

RETURN 

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

CFN 2011004496
Bk 03992 Pgs 1150 - 1154; (5pgs)
DATE: 01/14/2011 09:27:33 AM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 44.00
DEED DOC 0.70

Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 4th day of January, 2011, by TURTLE OAKS APARTMENTS, LLC, whose address is 1172 South Dixie Highway, Suite 369, Coral Gables, FL 33146, 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.

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.

{SIGNATURES APPEAR ON FOLLOWING PAGE}

001231

WITNESSES (two required)

[Signature]
Renni Snyder
(Type or print name of Witness)

[Signature]
John J. Sietta
(Type or print name of witness)

GRANTOR: TURTLE OAKS
APARTMENTS, LLC

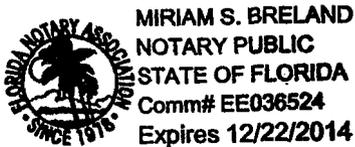
BY: [Signature]
JOAQUIN E. LUACES, Managing
Member/President

STATE OF FLORIDA
COUNTY OF Miami Dade

BEFORE ME, the undersigned Notary Public, personally appeared Joaquin E. Luaces, as Managing Member/President of Turtle Oaks Apartments, LLC, who acknowledged before me that he executed this instrument on the 4 day of January, 2016, and who was either personally known to me, or who produced _____ as identification.

[Signature]
NOTARY PUBLIC
MIRIAM S. Breland
Type or print name of Notary

EE036524
Commission Number
12/22/2014
Commission expiration date



JOINDER & CONSENT OF MORTGAGEE

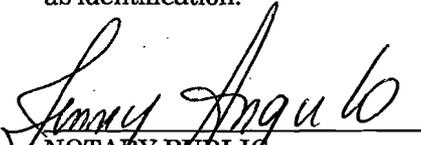
The undersigned, as holder of a mortgage or other lien on the above described property, as recorded in Official Records Book 3701; Page 1914, Public Records of Lake County, Florida, does hereby join in and consent to the granting of the easement to the City of Leesburg, Florida, and agrees that its interest in the property shall henceforth be inferior and subordinate to the easement rights herein created.

BANCO POPULAR NORTH AMERICA

BY: 
Robert Baro / VP
Type or print name and position or title

STATE OF Florida
COUNTY OF Miami-Dade

BEFORE ME, the undersigned Notary Public, personally appeared Robert Baro, the Vice President of Banco Popular North America, who acknowledged before me that (s)he executed this instrument on the 30th day of December, 2010, and who was either personally known to me, or who produced _____ as identification.


NOTARY PUBLIC
Jenny Angulo
Type or print name of Notary

DD 938900
Commission Number
11/8/2013
Commission expiration date

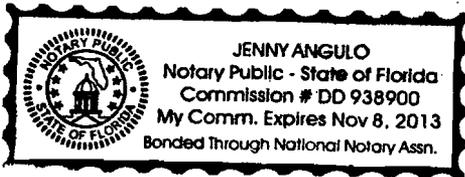


EXHIBIT "A"

PARENT PARCEL: OR. BOOK 3701, PAGE 1904.
ALTERNATE KEY: 1700469, PARCEL ID # 22-19-24-000200004200.

THE EAST 750 FEET OF THE NORTH 507 FEET OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEESBURG, FLORIDA, LESS THE RIGHT OF WAY OF STATE ROAD No. 44-A, BEING FURTHER DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST (NE) CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, RUN SOUTH 00°15'30" WEST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) FOR THIRTY-THREE (33') FEET TO THE SOUTH RIGHT-OF-WAY OF STATE ROAD No. S-44-A AND THE POINT OF BEGINNING; THENCE RUN SOUTH 00°15'30" WEST, ALONG SAID EAST LINE OF NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) FOR 474 FEET; THENCE NORTH 89°47' WEST, PARALLEL TO THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) FOR 750.0 FEET; THENCE NORTH 00°15'30" EAST, PARALLEL TO EAST LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), FOR 474 FEET, TO THE SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD (S-44-A); THENCE SOUTH SOUTH 89°47'00" EAST, ALONG SAID RIGHT-OF-WAY LINE AND PARALLEL TO THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), FOR 750.0 FEET TO THE POINT OF BEGINNING; 335,500 SQUARE FEET - 8.161 ACRES, PLUS OR MINUS.

