

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

Utility Easement

CFN 2009105371
Bk 03824 Pgs 0733 - 737; (5pgs)
DATE: 09/30/2009 08:52:00 AM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 44.00
DEED DOC 0.70

RESERVED FOR RECORDING

THIS EASEMENT given the 15th day of September, 2009, by OSTRANDER & OSTRANDER, A FLORIDA GENERAL PARTNERSHIP, whose address is P.O. Box 490690, Leesburg, FL 34749, 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 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.

{SIGNATURES APPEAR ON FOLLOWING PAGE}

WITNESSES (two required)

Denise K Stolz

Denise K. Stolz

John E. Hahne

John E. Hahne

(Type or print name of Witness)

Denise K Stolz

Denise K. Stolz

John E. Hahne

John E. Hahne

(Type or print name of witness)

GRANTOR: OSTRANDER & OSTRANDER, a Florida general partnership

BY: [Signature]

Ted R. Ostrander, Jr., General Partner

BY: [Signature]

Gail Ostrander, General Partner

STATE OF FLORIDA
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared Ted R. Ostrander, Jr., and Gail Ostrander, as General Partners of Ostrander & Ostrander, a Florida general partnership, who each acknowledged before me that they executed this instrument in that capacity on the 1st day of September, 2009, and who were either personally known to me, or who produced _____ as identification.

Lynn Kerr

NOTARY PUBLIC

LYNN KERR

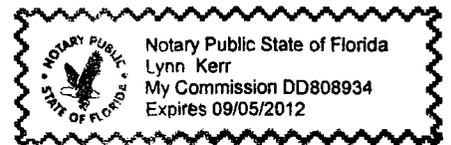
Type or print name of Notary

DD808934

Commission Number

09-05-2012

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 1909, Page 67, and Official Records Book 2045, Page 332, 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.

* COLONIAL BANK, successor by merger to First Federal Savings Bank of Lake County

BY: [Signature]

Tara Bromirski ~~RECEIVED~~ Officer of

Type or print name and position or title BB&T

* "Branch Banking and Trust Company, successor in interest to Colonial Bank by aquisition of assets from the FDIC as Receiver for Colonial Bank"

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared TARA BROMIRSKI, the OFFICER of ~~Colonial Bank~~, successor by merger to First Federal Savings Bank of Lake County, who acknowledged before me that (s)he executed this instrument on behalf of the bank on the 15TH day of SEPTEMBER, 2009, and who was either personally known to me, or who produced _____ as identification.

Theresa M. Skorch
NOTARY PUBLIC

THERESA M. SKORICH
Type or print name of Notary

DD 886259
Commission Number

MAY 4, 2013
Commission expiration date

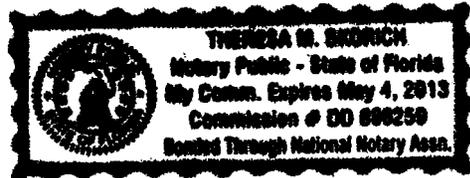


EXHIBIT "A"

PARENT PARCEL #1: OR. BOOK 947, PAGE 2403, To Wit:

THAT PART OF GOVERNMENT LOT 3 OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEEBSBURG, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN ON THE SOUTHERLY RIGHT-OF-WAY LINE OF CITIZENS BOULEVARD AT A POINT THAT IS 400.0 FEET FROM, WHEN MEASURED AT RIGHT ANGLES THERETO, THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF NORTH BOULEVARD; RUN THENCE SOUTH 37°14'30" EAST PARALLEL TO AND 400 FEET FROM SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF NORTH BOULEVARD 322.75 FEET TO THE SOUTH LINE OF SAID GOVERNMENT LOT 3; THENCE NORTH 89°54'30" WEST ALONG THE SOUTH LINE OF LOT 3 A DISTANCE OF 358.95 FEET; THENCE NORTH 0°24'30" EAST 224.85 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CITIZENS BOULEVARD; THENCE NORTHEASTERLY ALONG AND WITH SAID SOUTHERLY RIGHT-OF-WAY LINE OF CITIZENS BOULEVARD TO THE POINT OF BEGINNING.

DESCRIPTION : 10' UTILITY EASEMENT #1

A 10.00 FOOT WIDE PARCEL OF LAND LYING SOUTHERLY OF AND CONTIGUOUS WITH, WHEN MEASURED PERPENDICULAR TO OR RADIAL WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF CITIZENS BOULEVARD, ALL LYING WITHIN THE ABOVE DESCRIBED PARCEL OF LAND, BEING DESCRIBED IN OFFICIAL RECORD BOOK 947, PAGE 2403, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

THE ABOVE DESCRIBED EASEMENT #1 CONTAINS 1,707.830 SQUARE FEET OR 0.039 ACRE, MORE OR LESS.

