

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



CFN 2010056789
Bk 03912 Pas 2289 - 22931 (5pas)
DATE: 06/03/2010 03:35:08 PM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 44.00
DEED DDC 0.70

Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 13th day of May, ²⁰¹⁰ ~~2009~~, by LANNY D. HUSEBO, AS TRUSTEE OF THE LANNY D. HUSEBO FAMILY TRUST AGREEMENT DATED MAY 8, 1996, whose address is 33845 Overton Drive, Leesburg, FL 34788, 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 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 damage, or 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.

{SIGNATURE APPEARS ON FOLLOWING PAGE}

WITNESSES (two required)

GRANTOR:

[Signature]
Joyce Lenz
(Type or print name of Witness)

[Signature]
LANNY D. HUSEBO, Trustee

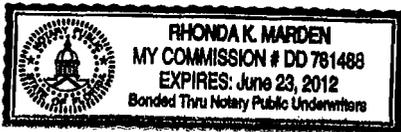
[Signature]
Natasha Davis
(Type or print name of witness)

STATE OF FLORIDA
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared Lanny D. Husebo, as Trustee of the Lanny D. Husebo Family Trust Agreement dated May 8, 1996, who acknowledged before me that he executed this instrument on the 10 day of May, 2009, and who was either personally known to me, or who produced _____ as identification.

[Signature]
Rhonda K. Marden
NOTARY PUBLIC
Rhonda K. Marden
Type or print name of Notary

DD 781488
Commission Number
6-23-12
Commission expiration date



JOINER & CONSENT OF MORTGAGEE

The undersigned, as holder of a mortgage or other lien on the above described property, as recorded in Official Records Book 2238, Page 1369, 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.

UNITED SOUTHERN BANK

BY: [Signature]
WILLIAM S. WARRIS, VICE PRESIDENT
Type or print name and position or title

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared William Wonus, the Vice President of United Southern Bank, who acknowledged before me that (s)he executed this instrument on the 13 day of May, ~~2009~~₂₀₁₀, and who was either personally known to me, or who produced _____ as identification.

Natasha Davis
NOTARY PUBLIC

DD960113
Commission Number

Natasha Davis
Type or print name of Notary

Feb 9, 2014
Commission expiration date

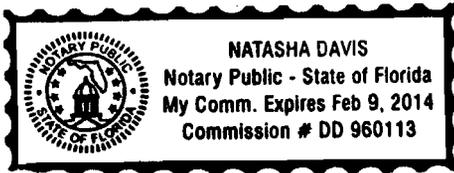


EXHIBIT "A"

PARENT PARCEL: OR. BOOK 1911, PAGES 742 THRU 745

Parcel 1:

BEGIN ON THE RIGHT OF WAY OF SHELFER STREET AT A POINT 421.24 FEET EAST OF THE WEST LINE OF GOVERNMENT LOT 3, CONTINUE EAST ALONG THE RIGHT OF WAY 100 FEET; THENCE SOUTH 0°24'30" WEST 150 FEET, THENCE NORTH 89°54'20" WEST AND PARALLEL TO SHELFER STREET, 100 FEET, THENCE NORTH 0°24'30" EAST 150 FEET TO THE POINT OF BEGINNING. ALL THE ABOVE LYING AND BEING IN LAKE COUNTY, FLORIDA.

SUBJECT TO A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER, UPON AND ACROSS THE EAST 18 FEET OF THE WEST 24 FEET OF THE SUBJECT PROPERTY RESERVED IN OFFICIAL RECORD BOOK 939, PAGE 91, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

Parcel 2:

THAT PART OF GOVERNMENT LOT 3 IN SECTION 23, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEESBURG, LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF GOVERNMENT LOT 3 IN SECTION 23, TOWNSHIP 19 SOUTH, RANGE 24 EAST, RUN NORTH 0°24'30" EAST ALONG THE WEST LINE OF SAID GOVERNMENT LOT 3 A DISTANCE OF 800.0 FEET TO THE SOUTH LINE OF THE RIGHT OF WAY OF SHELFER STREET; THENCE SOUTH 89°54'20" EAST ALONG THE SOUTH LINE OF THE RIGHT OF WAY OF SHELFER STREET 521.24 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. FROM SAID POINT OF BEGINNING, RUN THENCE SOUTH 89°54'20" EAST ALONG SAID SOUTH LINE OF THE RIGHT OF WAY OF SHELFER STREET 100 FEET; THENCE SOUTH 0°24'30" WEST 150 FEET TO A POINT THAT IS 150 FEET SOUTH OF THE SOUTH RIGHT OF WAY LINE OF SHELFER STREET WHEN MEASURED AT RIGHT ANGLES THERETO; RUN THENCE NORTH 89°54'20" WEST PARALLEL TO SAID SHELFER STREET 100 FEET TO A POINT THAT IS SOUTH 0°24'30" WEST OF THE POINT OF BEGINNING; RUN THENCE NORTH 0°24'30" EAST 150 FEET TO THE POINT OF BEGINNING.