DESCRIPTION : 10' UTILITY EASEMENT

A 10.00 FOOT WIDE, PERPENDICULAR MEASURED, PARCEL OF LAND LYING CONTIGUOUS WITH THE NORTHERLY, WESTERLY, SOUTHERLY AND A PORTION OF THE EASTERLY BOUNDARY LINES OF THE ABOVE DESCRIBED PARENT PARCEL, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE NORTHEAST (NE) CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, RUN SOUTH 00°15'30" WEST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT-OF-WAY OF STATE ROAD No. S-44-A (LOCALLY KNOWN AS GRIFFIN ROAD) AND THE POINT OF BEGINNING; THENCE RUN SOUTH 00°15'30" WEST, ALONG SAID EAST LINE OF NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), A DISTANCE OF 10.00 FEET; THENCE NORTH 89°47'00" WEST, PARALLEL TO THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), A DISTANCE OF 740.00 FEET; THENCE SOUTH 00°15'30" WEST, PARALLEL TO EAST LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), A DISTANCE OF 454.00 FEET; THENCE RUN SOUTH 89°47'00" EAST, A DISTANCE OF 730.00 FEET; THENCE RUN NORTH 00°15'30" EAST, TO THE NORTH RIGHT-OF-WAY LINE OF SIMMONS AVENUE EXTENDED WESTERLY, A DISTANCE OF 77.14 FEET, MORE OR LESS; THENCE RUN SOUTH 89°47'00" EAST, ALONG SAID RIGHT-OF-WAY EXTENSION, A DISTANCE OF 10.00 FEET, TO EAST LINE OF NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4); THENCE RUN SOUTH 00°15'30" WEST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), TO THE SOUTH LINE OF THE NORTH 507 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), A DISTANCE OF 87.14 FEET, MORE OR LESS; THENCE RUN NORTH 89°47'00" WEST, PARALLEL TO THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), A DISTANCE OF 750.00 FEET; THENCE NORTH 00°15'30" EAST, PARALLEL TO EAST LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), A DISTANCE OF 474.00 FEET, TO THE SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD S-44-A (LOCALLY KNOWN AS GRIFFIN ROAD); THENCE SOUTH 89°47'00" EAST, ALONG SAID RIGHT-OF-WAY LINE AND PARALLEL TO THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), A DISTANCE OF 750.00 FEET TO THE POINT OF BEGINNING; ALL LYING WITHIN THE LANDS BEING DESCRIBED IN OFFICIAL RECORD BOOK 3701, PAGE 1904, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AND CONTAINS 20,311.500 SQUARE FEET OR 0.466 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 3701, Page 1904, 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: 22-19-24



CITY OF LEESBURG
PUBLIC WORKS DEPT.
ENGINEERING DIVISION
560 S. 14th ST. - P.O. BOX 490630
LEESBURG, FLORIDA 34749
PHONE (352) 728-9756
FAX (352) 728-9879

SKETCH OF DESCRIPTION
10' UTILITY EASEMENT
Turtle Oaks Apartments, LLC,
to the CITY OF LEESBURG

