

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ACCEPTING A UTILITY EASEMENT FROM CHRISTINE JANE MEADE, TRUSTEE, AS GRANTOR, TO THE CITY OF LEESBURG, AS GRANTEE, PERTAINING TO LAND LOCATED IN SECTION 16, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

The City of Leesburg, Florida, does hereby accept from Christine Jane Meade, Trustee of the Christine Jane Meade Family Trust dated December 3, 2007, joined by Robert T. Meade, her spouse (for purposes of alienation of homestead property), a Utility Easement dated October 20, 2010, and recorded in Official Records Book 3974, Pages 1821–1824, Public Records of Lake County, Florida, conveying certain real property located in Section 16, Township 19 South, Range 25 East, Lake County, Florida, and more particularly described in said Utility Easement, to the City of Leesburg.

Section 2.

If any portion of this ordinance is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of this ordinance, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder of this ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

Section 3.

This ordinance shall become effective upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2010.

THE CITY OF LEESBURG

By: _____
Mayor

ATTEST:

City Clerk

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



CFN 2010119315
Bk 03974 Pgs 1821 - 1824 (4pgs)
DATE: 11/24/2010 09:10:33 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 20 day of October, 2010, by CHRISTINE JANE MEADE, TRUSTEE OF THE CHRISTINE JANE MEADE FAMILY TRUST DATED DECEMBER 3, 2007, JOINED BY ROBERT T. MEADE, HER SPOUSE (FOR PURPOSES OF ALIENATION OF HOMESTEAD PROPERTY), whose address is 9223 Silver Lake Drive, Leesburg, FL 34748 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,

34788

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 and associated above ground equipment such as but not limited to pad mounted transformers, along with underground facilities for water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications. 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. If Grantee damages any surface improvements in its use of this easement or the associated license to cross property adjacent to the 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.

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.

WITNESSES (two required)

GRANTOR:

Carol St. Clair
Julianne Stauffer
(Type or print name of Witness)
CAROL ST. CLAIR
JULIANNE STAUFFER
Carol St. Clair
Julianne Stauffer
(Type or print name of witness)
CAROL ST. CLAIR
JULIANNE STAUFFER

Christine Jane Meade
CHRISTINE JANE MEADE, Trustee
Robert T. Meade
ROBERT T. MEADE

STATE OF FLORIDA
COUNTY OF Dade

BEFORE ME, the undersigned Notary Public, personally appeared Christine Jane Meade, as Trustee of the Christine Jane Meade Family Trust dated December 3, 2007, joined by Robert T. Meade, her spouse, who acknowledged before me that they executed this instrument on the 20 day of October, 2010, and who were either personally known to me, or who produced _____ as identification.

Julianne Stauffer
NOTARY PUBLIC
Julianne Stauffer
Type or print name of Notary

DD 968361
Commission Number
5-23-14
Commission expiration date



EXHIBIT "A"

PARENT PARCEL:

PARCEL ID # 01-19-25-050001900200. ALTERNATE KEY # 1273536.
AS DESCRIBED IN OFFICIAL RECORDS BOOK 3566, PAGE 2205.

BEGIN AT A CEMENT MONUMENT AT THE SOUTHEAST CORNER OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 25 EAST, RUN THENCE SOUTH 77° WEST 1,472.2 FEET TO A POINT IN THE WESTERN LINE OF LOT 4, BLOCK 19, ACCORDING TO THE PLATE OF THE RE-SUBDIVISION OF THE SUBDIVISION MADE BY SILVER LAKE ESTATES, FILED 30 JUNE 1920 AND RECORDED IN PLAT BOOK 5, PAGE 1, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; RUN THENCE SOUTH 49°35' EAST 384 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4, THIS BEING THE POINT FOR BEGINNING; RUN THENCE NORTH 49°35' WEST WITH A LINE BETWEEN LOTS 19 AND 20 OF BLOCK 19 EXTENDED 566.8 FEET, MORE OR LESS, TO THE CENTER LINE OF COUNTY HIGHWAY, THENCE BACK TO POINT OF BEGINNING, AND TURN TO THE LEFT FROM THE LINE JUST RUN AT AN ANGLE OF 91°45' AND RUN 107.5 FEET TO A STAKE, THENCE TURN TO THE RIGHT AN ANGLE OF 7°18' AND RUN 529 FEET TO A STAKE, THENCE TURN TO THE LEFT AN ANGLE OF 86°12'-1/2' AND RUN 738.6 FEET, MORE OR LESS TO A NAIL IN THE CENTER LINE OF SAID COUNTY HIGHWAY, THENCE WESTERLY FOLLOWING THE CURVES OF THE CENTER LINE OF SAID ROAD 750 FEET, MORE OR LESS, TO THE INTERSECT THE WESTERN BOUNDARY OF SAID LOT 4 AS PREVIOUSLY DESCRIBED, CONTAINING 10.60 ACRES TO THE CENTER LINE OF SAID COUNTY HIGHWAY, OR 10.04 ACRES TO THE SOUTH BOUNDARY OF THE RIGHT OF WAY OF SAID ROAD, THE SOUTH BOUNDARY OF SAID RIGHT OF WAY BEING 33 FEET FROM AND PARALLEL TO THE CENTERLINE OF SAID HIGHWAY; SAID LAND BEING OTHERWISE DESCRIBED AS PART OF LOTS 3 AND 4 OF BLOCK 19, ACCORDING TO SAID PLAT OF SILVER LAKE ESTATES, LYING SOUTH AND EAST OF THE PRESENT COUNTY HIGHWAY RUNNING FROM SILVER LAKE FORKS TO LISBON, FLORIDA. SAID LAND LYING IN LAKE COUNTY, FLORIDA.

