

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

Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 14<sup>th</sup> day of January, 2009, by BETHANY LUTHERAN CHURCH OF LEESBURG, FLORIDA, INC., whose address is 1334 Griffin Road, 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:

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 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.

WITNESSES (two required)

GRANTOR: BETHANY LUTHERAN CHURCH OF LEESBURG, FLORIDA, INC.

Jennifer M. Kullmann  
Jennifer M. Kullmann  
(Type or print name of Witness)

BY: Robert W. Schultz  
ROBERT W. SCHULTZ, President

Russel C. Mae  
Russel C. Mae  
(Type or print name of witness)

Gary C. Genzen  
GARY C. GENZEN

STATE OF FLORIDA  
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared Robert W. Schultz, as President of BETHANY LUTHERAN CHURCH OF LEESBURG, FLORIDA, INC., who acknowledged before me that he executed this instrument on the 14th day of January, 2009, and who was either  personally known to me, or who  produced FLIDL as identification.

Jennifer M. Kullmann  
NOTARY PUBLIC  
Jennifer M. Kullmann  
Type or print name of Notary

DD662009  
Commission Number  
Apr. 11, 2011  
Commission expiration date



EXHIBIT "A"

**UTILITY EASEMENT: BETHANY LUTHERAN CHURCH  
of LEESBURG FLA. INC..**

**PARENT PARCEL DESCRIPTION:  
DESCRIPTION: OR. BOOK 767, PG. 2296.**

A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEESBURG, LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF SAID SECTION 14 RUN SOUTH 89°40'10" EAST ALONG THE SOUTH LINE OF SAID SECTION A DISTANCE OF 437 FEET; THENCE NORTH 00°17' EAST PARALLEL WITH THE WEST LINE OF SAID SECTION A DISTANCE OF 127.27 FEET TO A POINT ON THE NORTH LINE OF THE RIGHT OF WAY OF GRIFFIN ROAD WHICH IS THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED. FROM SAID POINT OF BEGINNING RUN THENCE NORTH 00°17' EAST 249.73 FEET; THENCE SOUTH 89°40'10" EAST 50 FEET; THENCE NORTH 00°17' EAST 60 FEET; THENCE SOUTH 89°40'10" EAST 73 FEET; THENCE NORTH 00°17' EAST 95 FEET; THENCE SOUTH 89°40'10" EAST 55 FEET; THENCE SOUTH 00°17' WEST 160 FEET; THENCE SOUTH 89°40'10" EAST 125 FEET; THENCE SOUTH 00°17' WEST 222 FEET TO THE NORTH LINE OF THE RIGHT OF WAY OF GRIFFIN ROAD; THENCE WESTERLY ALONG THE NORTH LINE OF THE RIGHT OF WAY OF GRIFFIN ROAD 304 FEET MORE OR LESS TO THE POINT OF BEGINNING, AS CONVEYED TO GRANTOR BY DEED DATED FEBRUARY 18, 1963 AND RECORDED IN BOOK 230, PAGE 708 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

**EASEMENT #1**

A 5.00 FOOT WIDE PERPENDICULAR MEASURE, PARCEL OF LAND, LYING NORTHERLY OF AND CONTIGUOUS WITH THE NORTHERLY RIGHT OF WAY LINE OF GRIFFIN ROAD AS DESCRIBED IN THE ABOVE PARCEL OF LAND.

EASEMENT #1 LIES IN THE CITY OF LEESBURG, LAKE COUNTY, FLORIDA AND CONTAINS 1,520,000 SQUARE FEET OR 0.035 ACRE, MORE OR LESS.

SEE NEXT PAGE FOR EASEMENT #2 DESCRIPTION.

**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 ITS ASSIGNS AS THERE INTERESTS MAY APPEAR. 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 STEVEN C. DAVIS, ELECTRIC ENGINEER, FOR THE CITY OF LEESBURG.



