

INSTRUMENT #2012012626  
OR BK 4122 PG 1271 - 1275 (5 PGS)  
DATE: 2/6/2012 3:31:11 PM  
NEIL KELLY, CLERK OF THE CIRCUIT COURT  
LAKE COUNTY  
RECORDING FEES \$44.00 DEED DOC \$0.70

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 1<sup>ST</sup> day of FEB, 2012, by GYPSY LEASING, LLC, whose address is 31850 Executive Boulevard, 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 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 PAGES}

WITNESSES (two required)

GRANTOR: GYPSY LEASING, LLC

*KEITH E. ROPLE*  
KEITH E. ROPLE  
(Type or print name of Witness)

BY: *Walter G. Millard*  
WALTER G. MILLARD,  
Managing Member

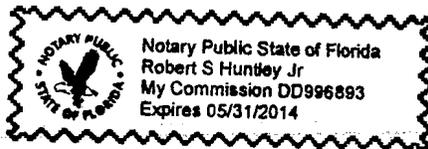
*Becca Laws*  
Becca Laws  
(Type or print name of witness)

STATE OF FLORIDA  
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared Walter G. Millard, as Managing Member of Gypsy Leasing, LLC, who acknowledged before me that he executed this instrument on the 1 day of FEBRUARY, 2012, and who was either  personally known to me, or who  produced \_\_\_\_\_ as identification.

*Robert S. Huntley Jr*  
NOTARY PUBLIC  
ROBERT S HUNTLEY JR  
Type or print name of Notary

DD 996893  
Commission Number  
02/31/2014  
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 3898, Page 2322, 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.

WELLS FARGO BANK, NATIONAL ASSOCIATION

BY: Joshia Walters  
Construction Loan Manager  
Type or print name and position or title

STATE OF North Carolina  
COUNTY OF Haston

BEFORE ME, the undersigned Notary Public, personally appeared Toshia Walters, the Construction Loan Manager of Wells Fargo Bank, National Association, who acknowledged before me that (s)he executed this instrument on the 15<sup>th</sup> day of February, 2012, and who was either  personally known to me, or who  produced NC drivers license as identification.

Cynthia P. Moore  
NOTARY PUBLIC

Cynthia P. Moore  
Type or print name of Notary

200517500142  
Commission Number

June 23, 2015  
Commission expiration date