

Project: N.W. 44 Avenue, Phase 1
Property Appraiser's Parcel ID No. 21676-000-00

DAVID R. ELLSPERMANN, CLERK OF COURT MARION COUNTY

DATE: 11/13/2009 03:14:20 PM

FILE #: 2009098251 OR BK 05278 PGS 1376-1382



Prepared by/Return to:
Estelle Lens
City of Ocala Engineering Department/Real Estate
405 S.E. Osceola Avenue
Ocala, Florida 34471

RECORDING FEES 61.00

DEED DOC TAX 0.70

UK

GRANT OF GUY ANCHOR EASEMENT

THIS INDENTURE, made this 13th day of NOVEMBER, 2009, by **BAYI, L.L.C., a Florida limited liability company**, whose address is 1720 S.E. 16th Avenue, Building 200, Ocala, Florida 34471, hereinafter called the Grantor*, and the **City of Ocala**, a Florida municipal corporation, whose mailing address is: 405 S.E. Osceola Avenue, Ocala Florida 34471, hereinafter called the Grantee*.

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold to the Grantee, its successors or assigns forever a perpetual, non-exclusive easement for the construction, operation and maintenance of electrical downguys and anchors and attachments thereto (all of which items to be located in the easement areas being referred to as the "facilities") situate, lying and being in Marion County, Florida:

SEE ATTACHED EXHIBIT "A" BY THIS REFERENCE MADE A PART HEREOF

The easement rights specifically include: (a) the right of perpetual ingress and egress to patrol, inspect, alter, improve, construct, repair, maintain, rebuild, relocate, remove and provide access and service to the facilities described above; (b) the right to decrease or increase, or to change the quantity and type of, such facilities; (c) the right to clear the easement area of trees, limbs, undergrowth, and other physical objects (regardless of the location of such trees, limbs, undergrowth and other objects) which, in the opinion of Grantee, endanger or interfere with the safe and efficient installation, operation, or maintenance of such facilities; (d) the right to permit any other person or entity to attach lines or wires to such facilities and lay cable within the easement area; and (d) all other rights and privileges reasonably necessary or convenient for the safe and efficient installation, operation and maintenance of such facilities and for the enjoyment and use of such easement for the purposes described above. No buildings, structures, or obstacles (except fences) within the easement area shall be located, constructed, excavated or created within the easement area. Any proposed fence installation with appropriate gates must be approved by the City of Ocala Engineering Department and must allow ready access to Grantee's facilities.

Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whosoever.

* Wherever the context so admits or requires, the terms "Grantor" and "Grantee" are used for singular and plural, and respectively refer to the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

BAYI, L.L.C., a Florida limited liability company

By: [Signature]
Roy T. Boyd, III as Manager

Signed, sealed and delivered in the presence of:

[Signature]
Witness
LARRY E. YOUNG
Printed Name

[Signature]
Witness
Sharon L. Oliver
Printed Name

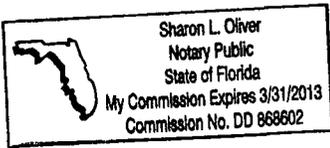
STATE OF FLORIDA
COUNTY OF MARION

THE FOREGOING INSTRUMENT was acknowledged before me this 11 day of November, 2009, by Roy T. Boyd, III as Manager of BAYI, L.L.C., a Florida limited liability company, on behalf of the company.

WITNESS my hand and official seal in the County and State last aforesaid, this 11 day of November, 2009.

[Signature]
Notary Public, State of Florida

Sharon L. Oliver
(Print/Type Name)
Commission No: DD868602
My commission expires: 3-31-2013



Notary: Check one of the following:

Personally known OR Produced _____ as Identification

EXHIBIT "A"

**LEGAL DESCRIPTION
(GUYING EASEMENT "C")**

A 5.00 FOOT WIDE STRIP OF LAND LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 10, THENCE RUN N89°38'53"W ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 A DISTANCE OF 168.32 FEET TO A POINT ON EASTERLY RIGHT-OF-WAY LINE OF THE PROPOSED NORTHWEST 44TH AVENUE (100 FEET WIDE); SAID POINT ALSO BEING ON A CURVE CONCAVE NORTHWESTERLY, TO WHICH A RADIAL LINE BEARS S55°52'50"E, AND HAVING A RADIUS OF 1005.00 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC THEREOF, THROUGH A CENTRAL ANGLE OF 04°51'10" FOR 85.12 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTHEASTERLY ALONG SAID CURVE AND EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°17'06" FOR 5.00 FEET; THENCE DEPARTING SAID LINE RUN S51°31'16"E 20.00 FEET; THENCE N39°06'08"E 5.00 FEET THENCE RUN N51°31'16"W A DISTANCE OF 20.00 FEET TO THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE AND THE POINT OF BEGINNING.