**CITY OF LEESBURG**  
PUBLIC WORKS / ENGINEERING  
SURVEY DIVISION  
550 S. 14th ST. - P. O. BOX 480030  
LEESBURG, FLORIDA 34749-0330  
PHONE (352) 728-9755  
FAX (352) 728-9759

**SKETCH OF DESCRIPTION**  
**BETHANY LUTHERAN CHURCH**  
**of LEESBURG FLA. INC.**  
**to the CITY OF LEESBURG**

DATE: 11/20/2008  
DRAWN: DDF  
CHECKED: DDF  
APPROVED: AP  
SCALE: NTS  
FILE NO.: EA08008C

SHEET  
NUMBER  
1  
OF  
3

**EXHIBIT "A"**

**UTILITY EASEMENT: BETHANY LUTHERAN CHURCH  
of LEESBURG FLA. INC..**

**PARENT PARCEL DESCRIPTION:  
DESCRIPTION: OR. BOOK 767, PG. 2298.**

A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEESBURG, LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF SAID SECTION 14 RUN SOUTH 89°40'10" EAST ALONG THE SOUTH LINE OF SAID SECTION A DISTANCE OF 437 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED. FROM SAID POINT OF BEGINNING RUN THENCE NORTH 00°17' EAST TO THE SOUTH LINE OF THE RIGHT OF WAY OF GRIFFIN ROAD; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID GRIFFIN ROAD TO THE INTERSECTION WITH A NORTHERLY EXTENSION OF THE WESTERLY LINE OF THE RIGHT OF WAY OF PETERS DRIVE; THENCE SOUTH ALONG SAID NORTHERLY EXTENSION OF THE WESTERLY LINE OF THE RIGHT OF WAY OF PETERS DRIVE TO THE SOUTH LINE OF SAID SECTION 14; THENCE NORTH 89°40'10" WEST ALONG THE SOUTH LINE OF SAID SECTION 200.22 FEET MORE OR LESS TO THE POINT OF BEGINNING, AS CONVEYED TO GRANTOR BY DEED DATED MARCH 20, 1983 AND RECORDED IN BOOK 232, PAGE 338 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

**EASEMENT #2**

A 10.00 FOOT WIDE PERPENDICULAR MEASURE, PARCEL OF LAND, LYING WESTERLY OF AND CONTIGUOUS WITH THE WESTERLY RIGHT OF WAY LINE, AND NORTHERLY EXTENSION THEREOF, OF PETERS ROAD AS DESCRIBED IN THE ABOVE PARCEL OF LAND.

EASEMENT #2 LIES IN THE CITY OF LEESBURG, LAKE COUNTY, FLORIDA AND CONTAINS 1,000.000 SQUARE FEET OR 0.023 ACRE, MORE OR LESS.

**AGGREGATE AREA =**

THE AGGREGATE AREA OF THE TWO EASEMENTS LISTED ABOVE CONTAINS 2,520.000 SQUARE FEET OR 0.058 ACRE, MORE OR LESS.

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**CITY OF LEESBURG**  
PUBLIC WORKS / ENGINEERING  
SURVEY DIVISION  
550 S. 14th ST. - P.O. BOX 490830  
LEESBURG, FLORIDA 34749-0830  
PHONE (352) 728-8765  
FAX (352) 728-8766

