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NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 35.50
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 6 day of January, ²⁰¹¹ 2010, by KEDA PROPERTIES LLC, whose address is 1303 West Main Street, Leesburg, Florida 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:

An easement five feet in width, measured perpendicular to the right of way of Main Street, over and across the Northerly five feet of the following described property: Lot 5 and the West 15 feet of Lot 4, Block 20, City of Leesburg, according to the map or plat thereof recorded in according to the plat thereof recorded in Plat Book 2, Page 19, Public Records of Lake County, Florida. (Drawing is attached)

for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground 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.

WITNESSES (two required)

GRANTOR: KEDA PROPERTIES LLC

Cathy G. Joto
Cathy G. Joto
(Type or print name of Witness)

BY: [Signature]
WILLIAM SMALLEY, Manager

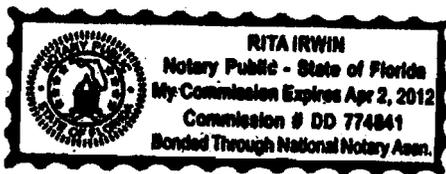
Cathy Johnson
Cathy Johnson
(Type or print name of witness)

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared William Smalley, as Manager of Keda Properties, LLC, who acknowledged before me that he executed this instrument on the 6 day of January, 2011, ~~2010~~, and who was either personally known to me, or who produced FLORIDA DRIVERS LIC. as identification.

[Signature]
NOTARY PUBLIC
RITA IRWIN
Type or print name of Notary

DD 774841
Commission Number
April 2 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 3900, Page 311, 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.

Dianne Jones Guthrie
DIANNE JONES GUTHRIE, as Successor
Trustee of the Jones Family Revocable
Living Trust under an Agreement dated
June 17, 1987

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared Dianne Jones Guthrie, as Successor Trustee of the Jones Family Revocable Living Trust under an Agreement date June 17, 1987, who acknowledged before me that she executed this instrument on the 6 day of January ²⁰¹¹, 2010, and who was either personally known to me, or who produced FLORIDA Drivers Lic. as identification.

R
NOTARY PUBLIC

RITA IRWIN
Type or print name of Notary

DD774841
Commission Number

April 2 2012
Commission expiration date

