

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 13<sup>th</sup> day of November, 2012, by T & M UNITED CORPORATION, whose address is 402 High Point Drive, Suite 101, Cocoa, FL 32926, 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 EXHIBITS A & B 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.



WITNESSES (two required)

Michelle Taylor  
Michelle Taylor  
(Type or print name of Witness)

Amy Proinzano  
Amy Proinzano  
(Type or print name of witness)

GRANTOR: T & M UNITED CORPORATION

BY: [Signature]  
MAHESH SHAH, President  
Summit Vice

STATE OF FLORIDA  
COUNTY OF Brevard

BEFORE ME, the undersigned Notary Public, personally appeared <sup>Summit</sup> Mahesh Shah, as Vice President of T & M United Corporation, who acknowledged before me that he executed this instrument on the 13<sup>th</sup> day of November, 2012, and who was either  personally known to me, or who  produced \_\_\_\_\_ as identification.

Michelle Taylor  
NOTARY PUBLIC  
Michelle Taylor  
Type or print name of Notary

EE 026677  
Commission Number  
12/13/14  
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 2722, Page 1580, 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.

BRANCH BANKING AND TRUST COMPANY

BY: *Berry Forbes*  
Berry Forbes, SVP.  
Type or print name and position or title

STATE OF FLORIDA  
COUNTY OF BREVARD

BEFORE ME, the undersigned Notary Public, personally appeared BARRY FORBES, the SVP of BRANCH BANKING AND TRUST COMPANY, who acknowledged before me that (s)he executed this instrument on the 1ST day of NOVEMBER, 2012, and who was either  personally known to me, or who  produced \_\_\_\_\_ as identification.

*Victoria Costa*  
NOTARY PUBLIC

DD 947782  
Commission Number

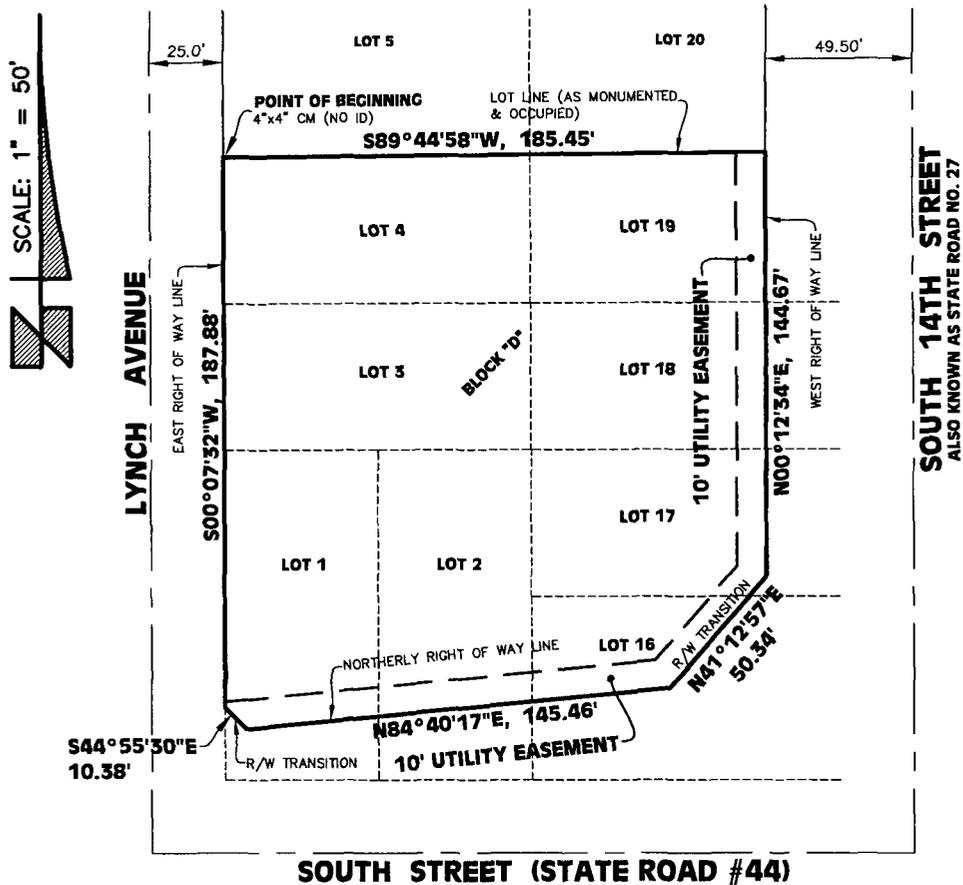
Victoria Costa  
Type or print name of Notary

