

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

CFN 2008088032  
Bk 03658 Pgs 1031 - 1035; (5pgs)  
DATE: 07/25/2008 03:42:08 PM  
NEIL KELLY, CLERK OF COURT  
LAKE COUNTY  
RECORDING FEES 44.00  
DEED DOC 0.70

**Utility Easement**

RESERVED FOR RECORDING

THIS EASEMENT given the 23 day of July 2008, 2008, by JOSEPH H. NOLETTE, TRUSTEE, whose address is 8925 U.S. Highway 441, Leesburg, FL 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 electricity, Grantor retains the right to use the area described in Exhibit "A" but shall make no use thereof which would conflict with the uses to which Grantee now or hereafter lawfully puts in the easement under the terms of this instrument. 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 within the area described on Exhibit "A" provided that such right of passage shall be limited to those areas of Grantor's adjacent land which are used as driveways, parking areas and the like, and 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 hand and seal the day and year first above written.

{SIGNATURES APPEAR ON FOLLOWING PAGE}

WITNESSES (two required)

GRANTOR:

Erik Hunter  
Erik Hunter  
(Type or print name of Witness)

Joseph H. Nolette  
JOSEPH H. NOLETTE, TRUSTEE

Betsy Krapp  
Betsy Krapp  
(Type or print name of witness)

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned Notary Public, personally appeared JOSEPH H. NOLETTE, TRUSTEE, who acknowledged before me that he executed this Easement on the 23<sup>rd</sup> day of July, 2008, and who was either  personally known to me, or who  produced \_\_\_\_\_ as identification.



Cenia M. Kline  
NOTARY PUBLIC

DD 780117  
Commission Number

Cenia M. Kline  
Type or print name of Notary

April 20, 2012  
Commission expiration date

**EXHIBIT "A"**

**UTILITY EASEMENT: JOSEPH H. NOLETTE as TRUSTEE**

**DESCRIPTION:**

THREE PARCELS OF LAND LOCATED IN A PORTION OF BLOCK 52 IN RE-SUBDIVISION OF SUBDIVISION OF SILVER LAKE ESTATES, ACCORDING TO THE REVISED AND CORRECTED PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 66 TO 69, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AND LYING IN THE SOUTHEAST QUARTER, (SE1/4) OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 25 EAST IN LAKE COUNTY, FLORIDA AND BEING A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1390, PAGE 2240 THRU 2242, BOOK 1360, PAGE 41 THRU 42 AND BOOK 1390, PAGE 2243 THRU 2245 OF THE PUBLIC RECORDS OF SAID LAKE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**OR BOOK 1390, PAGE 2240 THRU 2242, (PARCEL NO. 3)**

THAT PART OF LOT 1 IN BLOCK 52 IN RE-SUBDIVISION OF SUBDIVISION OF SILVER LAKE ESTATES, ACCORDING TO THE REVISED AND CORRECTED PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 66 TO 69, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF SAID SECTION 21, TOWNSHIP 19 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA, RUN SOUTH 173.50 FEET; THENCE NORTH 68° WEST 432.80 FEET; THENCE NORTH 28°24' EAST TO A POINT ON THE NORTHERLY LINE OF THE RIGHT OF WAY OF U.S.HIGHWAY NO. 441; THENCE NORTH 68°39'56" WEST ALONG THE NORTHERLY LINE OF SAID RIGHT OF WAY 125 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN NORTH 28°24' EAST 320 FEET; THENCE NORTH 68°39'56" WEST PARALLEL WITH SAID RIGHT OF WAY TO THE EASTERLY LINE OF THE RIGHT OF WAY OF TAVARES AVENUE; THENCE SOUTHWESTERLY ALONG THE EASTERLY LINE OF SAID RIGHT OF WAY TO THE NORTHERLY LINE OF THE RIGHT OF WAY OF U.S. HIGHWAY NO. 441; THENCE SOUTH 68°39'56" EAST ALONG THE NORTHERLY LINE OF SAID RIGHT OF WAY TO THE POINT OF BEGINNING, LESS THAT PART THEREOF CONVEYED TO LAKE COUNTY BY DEEDS RECORDED IN OFFICIAL RECORDS BOOK 1008, PAGE 24 AND OFFICIAL RECORDS BOOK 1098, PAGE 140.

