCRIPTION : 10' UTILITY EASEMENT

A 10.00 FEET WIDE, PERPENDICULAR MEASURE, PARCEL OF LAND BEING THE NORTH 10.00 FEET AND THE WEST 10.00 FEET OF THE ABOVE DESCRIBED PARENT PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 895, PAGE 0421. SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS:

THE NORTH 10.00 FEET OF THE SOUTH 160.00 FEET OF THE NORTH 650.00 FEET OF THE WEST 300.00 FEET OF THE EAST 345.00 FEET OF THE NE. 1/4 OF THE NE. 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

AND

THE NORTH 10.00 FEET AND THE WEST 10.00 FEET OF THE SOUTH 290.00 FEET OF THE NORTH 770.00 FEET OF THE WEST 75.00 FEET OF THE EAST 420.0 FEET OF THE NE. 1/4 OF THE NE. 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

ALSO DESCRIBED AS:

FROM THE NE. CORNER OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN S. 00°24'30" W. ALONG THE EAST LINE OF SAID SECTION 650.0 FEET; THENCE N. 89°46'20" W., PARALLEL WITH THE NORTH LINE OF SAID SECTION 45.0 FEET TO THE WEST RIGHT OF WAY OF 14th STREET (U.S. HWY. 27), THENCE RUN N. 00°24'30" E. ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 160.0 FEET TO THE POINT OF BEGINNING; FROM SAID P.O.B., N. 89°46'20" W., 300.0 FEET; THENCE S. 00°24'30" W. 270.0 FEET; TO THE NORTH RIGHT OF WAY OF HILL STREET; THENCE N. 89°46'20" W. ALONG SAID NORTH R/W 10.00 FEET; THENCE N. 00°24'30" E., ALONG THE WESTERLY PROPERTY LINE, 280.00 FEET; THENCE S. 89°46'20" E., ALONG THE NORTHERLY PROPERTY LINE, 375.0 FEET TO THE WEST R/W OF SAID 14th STREET; THENCE S. 00°24'30" W., ALONG SAID R/W 10.0 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED EASEMENT CONTAINS 6,400.000 SQUARE FEET OR 0.146 ACRE, MORE OR LESS.