DESCRIPTION : 10' UTILITY EASEMENT

A 10.00 FEET, PERPENDICULAR MEASURE, PARCEL OF LAND LYING EASTERLY OF AND CONTIGUOUS WITH THE WESTERLY LOT LINE OF LOT 4, AS DESCRIBED IN OFFICIAL RECORDS BOOK 3566, PAGE 2205, SAID LOT LINE BEING A COMMON LINE WITH SILVER LAKE SPRING AS RECORDED IN PLAT BOOK 27, PAGE 52, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. ALL LYING WITHIN THE ABOVE DESCRIBED PARCEL.

ALSO DESCRIBED AS:

BEGIN AT A POINT ON THE EASTERLY RIGHT OF WAY OF STATE ROAD No.44 AND THE NORTH CORNER OF LOT 1, OF SILVER LAKE SPRING, AS RECORDED IN PLAT BOOK 27, PAGE 52., IN SECTION 16, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, FOR THE POINT OF BEGINNING OF THIS DESCRIPTION, (P.O.B.); RUN THENCE SOUTH 58°41'52" EAST, ALONG THE EASTERLY LINE OF LOTS 1 THRU 4, OF SAID SILVER LAKE SPRING, A DISTANCE OF 526.63 FEET TO THE MOST EASTERLY CORNER OF SAID SILVER LAKE SPRING, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 4, BLOCK 19 OF SILVER LAKE ESTATES, AS RECORDED IN PLAT BOOK 5, PAGE 1; THENCE RUN NORTH 36°32'31" EAST, TO A POINT THAT IS 10.00 FEET, PERPENDICULAR MEASURE, EAST OF THE WEST LINE OF LOT 4, BLOCK 19, A DISTANCE OF 10.04 FEET, MORE OR LESS, THENCE RUN NORTH 58°41'52" WEST, PARALLEL TO THE WEST LINE OF LOT 4, BLOCK 19, A DISTANCE OF 529.32 FEET TO THE EASTERLY RIGHT OF WAY OF STATE ROAD No.44; THENCE RUN SOUTHWESTERLY ALONG THE RIGHT OF WAY OF STATE ROAD No.44, A DISTANCE OF 10.13 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

AND CONTAINS AN AREA OF 5,279.750 SQUARE FEET OR 0.121 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 Plat of SILVER LAKE SPRING, as recorded in Plat Book 27, page 52, in section 16, township 19 south, range 25 east, the Legal Descriptions as described in O R Book 3566, page 2205, in section 9, Township 19 South, Range 25 East, Lake County, Florida.
- 7: This sketch was prepared by the City of Leesburg, Public works Department, Survey Division, under the direction of Richard Adkins, Electric Service Planner, for the City of Leesburg.
- 8: This sketch contains 2 sheets in which NONE are valid without all remaining sheets.

SECTION: 16-19-25



CITY OF LEESBURG
PUBLIC WORKS DEPT.
ENGINEERING DIVISION
550 S. 14th ST. - P.O. BOX 480630
LEESBURG, FLORIDA 34749
PHONE (352) 728-9755
FAX (352) 728-9879

SKETCH OF DESCRIPTION
10' UTILITY EASEMENT
CHRISTINE JANE MEADE, TRUSTEE
CHRISTINE JANE MEADE FAMILY TRUST
to the CITY OF LEESBURG

DATE: 10/06/2010
DRAWN: DDF
CHECKED: DDF
APPROVED: AP
SCALE: NTS
FILE NO.: EA10025

SHEET NUMBER
1
OF
2

EXHIBIT "A"

