

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

CFN 2006130170
Bk 03245 Pgs 1649 - 1653; (5pgs)
DATE: 08/28/2006 09:36:00 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 44.00
DEED DOC 0.70

Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 25th day of AUGUST, 2006, by FISCHER BROTHERS ENTERPRISES, LLC, whose address is 32641 Radio Road, Suite 102, Leesburg, FL 34788; JEREMY D. COON, UNMARRIED, whose address is 35149 Haines Creek Road, Leesburg, FL 34788; JOHN MALIK & NANCY MALIK, HUSBAND AND WIFE, whose address is 1745 U.S. Highway 441, Leesburg, Florida 34748; DOUG L. RESSLER & MICHELLE T. RESSLER, HUSBAND AND WIFE, whose address is 11229 Fountain Lake Boulevard, Leesburg, FL 34788; JANICE M. MALIK, AS TRUSTEE OF THE JANICE M. MALIK REVOCABLE TRUST DATED FEBRUARY 21, 2006, whose address is 10502 Log House Road, Clermont, Florida 34711; and DANIEL L. TATRO & ANGELA S. TATRO, HUSBAND AND WIFE, whose address is 33747 Tarlton Drive, Leesburg, Florida 34788, hereafter collectively 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:

A five foot wide, by perpendicular measurement, easement lying within and along the front and side lot lines of Lots 1 through 14, inclusive, and terminating at the Conservation Easement shown on the Plat of Estates at Sunnyside, according to the plat thereof recorded in Plat Book 57, Pages 33 through 35, inclusive, Public Records of Lake County, Florida.

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 activities of Grantee which caused 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: Fischer Brothers Enterprises, LLC, a Florida limited liability company,

Michelle T. Ressler
Tim Cantrell
(Type or print name of Witness)

BY: [Signature]
NEIL J. FISCHER, Managing Member

Michelle T. Ressler
Tim Cantrell
(Type or print name of witness)

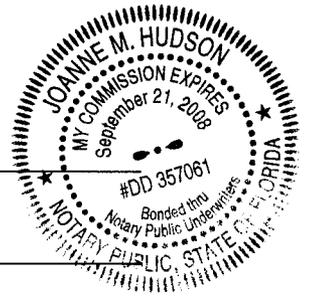
BY: [Signature]
ROBERT A. FISCHER, Managing Member

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared NEIL J. FISCHER and ROBERT A. FISCHER, who acknowledged before me that they executed this instrument as Managing Members of Fischer Brothers Enterprises, LLC, a Florida limited liability company, on the 22nd day of AUGUST, 2006, and who were either personally known to me, or who produced _____ as identification.

Joanne M. Hudson
NOTARY PUBLIC
JOANNE M. HUDSON
Type or print name of Notary

#DD357061
Commission Number
9/21/08
Commission expiration date



WITNESSES (two required):

GRANTOR:

Michelle T. Ressler
Tim Cantrell
(Type or print name of witness)

[Signature]
JEREMY D. COON

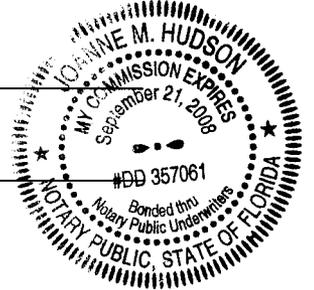
(Type or print name of witness)

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared JEREMY D. COON, unmarried, who acknowledged before me on the 25th day of August, 2006, that he executed the foregoing instrument, and who was either {CHECK ONE} personally known to me, or who produced _____ as identification.

Joanne M. Hudson
NOTARY PUBLIC SIGNATURE
JOANNE M. HUDSON
Type or print name of Notary

DD 357061
Commission Number
9/21/08
Commission Expiration Date



WITNESSES (two required):

GRANTOR:

Michelle Ressler
Tim Cantrell
(Type or print name of witness)

[Signature]
JOHN MALIK

Michelle Ressler
Tim Cantrell
(Type or print name of witness)

Nancy Malick
NANCY MALIK

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared John Malik and Nancy Malik, husband and wife, who acknowledged before me on the 25th day of August, 2006, that he executed the foregoing instrument, and who was either {CHECK ONE} personally known to me, or who produced _____ as identification.

Joanne M. Hudson
NOTARY PUBLIC SIGNATURE
JOANNE M. HUDSON
Type or print name of Notary

DD 357061
Commission Number
9/21/08
Commission Expiration Date



WITNESSES (two required):

Carole Woodard
Tim Cantrell
(Type or print name of witness)

ROBERT A. FISCHER
Tim Cantrell
(Type or print name of witness)

GRANTOR:

Doug L. Ressler
DOUG L. RESSLER

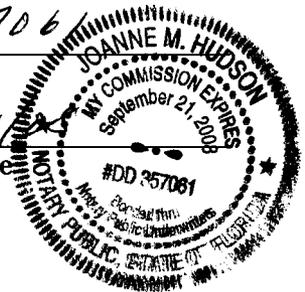
Michelle T. Ressler
MICHELLE T. RESSLER

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared Doug L. Ressler and Michelle T. Ressler, husband and wife, who acknowledged before me on the 22nd day of August, 2006, that he executed the foregoing instrument, and who was either {CHECK ONE} personally known to me, or who produced _____ as identification.

Joanne M. Hudson
NOTARY PUBLIC SIGNATURE
JOANNE M. HUDSON
Type or print name of Notary

#DD 35706
Commission Number
9/21/08
Commission Expiration Date



WITNESSES (two required):

Michelle Ressler
Tim Cantrell
(Type or print name of witness)

(Type or print name of witness)

GRANTOR:

Janice M. Malik Trustee
JANICE M. MALIK, AS TRUSTEE OF THE
JANICE M. MALIK REVOCABLE TRUST DATED
FEBRUARY 21, 2006

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared JANICE M. MALIK REVOCABLE TRUST DATED FEBRUARY 21, 2006, who acknowledged before me on the 25th day of August, 2006, that he executed the foregoing instrument, and who was either {CHECK ONE} personally known to me, or who produced _____ as identification.

Joanne M. Hudson
NOTARY PUBLIC SIGNATURE
JOANNE M. HUDSON
Type or print name of Notary

DD 357061
Commission Number
9/21/08
Commission Expiration Date

WITNESSES (two required):

GRANTOR:

Michelle T. Ressler
Tim Cantrell
(Type or print name of witness)

[Signature]
DANIEL L. TATRO

Michelle T. Ressler
Tim Cantrell
(Type or print name of witness)

[Signature]
ANGELA S. TATRO

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared Daniel L. Tatro and Angela S. Tatro, husband and wife, who acknowledged before me on the 25th day of August, 2006, that he executed the foregoing instrument, and who was either {CHECK ONE} personally known to me, or who produced _____ as identification.

Joanne M. Hudson
NOTARY PUBLIC SIGNATURE
JOANNE M. HUDSON
Type or print name of Notary

DD 357061
Commission Number
9/21/08
Commission Expiration Date