GENERAL NOTES

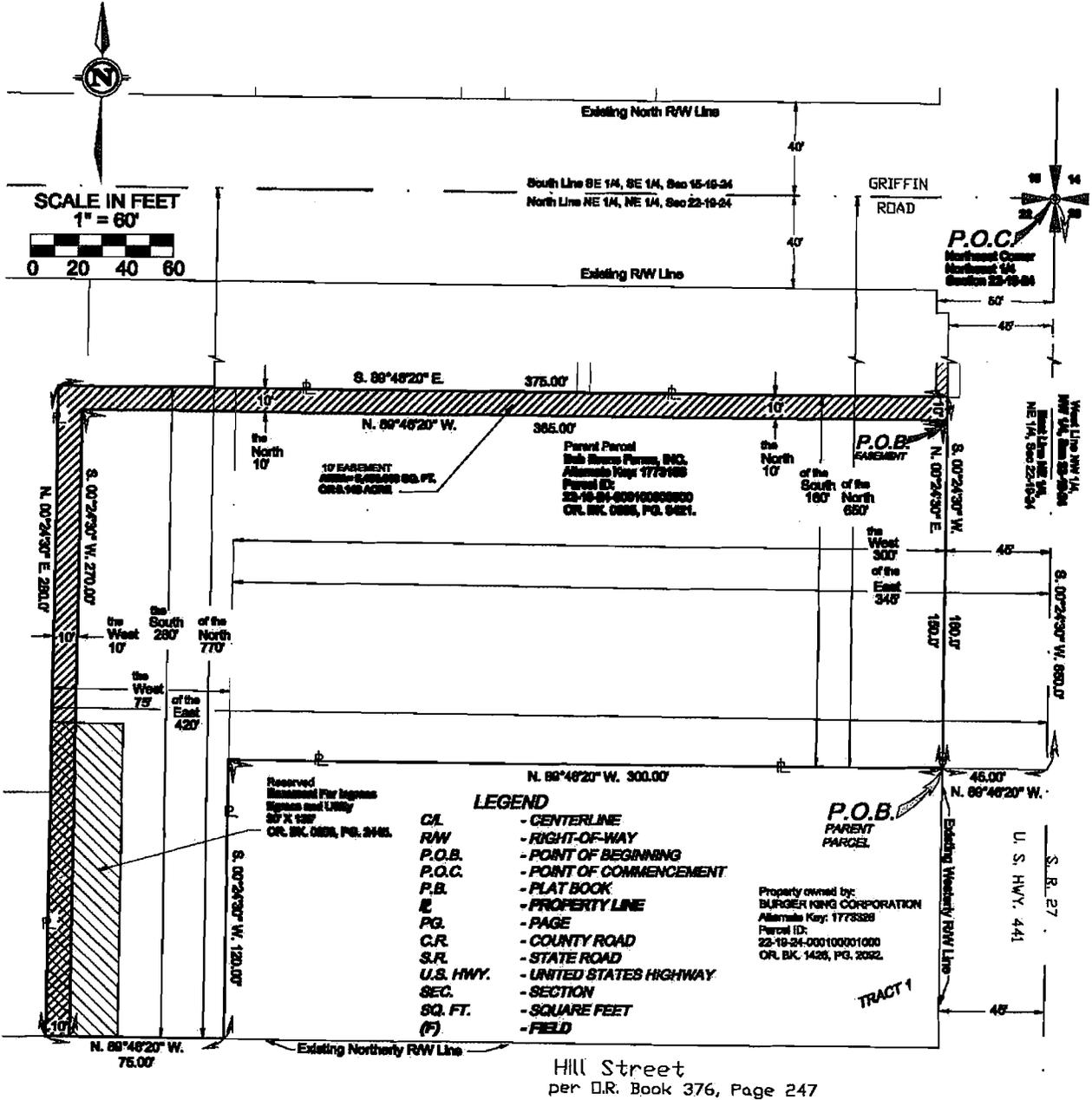
- 1: This is NOT A BOUNDARY SURVEY.
- 2: This sketch is to show existing site information and improvements for the sole purpose of conceptual design.
- 3: This sketch was prepared for the City of Leesburg and its assign's as their interests may appear. Use of this sketch by any other parties is strictly forbidden.
- 4: Use of this sketch shown on sheet 2 for any other purpose than that stated in note (2) is the sole responsibility of the user. The City of Leesburg assumes no liability for the misuse of this information.
- 5: All information outside the labeled limits of this site is for general reference purposes only. Assumption of correctness outside of said site boundary is the liability of the user.
- 6: The Bearings, shown hereon, are relative to assumed datum and are Based on the Legal Descriptions as described in O R Book 895, page 0421, Florida Department of Transportation Right of Way Map, Section 11010, F.P. No. 236394-2, Section 22, Township 19 South, Range 24 East, Lake County, Florida.
- 7: This sketch was prepared by the City of Leesburg, Public Works Department, Survey Division, under the direction of Steven C. Davis, Electric Service Planner, for the City of Leesburg.
- 8: This sketch contains 2 sheets in which NONE are valid without all remaining sheets.

SECTION: 22-18-24

 <p>CITY OF LEEBURG PUBLIC WORKS DEPT. ENGINEERING DIVISION 500 S. 14th ST. - P.O. BOX 450630 LEEBSBURG, FLORIDA 34749 PHONE (882) 729-6700 FAX (882) 729-6679</p>	<p>SKETCH OF DESCRIPTION 10' UTILITY EASEMENT Bob Evans Farms, INC. to the CITY OF LEEBURG</p>	DATE: <u>10/19/2000</u>	SHEET NUMBER
		DRAWN: <u>DDF</u> CHECKED: <u>DDF</u> APPROVED: <u>AP</u> SCALE: <u>NTS</u> FILE NO.: <u>EA06017</u>	

The quality of this image is equivalent to the quality of the original document.

EXHIBIT "A"



Hill Street
per D.R. Book 376, Page 247

SECTION: 22-18-24

CITY OF LEESBURG
PUBLIC WORKS DEPT.
ENGINEERING DIVISION
600 S. 14th ST. - P.O. BOX 400830
LEEBSBURG, FLORIDA 34740
PHONE (882) 728-6708
FAX (882) 728-6878

SKETCH OF DESCRIPTION
10' UTILITY EASEMENT
Bob Evans Farms, INC.
to the CITY OF LEESBURG

DATE:	10/13/2006
DRAWN:	DDF
CHECKED:	DDF
APPROVED:	AP
SCALE:	1" = 60'
FILE NO.:	EA09017

SHEET NUMBER	2
OF	2