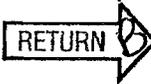
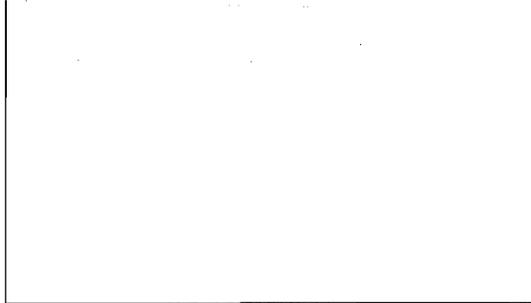


INSTRUMENT #2011069509
OR BK 4055 PG 1953 - 1956 (4 PGS)
DATE: 7/26/2011 9:31:14 AM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES \$35.50 DEED DOC \$0.70

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



Utility Easement



RESERVED FOR RECORDING

THIS EASEMENT given the 18th day of July, 2011, by **HLSILBERNAGEL, LLC**, whose address is P.O. Box 470, Eustis, FL 32727, 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

The real property described on Exhibit "A" does not constitute the residence or homestead of the Grantor or the beneficiary of the trust of which the Grantor is Trustee. The property is a portion of the common elements of Village Green Condominium, a nonresidential condominium according to the Declaration of Condominium recorded in Official Records Book 902, Page 963, Public Records of Lake County, Florida. Grantor owns all units of the condominium and thus also owns all undivided interests in the common elements.

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.

In the event any portion of the property described on Exhibit "A" is contaminated with transformer oil emanating from any equipment or facility of the Grantee, the Grantee will indemnify and hold harmless the Grantor from any loss or damage, claim or cause of action resulting from such contamination, not to exceed however the limits on waiver of sovereign immunity set forth in §768.28(5), Fla. Stat. (2009).

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: HLSILBERNAGEL, LLC

Angela M. Carter
Angela M. Carter
(Type or print name of Witness)

BY: [Signature]
BRIAN L. SILBERNAGEL, Manager

Colette M. Weber
Colette M. Weber
(Type or print name of witness)

STATE OF FLORIDA
COUNTY OF lake.

BEFORE ME, the undersigned Notary Public, personally appeared Brian L. Silbernagel, as Manager of HLSILBERNAGEL, LLC, who acknowledged before me that he executed this instrument on behalf of the company on the 18 day of July, 2011, and who was either personally known to me, or who produced FL DE LICENSE as identification.

Colette M. Weber
NOTARY PUBLIC
Colette M. Weber
Type or print name of Notary

DD834759.
Commission Number
10-28-12
Commission expiration date

