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DATE: 07/03/2008 03:09:55 PM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 27.00
BEED DBC 0.70

THIS INSTRUMENT PREPARED BY & RETURN TO:

Fred A. Morrison
McLin & Burnsed, P.A.
Post Office Box 491357
Leesburg, Florida 34749-1357

(R)

Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 3RD day of JUNE, 2008, by WAGNER CONSTRUCTION COMPANY, LLC, whose address is 1903 Greenleaf Lane, Leesburg, FL 34748, 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:

Lot 12, Greenleaf Business Center, according to the plat thereof recorded in Plat Book 58, Pages 42 and 43, Public Records of Lake County, Florida.

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 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 caused its duly authorized representative to set his hand and seal the day and year first above written.

{SIGNATURES APPEAR ON FOLLOWING PAGE. REMAINDER OF THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK.}

WITNESSES (two required)

WAGNER CONSTRUCTION COMPANY, LLC

Semetrice Callahan
Semetrice Callahan
(Type or print name of Witness)

BY: *Kenneth Grill*
KENNETH GRILL, Manager/Member

Brennan Smith
Brennan Smith
(Type or print name of witness)

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared KENNETH GRILL, as Manager/Member of Wagner Construction Company, LLC, who acknowledged before me that he executed this instrument on the 3rd day of JUNE, 2008, and who was either personally known to me, or who produced _____ as identification.

Tara Cole
NOTARY PUBLIC
TARA COLE
Type or print name of Notary

DD492269
Commission Number
4-27-09
Commission expiration date



{JOINDER AND CONSENT OF LENDER APPEARS ON FOLLOWING PAGE}

JOINER & CONSENT OF MORTGAGEE

The undersigned, as holder of a mortgage or other lien on the above described property, as recorded in Official Records Book 3604, Page 447, 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.

LAFAYETTE BANK AND TRUST CO.

BY: Scott Williams
SCOTT WILLIAMS VICE PRESIDENT
Type or print name and position or title

STATE OF Indiana
COUNTY OF Elkhart

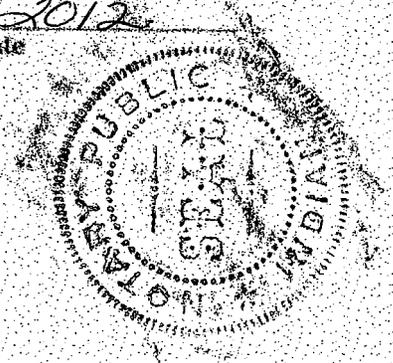
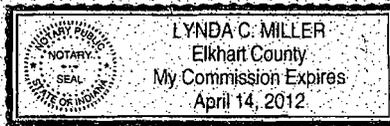
BEFORE ME, the undersigned Notary Public, personally appeared Scott Williams
the Vice President
of LAFAYETTE BANK AND TRUST CO, who acknowledged before me that (s)he executed this instrument on the 16 day of June 2008, and who was either
personally known to me, or who produced Indiana drivers license
as identification.

Lynda C Miller
NOTARY PUBLIC

532265
Commission Number

Lynda C Miller
Type or print name of Notary

April 14, 2012
Commission expiration date



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of the original document.