DESCRIPTION : UTILITY EASEMENT

FROM THE SOUTHWEST CORNER OF GOVERNMENT LOT 3 IN SECTION 23, TOWNSHIP 19 SOUTH, RANGE 24 EAST, RUN NORTH 0°24'30" EAST, ALONG THE WEST LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 800.0 FEET TO THE SOUTH RIGHT OF WAY LINE OF SHELFER STREET; THENCE RUN SOUTH 89°54'20" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 421.24 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION (P.O.B.); THENCE RUN SOUTH 0°24'30" WEST, ALONG THE WEST LINE OF PARCEL #1, A DISTANCE OF 160.0 FEET TO THE SOUTH LINE OF SAID PARCEL #1; THENCE RUN SOUTH 89°54'20" EAST, ALONG SAID SOUTH LINE OF PARCEL #1, A DISTANCE OF 10.0 FEET; THENCE RUN NORTH 0°24'30" EAST, PARALLEL WITH AND 10.00 FEET PERPENDICULAR MEASURE EAST OF SAID WEST LINE OF PARCEL #1, A DISTANCE OF 140.0 FEET TO A POINT THAT IS 10.00 FEET SOUTH OF THE SOUTH RIGHT OF WAY LINE OF SHELFER STREET WHEN MEASURED AT RIGHT ANGLES THERETO; THENCE RUN SOUTH 89°54'20" EAST, PARALLEL WITH SOUTH RIGHT OF WAY LINE, A DISTANCE 90.0 FEET TO THE COMMON LOT LINE OF PARCEL #1 AND PARCEL #2; THENCE RUN SOUTH 0°24'30" WEST, ALONG SAID COMMON LOT LINE, A DISTANCE OF 25.5 FEET; THENCE RUN SOUTH 89°54'20" EAST, TO THE WEST FACE OF AN EXISTING BUILDING AT A POINT THAT IS 15.0 FEET SOUTH OF THE NORTHWEST CORNER OF SAID BUILDING, A DISTANCE 14.0 FEET; THENCE RUN NORTH 0°24'30" EAST, ALONG SAID BUILDING AND EXTENSION THEREOF TO THE AFOREMENTIONED SOUTH RIGHT OF WAY LINE OF SHELFER STREET, A DISTANCE OF 35.5 FEET MORE OR LESS; THENCE RUN NORTH 89°54'20" WEST, ALONG THE NORTH LINES OF LOTS #1 AND #2, AND ALONG THE AFOREMENTIONED SOUTH RIGHT OF WAY LINE, A DISTANCE OF 114.0 FEET MORE OR LESS TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED EASEMENT CONTAINS 2,914.280 SQUARE FEET OR 0.067 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 1911 , pages 0742 thru 0745, Section 23, 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 Engineer. for the City of Leesburg.
- 8: This sketch contains 2 sheets in which NONE are valid without all remaining sheets.

REVISIONS

DATE	DESCRIPTION
05-06-2009	Changed Location of
DDF	Easement on parcel #2

SECTION: 23-19-24



CITY OF LEESBURG
PUBLIC WORKS DEPT.
ENGINEERING DIVISION
 550 S. 14th ST. - P.O. BOX 490830
 LEESBURG, FLORIDA 34749
 PHONE (352) 728-6765
 FAX (352) 728-6768

SKETCH OF DESCRIPTION
UTILITY EASEMENT
LANNY D. HUSEBO
to the CITY OF LEESBURG

DATE: 04/29/2009
 DRAWN: DDF
 CHECKED: DDF
 APPROVED: AP
 SCALE: NTS
 FILE NO.: EA08008I

SHEET NUMBER
 1
 OF
 2

EXHIBIT "A"

Existing R/W Line
Shelfer Street (F) 60.00'
per unrecorded deed dated January 23, 1956

Existing R/W Line
S 89°54'20" E 421.24'(CD)

100.00'(D)
S 89°54'20" E

100.00'(D)
S 89°54'20" E

40.00'
West line
Govt. Lot No. 3,
Section 23
N. 00°24'30" E.
800.0'

P.O.B. Parcel #1
P.O.B. Easement

**EASEMENT
AREA = 2,914.280 SQ. FT.
OR 0.067 ACRE**

10' Utility easement

90'

25.5'

Exlst Bldg.

LANNY D. HUSEBO
Alternate Key:
3383605
DR. BK. 1911, PG. 742
Parcel #1

LANNY D. HUSEBO
Alternate Key:
1773440
DR. BK. 1911, PG. 742
Parcel #2

150.00'(D)
S 00°24'30" W

150.00'(D)
S 00°24'30" W

N 89°54'20" W
100.00'(D)

N 89°54'20" W
100.00'(D)

Govt. Lot No. 3



SCALE IN FEET
1" = 60'



LEGEND

- C/L - CENTERLINE
- R/W - RIGHT-OF-WAY
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- P.B. - PLAT BOOK
- (P) - PLAT
- PG. - PAGE
- C.R. - COUNTY ROAD
- S.R. - STATE ROAD
- U.S. HWY. - UNITED STATES HIGHWAY
- SEC. - SECTION
- SQ. FT. - SQUARE FEET
- (F) - FIELD

REVISIONS

DATE	DESCRIPTION
05-06-2009	Changed Location of
DDF	Easement on Parcel #2

Northwest Corner
Southwest 1/4
Section 23
Found 80p Nail &
Metal Disc Stamped
1/4 Sec 22/23
C.C.R. No. 0048099

SECTION: 23-19-24



CITY OF LEESBURG
PUBLIC WORKS DEPT.
ENGINEERING DIVISION
850 S. 14th ST. - P.O. BOX 400830
LEESBURG, FLORIDA 34749
PHONE (352) 728-9755
FAX (352) 728-9758

**SKETCH OF DESCRIPTION
UTILITY EASEMENT
LANNY D. HUSEBO
to the CITY OF LEESBURG**

DATE: 04/29/2009
DRAWN: DDF
CHECKED: DDF
APPROVED: AP
SCALE: 1" = 60'
FILE NO.: EA080081

SHEET
NUMBER
2
OF
2