

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



Utility Easement

CFN 2010026877  
Bk 03884 Pgs 0950 - 954; (5pgs)  
DATE: 03/19/2010 10:03:20 AM  
NEIL KELLY, CLERK OF COURT  
LAKE COUNTY  
RECORDING FEES 44.00  
DEED DOC 0.70  
INDEXING FEES 3.00

RESERVED FOR RECORDING

THIS EASEMENT given the 16<sup>th</sup> day of February, 200~~8~~<sup>10</sup>, by JEFFREY D. BAUMANN, M.D., GREGORY J. PANZO, M.D., RAY DAVID MAIZEL, M.D., STACIA H. GOLDEY, M.D., AND KEITH C. CHARLES, M.D. AS CO-TRUSTEES OF THE LEESBURG PROPERTIES LAND TRUST UNDER TRUST AGREEMENT HAVING AN EFFECTIVE DATE OF DECEMBER 1, 1996, whose address is 17560 U.S. Highway 441 West, Mount Dora, Florida 32757, 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 OF GRANTORS APPEAR ON FOLLOWING PAGE}

WITNESSES (two required) (as to all)

[Signature]  
DAVID WAZG  
(Type or print name of Witness)

[Signature]  
JAMES NOVELL  
(Type or print name of witness)

GRANTORS:

[Signature]  
JEFFRYE D. BAUMANN, M.D., Trustee

[Signature]  
GREGORY J. PANZO, M.D., Trustee

[Signature]  
RAY DAVID MAIZEL, M.D., Trustee

[Signature]  
STACIA H. GOLDEY, M.D., Trustee

[Signature]  
KEITH C. CHARLES, M.D., Trustee

STATE OF FLORIDA  
COUNTY OF Polk



BEFORE ME, the undersigned Notary Public, personally appeared JEFFRYE D. BAUMANN, M.D., GREGORY J. PANZO, M.D., RAY DAVID MAIZEL, M.D., STACIA H. GOLDEY, M.D., and KEITH C. CHARLES, M.D., as Co - Trustees of the Leesburg Properties Land Trust, who acknowledged before me that they executed this instrument on the 10 day of February, 2009, and who were either  personally known to me, or who  produced \_\_\_\_\_ as identification.

[Signature]  
NOTARY PUBLIC  
Diana Macy Novak  
Type or print name of Notary

DD788076  
Commission Number  
June 29, 2012  
Commission expiration date

{JOINDER & CONSENT OF MORTGAGEE APPEARS ON FOLLOWING PAGE}

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 3120, Page 1193, Public Records of Lake County, Florida, as corrected and restated at Official Records Book 3279, Page 2405, Public Records of Lake County, Florida, does hereby 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.

SUNTRUST BANK

BY: Annue M. Bull  
VICE PRESIDENT  
Type or print name and position or title

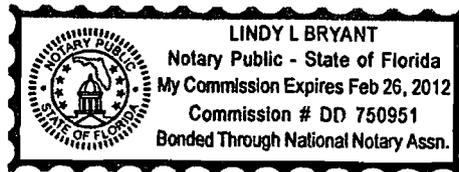
STATE OF Florida  
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared Jeannie M. Grill, the \_\_\_\_\_, the \_\_\_\_\_ of SUNTRUST BANK, who acknowledged before me that (s)he ~~exec~~ executed this instrument on the 16th day of Feb, ~~2009~~ 2012, and who was either  personally known to me, or who  produced \_\_\_\_\_ as identification.

Lindy L. Bryant  
NOTARY PUBLIC

Lindy L. Bryant  
Type or print name of Notary

DD 750951  
Commission Number  
2/26/2012  
Commission expiration date



**EXHIBIT "A"**

**PARENT PARCEL:**

PARCEL ID # 23-19-24-000300013400. ALTERNATE KEY # 3457129.  
AS DESCRIBED IN OFFICIAL RECORDS BOOK 1486, PAGE 1812.

