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THIS INSTRUMENT PREPARED BY & RETURN TO:

Fred A. Morrison
McLin & Burnsed, P.A.
Post Office Box 491357
Leesburg, Florida 34749-1357

CFN 2009108152
Bk 03827 Pgs 0072 - 75 (4pgs)
DATE: 10/07/2009 11:17:52 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 30th day of September, 2009, by FLORIDA OUTDOOR SALES & SERVICES, INC., SUCCESSOR TO HAYES TRUCKING, INC., ITSELF SUCCESSOR TO HAYES INDUSTRIAL CORP. BY MERGER, whose address is 17882 SE 131 Avenue, Weirsdale, FL 32195, 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 PAGE}

WITNESSES (two required)

GRANTOR: FLORIDA OUTDOOR SALES & SERVICES, INC.

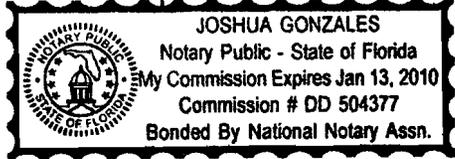
Rebecca Clark
(Type or print name of Witness)

BY: Steven D. Hayes
STEVEN D. HAYES, President

David Drozdowski
(Type or print name of witness)

STATE OF FLORIDA
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared Steven D. Hayes, as President of Florida Outdoor Sales & Services, Inc., who acknowledged before me that he executed this instrument on behalf of the corporation on the 30th day of September, 2009, and who were either personally known to me, or who produced personally known as identification.



Joshua Gonzales
NOTARY PUBLIC
JOSHUA GONZALES

Commission Number

Type or print name of Notary

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 3549, Page 483, 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.

CITIZENS FIRST BANK

BY: *Brad Weber*
BRAD WEBER, SR VP - SENIOR LENDER
Type or print name and position or title

STATE OF Florida
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared BRAD WEBER, the SR. VICE PRESIDENT - SENIOR LENDER of Citizens First Bank, who acknowledged before me that (s)he executed this instrument on the 30 day of September, 2009, and who was either personally known to me, or who produced _____ as identification.

Linda G. Goodman
NOTARY PUBLIC
LINDA G. GOODMAN
Type or print name of Notary

Commission Number

Commission expiration date