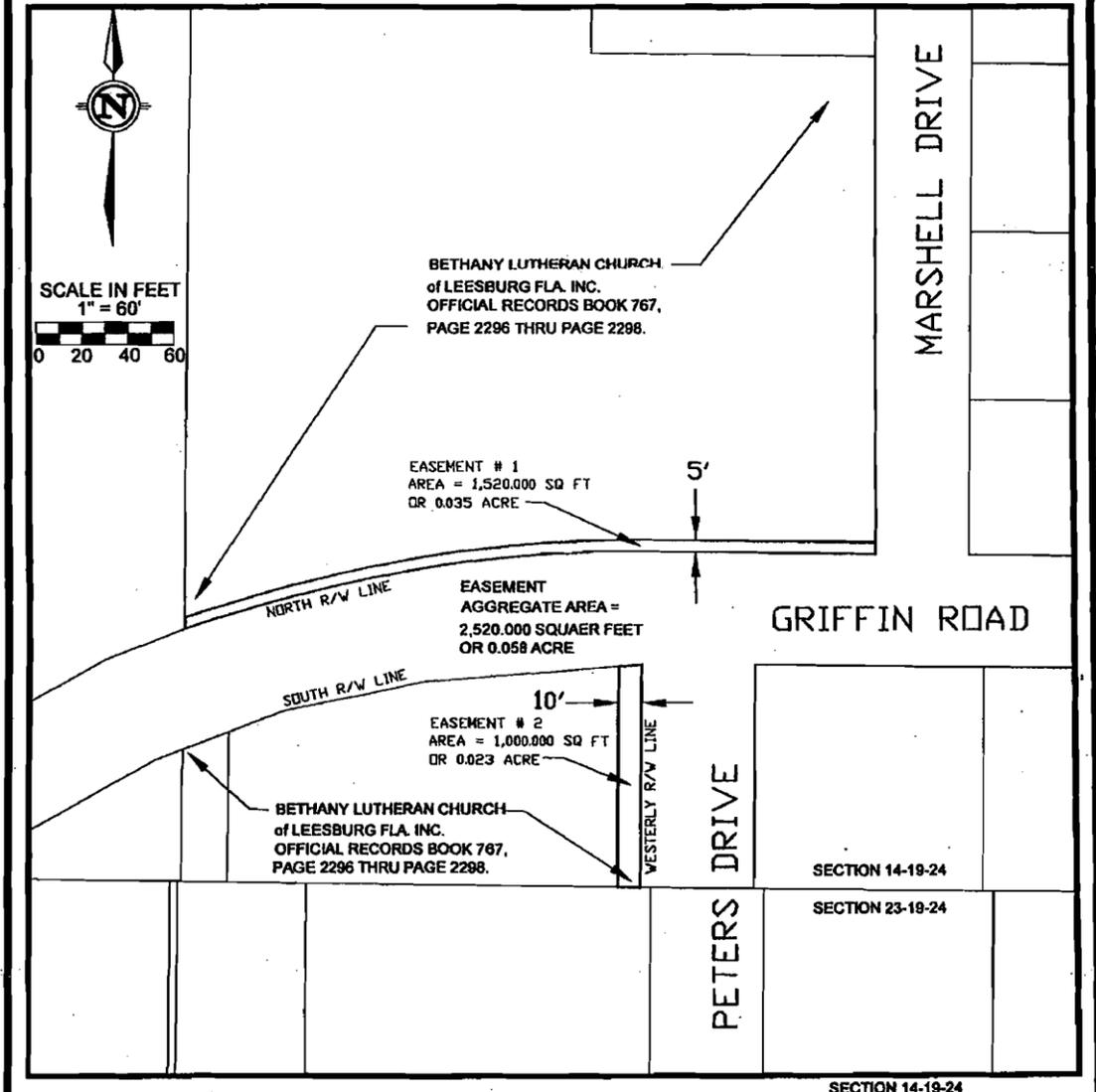
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**BETHANY LUTHERAN CHURCH**  
**of LEESBURG FLA. INC.**  
**to the CITY OF LEESBURG**

DATE: 11/20/2008  
DRAWN: DDF  
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SHEET  
NUMBER  
2  
OF  
3

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**UTILITY EASEMENT: BETHANY LUTHERAN CHURCH  
of LEESBURG FLA. INC.  
SKETCH OF DESCRIPTION:**



 <p><b>CITY OF LEESBURG</b> PUBLIC WORKS / ENGINEERING SURVEY DIVISION 650 S. 14th ST. - P.O. BOX 490630 LEESBURG, FLORIDA 34749-0630 PHONE (352) 728-9755 FAX (352) 728-9758</p>	<b>SKETCH OF DESCRIPTION</b>		DATE: 11/20/2008	SHEET NUMBER
	<b>BETHANY LUTHERAN CHURCH</b>		DRAWN: DDF	3
	<b>of LEESBURG FLA. INC.</b>		CHECKED: DDF	OF
	<b>to the CITY OF LEESBURG</b>		APPROVED: AP	3
			SCALE: 1" = 60'	FILE NO.: EA08008C