FROM THE NORTHWEST CORNER OF S.W. 1/4 OF S.W. 1/4 OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, RUN S. 00°25'10" W. ALONG THE WEST LINE OF SAID S.W. 1/4 OF THE S.W. 1/4 A DISTANCE OF 249.85 FEET; THENCE S. 89°52'35" E. PARALLEL TO THE NORTH LINE OF SAID S.W. 1/4 OF THE S.W. A DISTANCE OF 40.85 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF NORTH 14th STREET IN THE CITY OF LEEBSBURG, FLORIDA, SAID POINT ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 27 AND THE POINT OF BEGINNING, OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN N. 00°25'10" E. ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 142.88 FEET; THENCE S. 89°20'31" E., 169.74 FEET; THENCE RUN S. 00°25'10" W., 328.58 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE EXISTING RAILROAD; THENCE N. 68°45'23" W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 181.78 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 27; THENCE N. 00°25'10" E. ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING.

**DESCRIPTION : 10' UTILITY EASEMENT**

A 10.00 FEET, PERPENDICULAR MEASURE, PARCEL OF LAND LYING EASTERLY OF AND CONTIGUOUS WITH THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 27, ALL LYING WITHIN THE ABOVE DESCRIBED PARCEL, AS DESCRIBED IN OFFICIAL RECORDS BOOK 1486, PAGE 1812.

**ALSO DESCRIBED AS:**

FROM THE NORTHWEST CORNER OF S.W. 1/4 OF S.W. 1/4 OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, RUN S. 00°25'10" W. ALONG THE WEST LINE OF SAID S.W. 1/4 OF THE S.W. 1/4 A DISTANCE OF 249.85 FEET; THENCE S. 89°52'35" E. PARALLEL TO THE NORTH LINE OF SAID S.W. 1/4 OF THE S.W. A DISTANCE OF 40.85 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF NORTH 14th STREET IN THE CITY OF LEEBSBURG, FLORIDA, SAID POINT ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 27 AND THE POINT OF BEGINNING (P.O.B.), OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN N. 00°25'10" E. ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 142.88 FEET; THENCE S. 89°20'31" E., 10.00 FEET; THENCE RUN S. 00°25'10" W., 286.89 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE EXISTING RAILROAD; THENCE N. 68°45'23" W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 10.70 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 27; THENCE N. 00°25'10" E. ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING.

AND CONTAINS AN AREA OF 2,647.850 SQUARE FEET OR 0.061 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 1486 , page 1812, in 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 Steven C. Davis, Electric Service Planner, for the City of Leesburg.
- 8: This sketch contains 2 sheets in which NONE are valid without all remaining sheets.

SECTION: 23-19-24



**LEEBSBURG**  
*The Lakefront City*

**CITY OF LEEBSBURG**  
PUBLIC WORKS DEPT.  
ENGINEERING DIVISION  
600 S. 14th ST. - P.O. BOX 490890  
LEEBSBURG, FLORIDA 34749  
PHONE (352) 728-9799  
FAX (352) 728-9879

