INSTRUMENT #2012088750
OR BK 4204 PG 2248 - 2252 (5 PGS)
DATE: 8/24/2012 3:47:16 PM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES $44.00

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

RETURN

Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 19th day of August, 2012, by **LAKE SQUARE PRESBYTERIAN CHURCH, INC.**, whose address is 10200 Morningside Drive, Leesburg, Florida 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, 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.

CL3326

WITNESSES (two required)

Kathy R. Van Voorhis

Kathy R. Van Voorhis
(Type or print name of Witness)

Ronald J. Depew

Ronald J. Depew
(Type or print name of witness)

GRANTOR: LAKE SQUARE PRESBYTERIAN CHURCH, INC.

BY: _____
RANDOLPH SIMPSON, President

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared Randolph Simpson, as President of Lake Square Presbyterian Church, Inc., who acknowledged before me that he executed this instrument on the 14th day of August, 2012, and who was either ☑ personally known to me, or who ☐ produced _____ as identification.

Karen A. Davis
NOTARY PUBLIC

Commission Number

Type or print name of Notary

Commission expiration date

KAREN A. DAVIS
Commission # DD 978673
Expires April 19, 2014
Bonded Thru Troy Fain Insurance 800-385-7019

JOINDER & CONSENT OF MORTGAGEE

The undersigned, as holder of a mortgage on the above described property, as recorded in Official Records Book 3573, Page 1105, 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: Robert P. Adrid
ROBERT P. ADRID, EXECUTIVE VICE PRES.
Type or print name and position or title

STATE OF Florida
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared Robert P. Adrid, the EVP of United Southern Bank, who acknowledged before me that (s)he executed this instrument on the 20th day of August, 2012, and who was either ☑ personally known to me, or who ☐ produced _____ as identification.

Lori Weed
NOTARY PUBLIC

DD 943515
Commission Number

Lori Weed
Type or print name of Notary

12/6/13
Commission expiration date

LORI WEED
Notary Public - State of Florida
My Comm. Expires Dec 6, 2013
Commission # DD 943515