**LEGAL DESCRIPTION
(GUYING EASEMENT "D")**

A 5.00 FOOT WIDE STRIP OF LAND LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 10, THENCE RUN N89°38'53"W ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 A DISTANCE OF 168.32 FEET TO A POINT ON EASTERLY RIGHT-OF-WAY LINE OF THE PROPOSED NORTHWEST 44TH AVENUE (100 FEET WIDE); SAID POINT ALSO BEING ON A CURVE CONCAVE NORTHWESTERLY, TO WHICH A RADIAL LINE BEARS S55°52'50"E, AND HAVING A RADIUS OF 1005.00 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC THEREOF, THROUGH A CENTRAL ANGLE OF 18°49'42" FOR 330.26 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTHEASTERLY ALONG SAID CURVE AND EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°17'06" FOR 5.00 FEET; THENCE DEPARTING SAID LINE RUN S36°16'51"E 20.00 FEET; THENCE N53°06'09"E 5.00 FEET THENCE RUN N36°16'51"W A DISTANCE OF 20.00 FEET TO THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE AND THE POINT OF BEGINNING.

"C" AND "D" TOTAL 200.00 SQ. FEET

EXHIBIT "A" continued

**LEGAL DESCRIPTION
(GUYING EASEMENT "E")**

A 5.00 FOOT WIDE STRIP OF LAND LYING WITHIN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, THENCE RUN N89°42'08"W ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 50.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE PROPOSED NORTHWEST 44TH AVENUE (100.00 FEET WIDE); THENCE DEPARTING SAID SOUTH LINE AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES; N00°30'22"E 19.61 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1005.00; THENCE RUN NORTHEASTERLY ALONG THE ARC THEREOF, THOUGH A CENTRAL ANGLE OF 35°41'17" FOR 625.99 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°17'07" FOR 5.00 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE RUN N52°10'16"W 20.00 FEET; THENCE S36°20'15"W 5.00 FEET; THENCE RUN S52°10'16"E A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

**LEGAL DESCRIPTION
(GUYING EASEMENT "F")**

A 5.00 FOOT WIDE STRIP OF LAND LYING WITHIN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, THENCE RUN N89°42'08"W ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 50.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE PROPOSED NORTHWEST 44TH AVENUE (100.00 FEET WIDE); THENCE DEPARTING SAID SOUTH LINE AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES; N00°30'22"E 19.61 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1005.00; THENCE RUN NORTHEASTERLY ALONG THE ARC THEREOF, THOUGH A CENTRAL ANGLE OF 23°06'07" FOR 405.22 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°17'07" FOR 5.00 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE RUN N64°19'59"W 20.00 FEET; THENCE S23°45'07"W 5.00 FEET; THENCE RUN S64°19'59"E A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT "A" continued

**LEGAL DESCRIPTION
(GUYING EASEMENT "G")**

A 5.00 FOOT WIDE STRIP OF LAND LYING WITHIN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, THENCE RUN N89°42'08"W ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 50.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE PROPOSED NORTHWEST 44TH AVENUE (100.00 FEET WIDE); THENCE DEPARTING SAID SOUTH LINE AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES; N00°30'22"E 19.61 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1005.00; THENCE RUN NORTHEASTERLY ALONG THE ARC THEREOF, THROUGH A CENTRAL ANGLE OF 10°31'02" FOR 184.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°17'07" FOR 5.00 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE RUN N76°30'41"W 20.00 FEET; THENCE S11°09'58"W 5.00 FEET; THENCE RUN S76°30'41"E A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