2-1-2014  
Commission expiration date



# SKETCH TO ACCOMPANY DESCRIPTION

THIS SKETCH IS NOT A "BOUNDARY SURVEY"



**DESCRIPTION - UTILITY EASEMENT:**

A 10 FOOT WIDE UTILITY EASEMENT BEING THE EAST 10 FEET, SOUTHEAST 10 FEET AND SOUTH 10 FEET OF THE FOLLOWING DESCRIBED PARCEL:

LOTS 1 THRU 4 AND 16 THRU 19, BLOCK "D", **CLEARVIEW TERRACE SUBDIVISION**, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 3, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; **LESS** RIGHTS OF WAY OF 14TH STREET AND STATE ROAD NO. 44, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT A 4 INCH BY 4 INCH CONCRETE MONUMENT (NO IDENTIFICATION), WHICH MARKS THE NORTHWEST CORNER OF AFORESAID LOT 4, AND RUN S.00°07'32"W., ALONG THE WEST LINES OF AFORESAID LOTS 1, 3 AND 4 (BEING ALSO THE EAST RIGHT OF WAY LINE OF LYNCH AVENUE), A DISTANCE OF 187.88 FEET TO A POINT OF RIGHT OF WAY TRANSITION; THENCE S.44°55'30"E., ALONG SAID TRANSITION, A DISTANCE OF 10.38 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 44 (ALSO KNOWN AS SOUTH STREET); THENCE N.84°40'17"E., ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 145.46 FEET TO A POINT OF RIGHT OF WAY TRANSITION; THENCE N.41°12'57"E., ALONG SAID TRANSITION, A DISTANCE OF 50.34 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SOUTH 14TH STREET (ALSO KNOWN AS STATE ROAD NO. 27); THENCE N.00°12'34"E., ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 144.67 FEET TO THE NORTHEAST CORNER OF AFORESAID LOT 19 (AS MONUMENTED); THENCE S.89°44'58"W., ALONG THE NORTH LINE OF AFORESAID LOTS 4 AND 19 (AS MONUMENTED), A DISTANCE OF 185.45 FEET TO THE POINT OF BEGINNING.

DRAWN BY: RMP  
 CHK'D BY:  
 DATE: 10/22/12  
 JOB #: 12-40-2

SHEET 1 OF 1

PREPARED FOR AND CERTIFIED TO:

