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NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 61.00
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 29th day of September, 2010, by LEESBURG CHURCH OF GOD IN CHRIST, INC., whose address is P.O. Box 490093, Leesburg, FL 34749-0093, 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, stormwater, 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: LEESBURG CHURCH OF GOD
IN CHRIST, INC.

Dan Miller
DAN MILLER
(Type or print name of Witness)

BY: Lonnie Smith
LONNIE SMITH, President

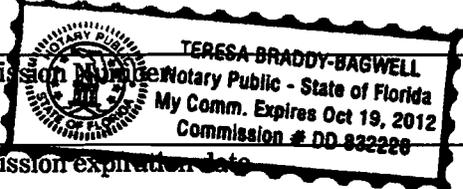
Donald B Eckman
DONALD B ECKMAN
(Type or print name of witness)

STATE OF FLORIDA
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared Lonnie Smith, as President of Leesburg Church of God in Christ, Inc., who acknowledged before me that he executed this instrument on the 29 day of September, 2010, and who was either personally known to me, or who produced FL DL as identification.

Teresa Braddy Bagwell
NOTARY PUBLIC

Type or print name of Notary

Commission Number _____

My Comm. Expires Oct 19, 2012
Commission # 00 82228
Commission expiration date _____

JOINDER & CONSENT OF MORTGAGEE

The undersigned, as holder of those certain mortgages on the above described property, originally in favor of First Federal Savings Bank of Lake County, as recorded in Official Records Book 1517, Page 1129, Public Records of Lake County, Florida, and in Official Records Book 2353, Page 599, 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.

BB&T Bank, successor by merger to First Federal Savings Bank of Lake County

BY: Meg Roth
MEG ROTH, Vice President
Type or print name and position or title

STATE OF FLORIDA
COUNTY OF ORANGE

BEFORE ME, the undersigned Notary Public, personally appeared MEG ROTH
the REPRESENTATIVE
of BB&T Bank, successor by merger to First Federal Savings Bank of Lake County, who acknowledged before me that (s)he executed this instrument on the 17th day of SEPTEMBER, 2010, and who was either personally known to me, or who produced _____ as identification.

Michelle S MacLin
NOTARY PUBLIC

DD 990796
Commission Number

MICHELLE S MACLIN
Type or print name of Notary

MAY 11, 2014
Commission expiration date