**EASEMENT DESCRIPTION: FOR OR BOOK 1390, PAGE 2240 THRU 2242,**

THE SOUTH 10.00 FEET, PERPENDICULAR DISTANCE, OF THE ABOVE DESCRIBED PARCEL OF LAND, LYING NORTHERLY OF AND CONTIGUOUS WITH THE NORTHERLY RIGHT WAY LINE OF U.S. HIGHWAY NO. 441. AND CONTAINS 3066.870 SQUARE FEET OR 0.070 ACRE, MORE OR LESS.

**GENERAL NOTES:**

1: THIS IS NOT A BOUNDARY SURVEY.

2: THIS SKETCH IS TO SHOW A GRAPHICAL REPRESENTATION OF THE DESCRIPTION DEPICTED HEREON.

3: THIS SKETCH WAS PREPARED FOR THE CITY OF LEESBURG AND JOSEPH H. NOLETTE , ISAOA. USE OF THIS SKETCH BY ANY OTHER PARTIES IS STRICTLY FORBIDDEN.

4: USE OF THIS SKETCH FOR ANY OTHER PURPOSE THEN 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 BECOMES THE LIABILITY OF THE USER.

6: THIS SKETCH WAS PREPARED BY THE CITY OF LEESBURG, PUBLIC WORKS DEPARTMENT, SURVEY DIVISION, UNDER THE DIRECTION OF STEVE DAVIS, ELECTRIC ENGINEER FOR THE CITY OF LEESBURG.

**SECTION 21-18-26**



**CITY OF LEESBURG**  
PUBLIC WORKS / ENGINEERING  
SURVEY DIVISION  
550 S. 14th ST. - P.O. BOX 490630  
LEESBURG, FLORIDA 34749-0630  
PHONE (352) 728-9755  
FAX (352) 728-9758

**SKETCH OF DESCRIPTION**  
**UTILITY EASEMENT**  
**JOSEPH H. NOLETTE as TRUSTEE of the**  
**JOSEPH H. NOLETTE REVOCABLE TRUST**  
**to the CITY OF LEESBURG**

DATE: 04/02/2008  
DRAWN: DDF  
CHECKED: DDF  
APPROVED: AP  
SCALE: N/A  
FILE NO.: EA08004

**SHEET**  
**NUMBER**  
**1**  
**OF**  
**3**

**EXHIBIT "A"**

**UTILITY EASEMENT: JOSEPH H. NOLETTE as TRUSTEE**

**DESCRIPTION:**

**OR BOOK 1360, PAGE 41 THRU 42,**

THAT PART OF LOT 1 AND 2 OF BLOCK 52 IN RE-SUBDIVISION OF SUBDIVISION OF SILVER LAKE ESTATES ACCORDING TO THE REVISED AND CORRECTED PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 66 TO 69, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF SAID SECTION 21, TOWNSHIP 19 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA, RUN SOUTH 173.50 FEET; THENCE NORTH 68°00'00" WEST 432.80 FEET; THENCE NORTH 28°24'00" EAST TO A POINT ON THE NORTHERLY LINE OF THE RIGHT OF WAY OF U.S. HIGHWAY NO. 441; AND THE POINT OF BEGINNING OF THIS DESCRIPTION. FROM SAID POINT OF BEGINNING, RUN NORTH 28°24'00" EAST 320 FEET; THENCE NORTH 68°39'56" WEST PARALLEL WITH SAID RIGHT OF WAY 125 FEET; THENCE SOUTH 28°24'00" WEST 320 FEET TO THE NORTHERLY LINE OF THE RIGHT OF WAY OF U.S. HIGHWAY NO. 441; THENCE SOUTH 68°39'56" EAST ALONG THE NORTHERLY LINE OF SAID RIGHT OF WAY 125 FEET TO THE POINT OF BEGINNING,

**EASEMENT DESCRIPTION: FOR OR BOOK 1360, PAGE 41 THRU 42,,**

THE SOUTH 10.00 FEET, PERPENDICULAR DISTANCE, OF THE ABOVE DESCRIBED PARCEL OF LAND, LYING NORTHERLY OF AND CONTIGUOUS WITH THE NORTHERLY RIGHT WAY LINE OF U.S. HIGHWAY NO. 441. AND CONTAINS 1298.210 SQUARE FEET OR 0.030 ACRE, MORE OR LESS.