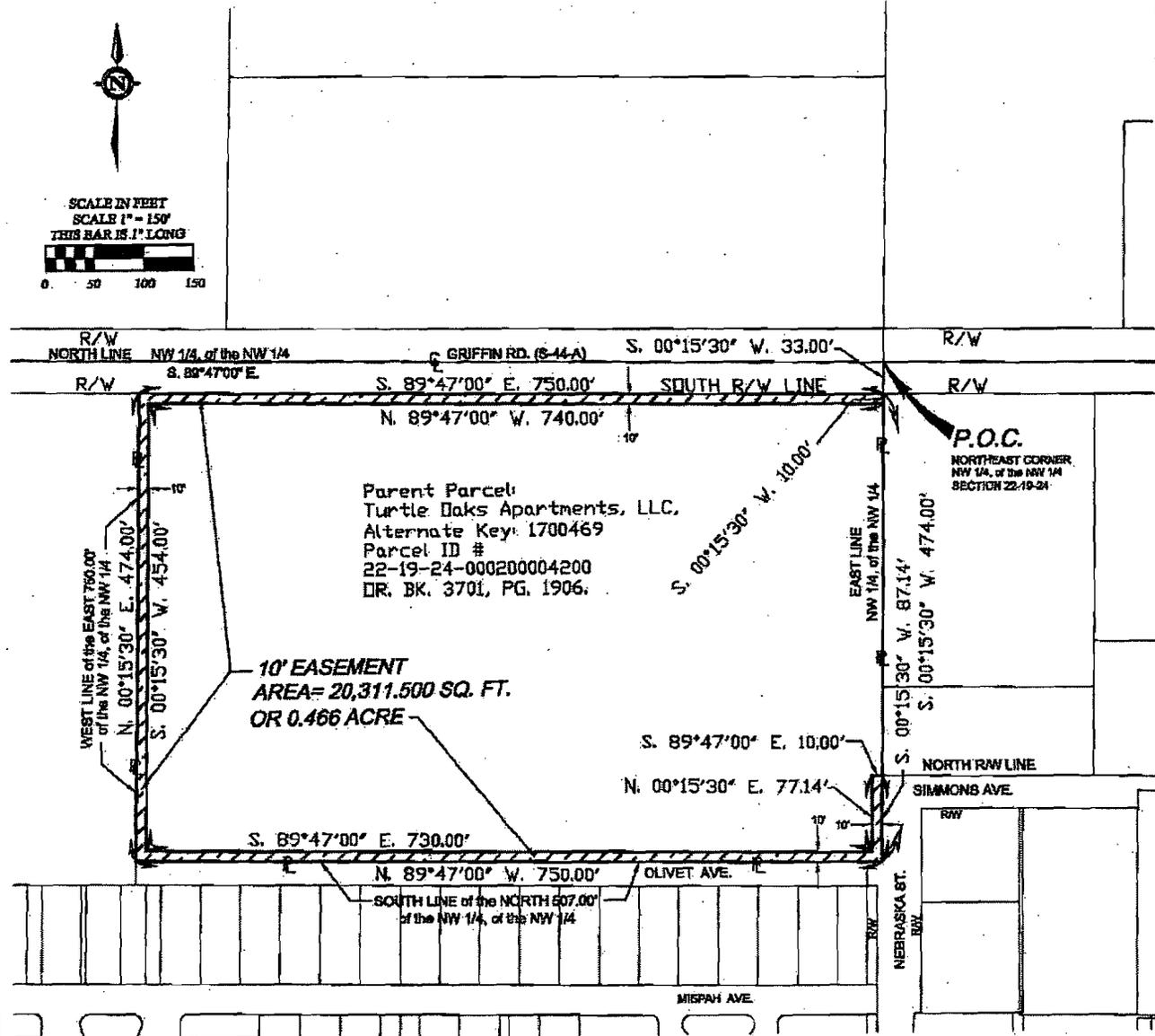
DATE: 12/03/2010
DRAWN: DDF
CHECKED: DDF
APPROVED: AP
SCALE: NTS
FILE NO.: EA10031

SHEET NUMBER
1
OF
2

EXHIBIT "A"



SCALE IN FEET
SCALE 1" = 150'
THIS BAR IS 1" LONG



Parent Parcel:
Turtle Oaks Apartments, LLC,
Alternate Key: 1700469
Parcel ID #
22-19-24-000200004200
DR. BK. 3701, PG. 1906.

10' EASEMENT
AREA = 20,311.500 SQ. FT.
OR 0.466 ACRE

P.O.C.
NORTHEAST CORNER
NW 1/4, of the NW 1/4
SECTION 22-19-24

LEGEND & ABBREVIATIONS	
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	- PROPERTY LINE
PG.	- PAGE
C.R.	- COUNTY ROAD
S.R.	- STATE ROAD
U.S. HWY.	- UNITED STATES HIGHWAY
SEC.	- SECTION
SQ. FT.	- SQUARE FEET

SECTION: 22-19-24

CITY OF LEESBURG
PUBLIC WORKS DEPT.
ENGINEERING DIVISION
550 S. 14th ST. - P.O. BOX 490630
LEESBURG, FLORIDA 34749
PHONE (352) 728-9755
FAX (352) 728-9879

SKETCH OF DESCRIPTION
10' UTILITY EASEMENT
Turtle Oaks Apartments, LLC,
to the CITY OF LEESBURG

DATE: 12/09/2010
DRAWN: DDF
CHECKED: DDF
APPROVED: AP
SCALE: 1" = 150'
FILE NO.: EA10031

SHEET NUMBER
2
OF
2