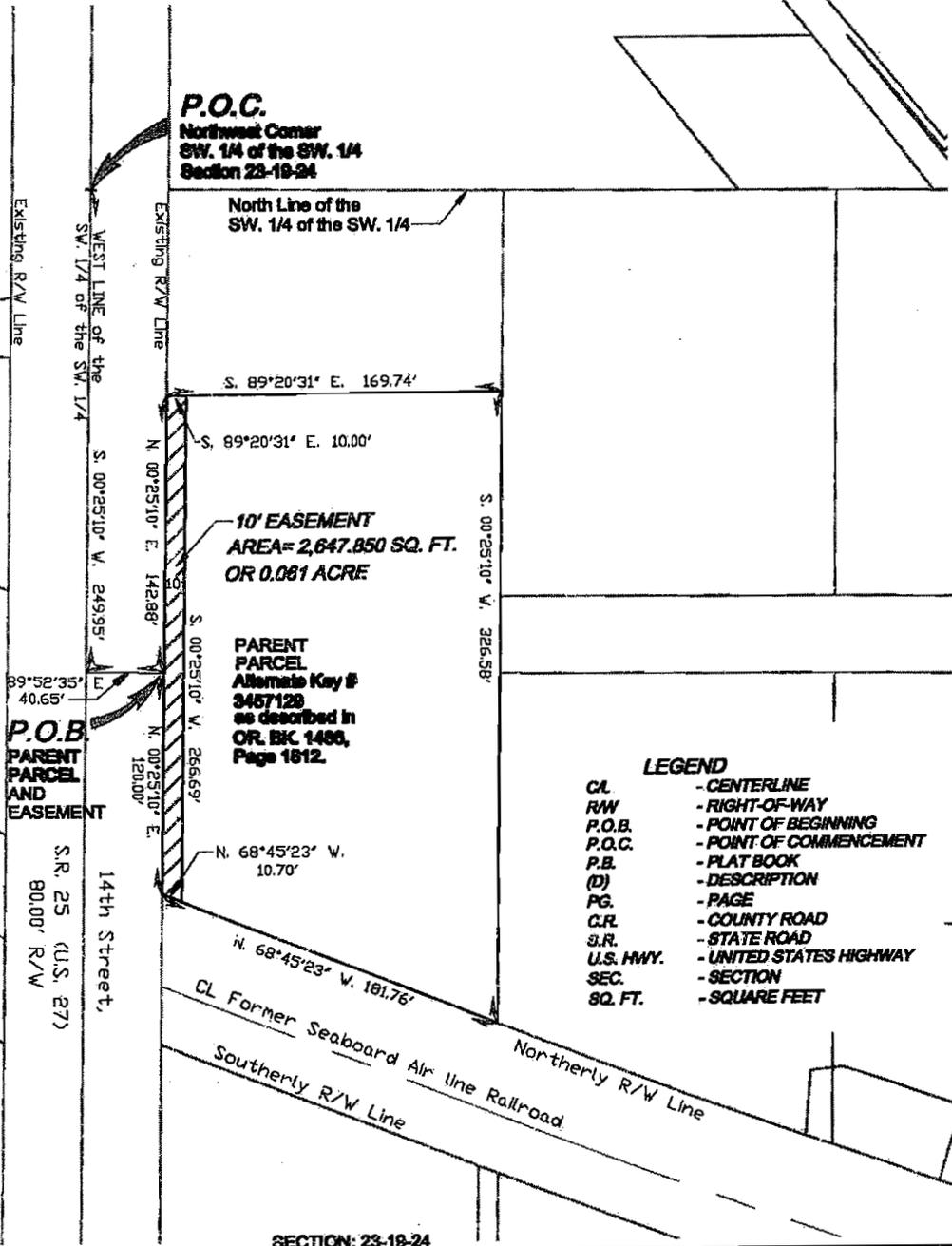
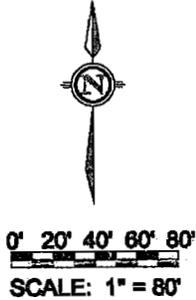
**SKETCH OF DESCRIPTION**  
**10' UTILITY EASEMENT**

Jeffrey Baumann, M.D., Gregory Panzo, M.D.,  
and Ray Matzel, M.D., as TRUSTEES of the  
**LEEBSBURG PROPERTIES LAND TRUST**  
to the **CITY OF LEEBSBURG**

DATE: 12/02/2008  
DRAWN: DDF  
CHECKED: DDF  
APPROVED: AP  
SCALE: NTS  
FILE NO.: EA08020

SHEET  
NUMBER  
1  
OF  
2

EXHIBIT "A"



LEGEND

- CL - CENTERLINE
- R/W - RIGHT-OF-WAY
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- P.B. - PLAT BOOK
- (D) - DESCRIPTION
- PG. - PAGE
- C.R. - COUNTY ROAD
- S.R. - STATE ROAD
- U.S. HWY. - UNITED STATES HIGHWAY
- SEC. - SECTION
- SQ. FT. - SQUARE FEET

SECTION: 23-18-24



**CITY OF LEESBURG**  
**PUBLIC WORKS DEPT.**  
**ENGINEERING DIVISION**  
 550 S. 14th ST. - P.O. BOX 480630  
 LEESBURG, FLORIDA 34749  
 PHONE (352) 728-8755  
 FAX (352) 728-8879

**SKETCH OF DESCRIPTION**

**10' UTILITY EASEMENT**

Jeffrey Baumann, M.D., Gregory Panzo, M.D.,  
 and Ray Meisel, M.D., as TRUSTEES of the  
**LEESEBURG PROPERTIES LAND TRUST**  
 to the CITY OF LEESBURG

DATE: 12/02/2008  
 DRAWN: DDF  
 CHECKED: DDF  
 APPROVED: AP  
 SCALE: 1" = 80'  
 FILE NO.: EA09020

SHEET  
 NUMBER  
 2  
 OF  
 2