

THIS INSTRUMENT PREPARED BY & RETURN TO:
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DATE: 04/20/2007 03:55:49 PM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 18.50
DEED DOC 0.70

Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 11 day of APRIL, 2007, by DANIEL R. BERRY, AN UNMARRIED MAN, whose address is 407 East Alfred Street, Tavares, FL 32778, 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:

Description for 10' Utility Easement

Commence at the Northwest corner of Lot 1, Block 4, SILVER LAKE ESTATES according to the plat thereof as recorded in Plat Book 10, page 66, Public Records of Lake County, Florida; run thence S89°22'23"E along the North line of said Lot 10 a distance of 420.66 feet to the Point of Beginning of this description; thence continue to run S89°22'23"E along said North line a distance of 214.00 feet to a point of intersection with the Westerly right of way line of Treasure Island Road; thence run S00°37'04"W along said right of way line a distance of 10.00 feet; thence run N89°22'23"W parallel with the aforesaid North line of Lot 10 a distance of 214.00 feet; thence run N00°37'04"E a distance of 10.00 feet to the Point of Beginning of this description.

for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground or above ground electrical utilities. 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 activities of Grantee which caused the damage. Grantee is also given an easement 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.

{SIGNATURE OF GRANTOR APPEARS ON FOLLOWING PAGE}

WITNESSES (two required)

[Signature]
Arthur Champlain
(Type or print name of Witness)

[Signature]
Rick Taylor
(Type or print name of witness)

GRANTOR:

[Signature]
DANIEL R. BERRY

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared DANIEL R. BERRY, who acknowledged before me that he executed this instrument on the 11 day of APRIL, 2007, and who was either personally known to me, or who produced _____ as identification.

[Signature]
NOTARY PUBLIC

DAWN McNULTY
Type or print name of Notary

DD338472
Commission Number

Sept. 5, 2008
Commission expiration date