EXHIBIT "A"  
**UTILITY EASEMENT**  
**SKETCH & DESCRIPTION FOR:**  
**CITY OF LESSBURG**  
 T & M UNITED

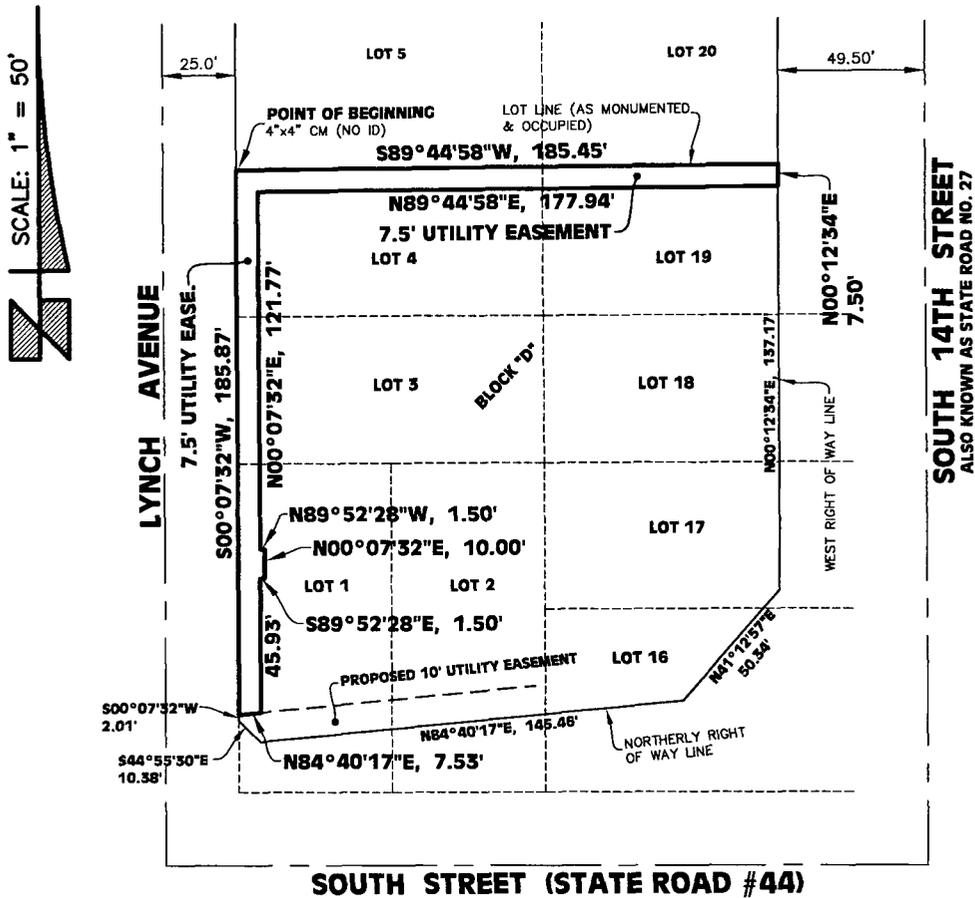


197 BOUGAINVILLE DRIVE  
 ROCKLEDGE, FLORIDA 32955  
 TEL.: (321) 632-6335

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# SKETCH TO ACCOMPANY DESCRIPTION

THIS SKETCH IS NOT A "BOUNDARY SURVEY"



**DESCRIPTION - UTILITY EASEMENT:**

A UTILITY EASEMENT LYING IN LOTS 1, 3, 4 AND 19, BLOCK "D", CLEARVIEW TERRACE SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 3, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A 4 INCH BY 4 INCH CONCRETE MONUMENT (NO IDENTIFICATION), WHICH MARKS THE NORTHWEST CORNER OF AFORESAID LOT 4, AND RUN S.00°07'32"W., ALONG THE WEST LINES OF AFORESAID LOTS 1, 3 AND 4 (BEING ALSO THE EAST RIGHT OF WAY LINE OF LYNCH AVENUE), A DISTANCE OF 185.87 FEET TO A POINT ON THE NORTH LINE OF A PROPOSED 10 FOOT WIDE UTILITY EASEMENT; THENCE N.84°40'17"E., ALONG SAID NORTH LINE OF A PROPOSED EASEMENT, A DISTANCE OF 7.53 FEET; THENCE DEPARTING SAID NORTH LINE, RUN N.00°07'32"E., A DISTANCE OF 45.93 FEET; THENCE S.89°52'28"E., A DISTANCE OF 1.50 FEET; THENCE N.00°07'32"E., A DISTANCE OF 10.00 FEET; THENCE N.89°52'28"W., A DISTANCE OF 1.50 FEET; THENCE N.00°07'32"E., A DISTANCE OF 121.77 FEET; THENCE N.89°44'58"E., A DISTANCE OF 177.94 FEET TO A POINT ON THE WEST RIGHT OF WAY OF SOUTH 14TH STREET (ALSO KNOWN AS STATE ROAD NO. 27); THENCE N.00°12'34"E., ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 7.50 FEET TO THE NORTHEAST CORNER OF AFORESAID LOT 19 (AS MONUMENTED); THENCE S.89°44'58"W., ALONG THE NORTH LINE OF AFORESAID LOTS 4 AND 19 (AS MONUMENTED), A DISTANCE OF 185.45 FEET TO THE POINT OF BEGINNING.

DRAWN BY: RMP  
 CHK'D BY:  
 DATE: 10/22/12  
 JOB #: 12-40-2

SHEET 1 OF 1

PREPARED FOR AND CERTIFIED TO:

EXHIBIT "B"

UTILITY EASEMENT  
 SKETCH & DESCRIPTION FOR:

CITY OF LESSBURG  
 T & M UNITED

**r.m. packard**  
 surveying & mapping, inc.  
 197 BOUGAINVILLE DRIVE  
 ROCKLEDGE, FLORIDA 32955  
 TEL.: (321) 632-6335