PARENT PARCEL #2: OR. BOOK 1909, PAGE 065. To Wit:

FROM THE S.W. CORNER OF THE NW 1/4 OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN S. 89°54'30" E. ALONG SOUTH LINE OF SAID NW 1/4 FOR 500 FEET TO THE P.O.B., RUN THENCE N. 00°24'30" E. FOR 225 FEET TO SOUTH RIGHT OF WAY LINE OF CITIZENS BOULEVARD IN THE CITY OF LEEBSBURG, FLORIDA, THENCE EASTERLY ALONG SOUTHERLY RIGHT OF WAY OF SAID BOULEVARD TO A POINT THAT IS 400 FEET FROM THE SOUTHWESTERLY RIGHT OF WAY OF NORTH BOULEVARD (U.S. HIGHWAY #441) WHEN MEASURED AT RIGHT ANGLES THERETO, THENCE S. 37°14'30" E, PARALLEL TO SAID NORTH BOULEVARD TO THE SOUTH LINE OF GOVERNMENT LOT 3, (NW 1/4 OF SECTION 23), RUN THENCE N. 89°54'30" W. ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 3, FOR 320.85 FEET TO THE P.O.B. LESS AND EXCEPT:

THAT PART OF GOVERNMENT LOT 3 OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEEBSBURG, DESCRIBED AS FOLLOWS: BEGIN ON THE SOUTHERLY RIGHT OF WAY LINE OF CITIZENS BOULEVARD AT A POINT THAT IS 400.0 FEET FROM, WHEN MEASURED AT RIGHT ANGLES THERETO, THE SOUTHWESTERLY RIGHT OF WAY LINE OF NORTH BOULEVARD; THENCE SOUTH 37°14'30" EAST PARALLEL TO AND 400 FEET FROM SAID RIGHT OF WAY LINE OF NORTH BOULEVARD 322.75 FEET TO THE SOUTH LINE OF SAID GOVERNMENT LOT 3; THENCE NORTH 89°54'30" WEST ALONG THE SOUTH LINE OF LOT 3 A DISTANCE OF 358.95 FEET; THENCE NORTH 0°24'30" EAST 224.84 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF CITIZENS BOULEVARD; THENCE EASTERLY ALONG AND WITH SAID SOUTHERLY RIGHT OF WAY LINE OF CITIZENS BOULEVARD TO THE POINT OF BEGINNING.

DESCRIPTION : 10' UTILITY EASEMENT #2

A 10.00 FOOT WIDE PARCEL OF LAND LYING SOUTHERLY OF AND CONTIGUOUS WITH, WHEN MEASURED PERPENDICULAR TO OR RADIAL WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF CITIZENS BOULEVARD, ALL LYING WITHIN THE ABOVE DESCRIBED PARCEL OF LAND, BEING DESCRIBED IN OFFICIAL RECORD BOOK 1909, PAGE 065, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

THE ABOVE DESCRIBED EASEMENT #2 CONTAINS 1,827.240 SQUARE FEET OR 0.037 ACRE, MORE OR LESS.

AGGREGATE AREA=

THE ABOVE DESCRIBED TWO EASEMENT CONTAINS AN AGGREGATE AREA OF 3,334.890 SQUARE FEET OR 0.076 ACRE, MORE OR LESS.

GENERAL NOTES

- 1: This is **NOT A BOUNDARY SURVEY**.
- 2: This sketch is to show existing site information and improvements for the sole purpose of conceptual design.
- 3: This sketch was prepared for the City of Leesburg and its assign's as their interests may appear. Use of this sketch by any other parties is strictly forbidden.
- 4: Use of this sketch shown on sheet 2 for any other purpose than 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 is the liability of the user.
- 6: The Bearings, shown hereon, are relative to assumed datum and are Based on the Legal Descriptions as described in O R Book 947, page 2403, and OR. Book 1909, page 065, section 23, Township 19 South, Range 24 East, Lake County, Florida.
- 7: This sketch was prepared by the City of Leesburg, Public Works Department, Survey Division, under the direction of Glenn C. Davis, Electric Engineer, for the City of Leesburg.
- 8: This sketch contains 2 sheets in which NONE are valid without all remaining sheets.

SECTION: 23-19-24



CITY OF LEEBSBURG
PUBLIC WORKS DEPT.
ENGINEERING DIVISION
500 S. 14th ST., P.O. BOX 98090
LEEBSBURG, FLORIDA 34749
PHONE (352) 728-8750
FAX (352) 728-8758

SKETCH OF DESCRIPTION
10' UTILITY EASEMENTS
OSTRANDER and OSTRANDER
to the CITY OF LEEBSBURG

DATE: 08/07/2008
DRAWN: DDF
CHECKED: DDF
APPROVED: AP
SCALE: NTS
FILE NO.: EA08008S

SHEET NUMBER
1
OF
2

