

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



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DATE: 07/01/2010 08:35:24 AM  
NEIL KELLY, CLERK OF COURT  
LAKE COUNTY  
RECORDING FEES 35.50  
DEED DOC 0.70

**Utility Easement**

RESERVED FOR RECORDING

THIS EASEMENT given the 24<sup>th</sup> day of June, 2010, 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 CONSISTING OF TWO PAGES**

for the purpose of stormwater drainage, and for 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)

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

Latonna Green  
Latonna Green  
(Type or print name of Witness)

BY: [Signature]  
ROBERT SCHULTZ, President

Karen M. Hickson  
Karen M. Hickson  
(Type or print name of witness)

STATE OF FLORIDA  
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared Robert Schultz, as President of Bethany Lutheran Church of Leesburg, Florida, Inc., who acknowledged before me that he executed this instrument on the 24 day of June, 2010, and who was either  personally known to me, or who  produced Florida driver license as identification.

Kara Michelle West  
NOTARY PUBLIC

Kara Michelle West  
Type or print name of Notary

[Notary Seal]  
Commission Number: KARA MICHELLE WEST  
MY COMMISSION # DD 995079  
EXPIRES: June 6, 2014  
Bonded Thru Notary Public Underwriters  
Commission expiration date