**OR BOOK 1390, PAGE 2243 THRU 2245, (PARCEL NO. 2)**

COMMENCE AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, RUN THENCE SOUTH 173.50 FEET; THENCE NORTH 68° WEST 432.80 FEET; THENCE NORTH 28°24' EAST TO THE NORTHERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 441; AND THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, CONTINUE NORTH 28°24' EAST 619.21 FEET TO A CONCRETE MONUMENT; THENCE RUN SOUTH 63°18' EAST 56.34 FEET TO A CONCRETE MONUMENT; THENCE NORTH 28°23'25" EAST 5.45 FEET TO AN IRON PIPE; THENCE SOUTH 62°32'50" EAST 187.98 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 13°06'48" WEST 597.49 FEET TO AN IRON PIN LOCATED ON THE NORTHERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 441; RUN THENCE NORTH 69°05'55" WEST ALONG SAID NORTHERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 441 A CORD DISTANCE OF 405.25 FEET TO THE POINT OF BEGINNING,

**EASEMENT DESCRIPTION: FOR OR BOOK 1390, PAGE 2243 THRU 2245,**

THE WESTERLY 10.00 FEET, PERPENDICULAR DISTANCE, OF THE SOUTHERLY 200.00 FEET OF THE ABOVE DESCRIBED PARCEL OF LAND, LYING EASTERLY OF AND CONTIGUOUS WITH THE WESTERLY PROPERTY LINE. AND CONTAINS 1994.350 SQUARE FEET OR 0.046 ACRE, MORE OR LESS.

**AGGREGATE AREA =**

THE AGGREGATE AREA OF THE THREE EASEMENTS LISTED ABOVE CONTAINS 6359.430 SQUARE FEET OR 0.146 ACRE, MORE OR LESS.