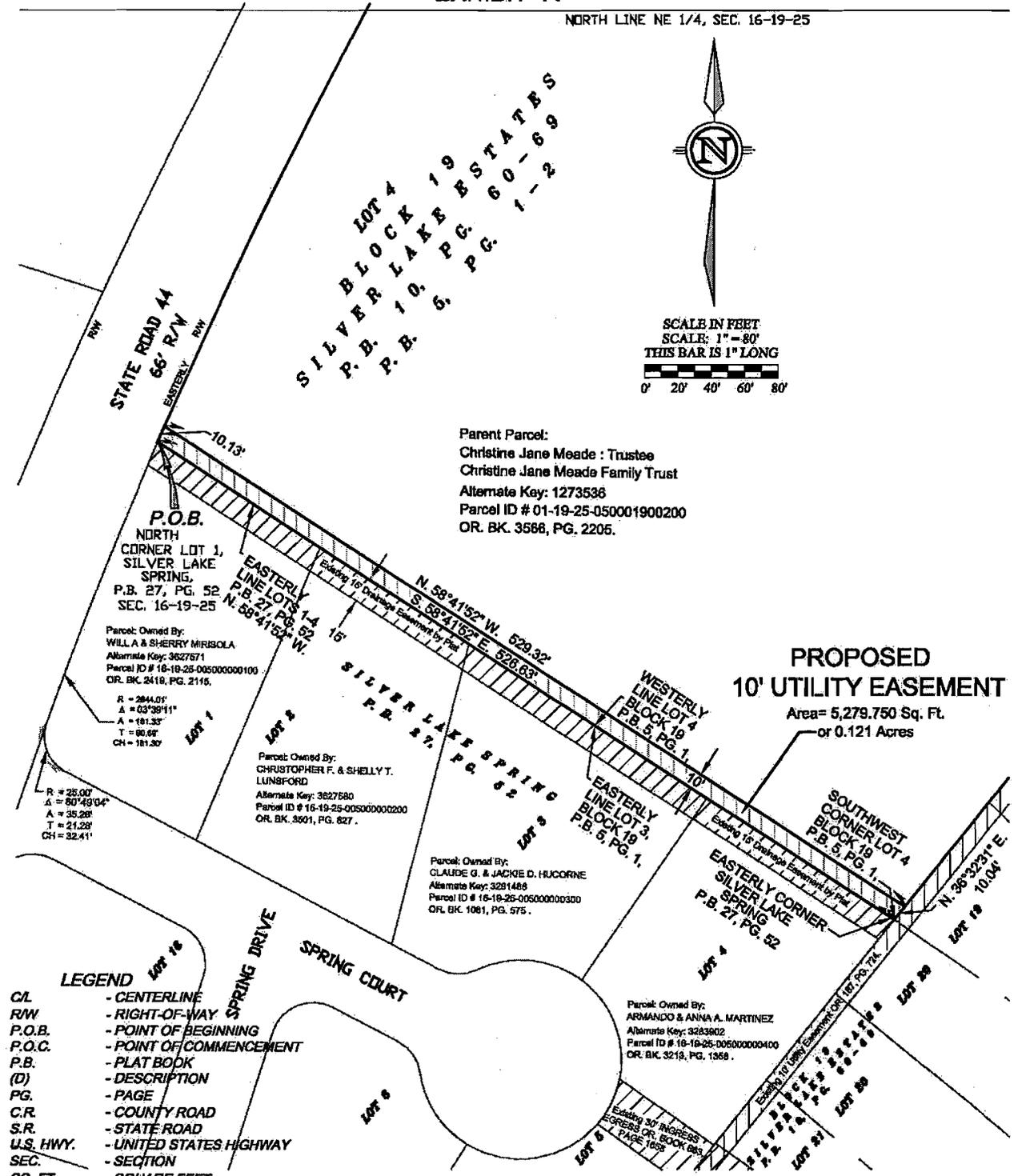
NORTH LINE NE 1/4, SEC. 16-19-25



SCALE IN FEET
SCALE: 1" = 80'
THIS BAR IS 1" LONG

LOT 4
SILVER LAKE ESTATES
P. B. 10, PG. 6,
P. B. 5, PG. 1-2

Parent Parcel:
Christine Jane Meade : Trustee
Christine Jane Meade Family Trust
Alternate Key: 1273536
Parcel ID # 01-19-25-050001900200
OR. BK. 3586, PG. 2206.



PROPOSED
10' UTILITY EASEMENT

Area= 5,279.750 Sq. Ft.
or 0.121 Acres

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

SECTION: 16-19-25



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