SECTION 21-19-25



**CITY OF LEESBURG**  
PUBLIC WORKS / ENGINEERING  
SURVEY DIVISION  
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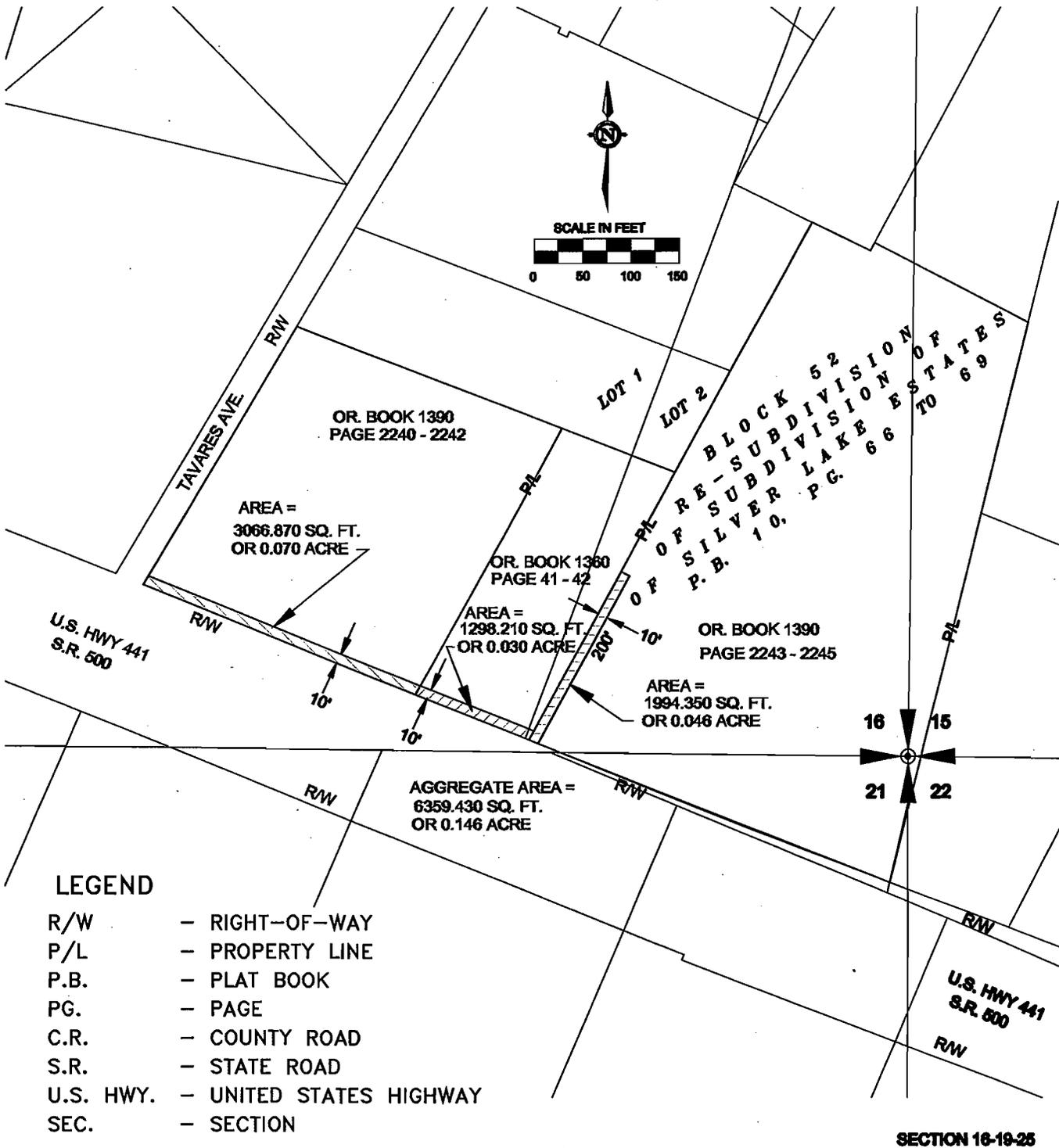
**SKETCH OF DESCRIPTION**  
**UTILITY EASEMENT**  
**JOSEPH H. NOLETTE as TRUSTEE of the**  
**JOSEPH H. NOLETTE REVOCABLE TRUST**  
**to the CITY OF LEESBURG**

DATE: 04/02/2008  
DRAWN: DDF  
CHECKED: DDF  
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SCALE: N/A  
FILE NO.: EA08004

**SHEET**  
**NUMBER**  
**2**  
**OF**  
**3**

# EXHIBIT "A"

## UTILITY EASEMENT: JOSEPH H. NOLETTE as TRUSTEE SKETCH OF DESCRIPTION:



### LEGEND

- R/W - RIGHT-OF-WAY
- P/L - PROPERTY LINE
- P.B. - PLAT BOOK
- PG. - PAGE
- C.R. - COUNTY ROAD
- S.R. - STATE ROAD
- U.S. HWY. - UNITED STATES HIGHWAY
- SEC. - SECTION

SECTION 16-19-25



**CITY OF LEESBURG**  
PUBLIC WORKS / ENGINEERING  
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PHONE (352) 728-9755  
FAX (352) 728-9758

**LEESBURG**  
The Lakefront City

**SKETCH OF DESCRIPTION**  
**UTILITY EASEMENT**  
JOSEPH H. NOLETTE as TRUSTEE of the  
JOSEPH H. NOLETTE REVOCABLE TRUST  
to the CITY OF LEESBURG

DATE:	04/02/2008
DRAWN:	DDF
CHECKED:	DDF
APPROVED:	AP
SCALE:	1" = 150'
FILE NO.:	EA08004

SHEET NUMBER	3
OF	3

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