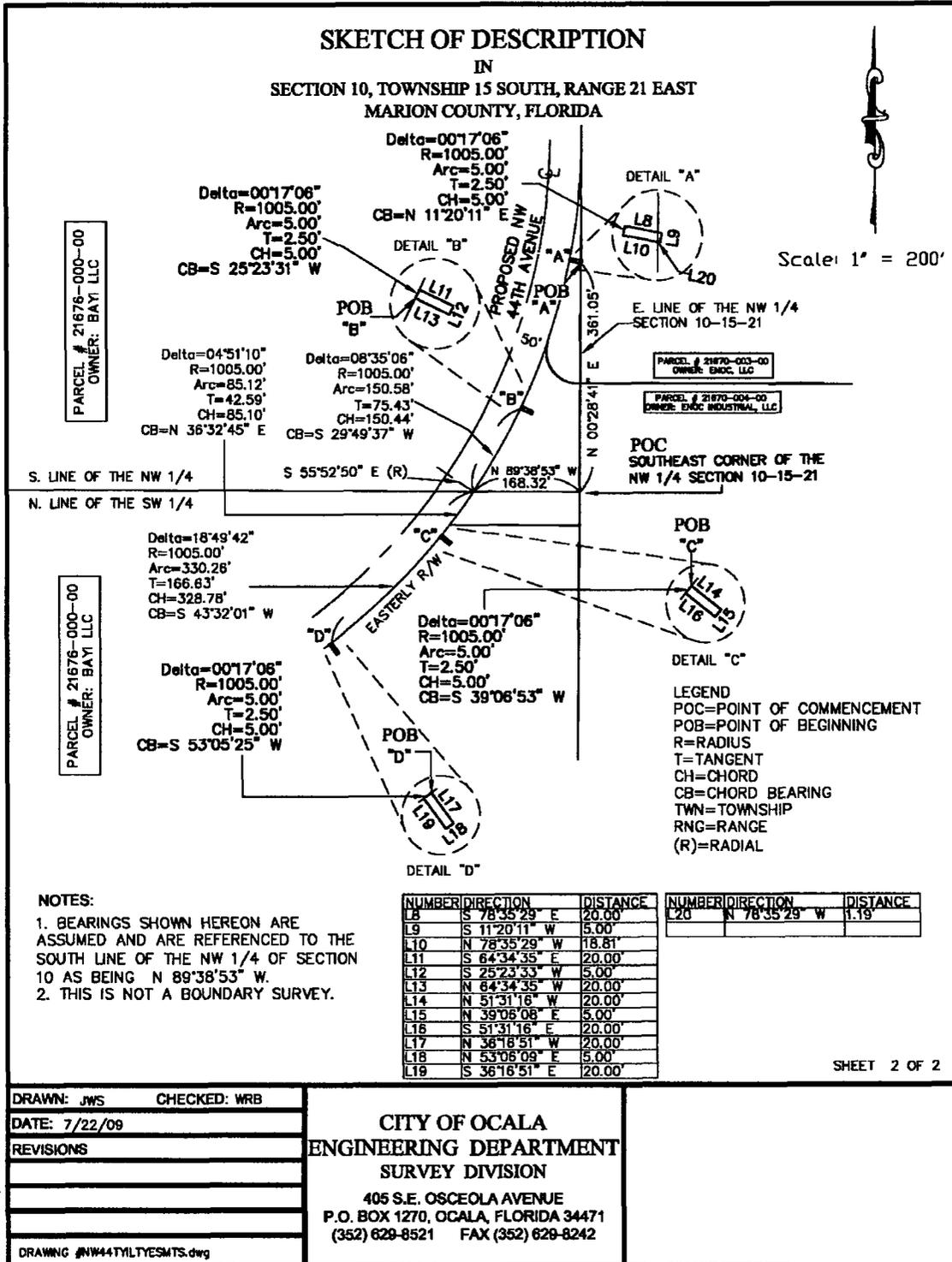
**LEGAL DESCRIPTION
(GUYING EASEMENT "H")**

A 2.50 FOOT WIDE STRIP OF LAND LYING WITHIN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, THENCE RUN N89°42'08"W ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 50.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE PROPOSED NORTHWEST 44TH AVENUE (100.00 FEET WIDE) AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE SAID SOUTH LINE N89°42'08"W 20.00 FEET; THENCE DEPARTING SAID SOUTH LINE RUN N00°29'52"E 2.50 FEET; THENCE S89°42'08"E 20.00 FEET TO THE AFORESAID WESTERLY RIGHT-OF-WAY LINE OF NORTHWEST 44TH AVENUE; THENCE RUN S00°30'22"W ALONG SAID LINE, A DISTANCE OF 2.50 FEET TO THE POINT OF BEGINNING.

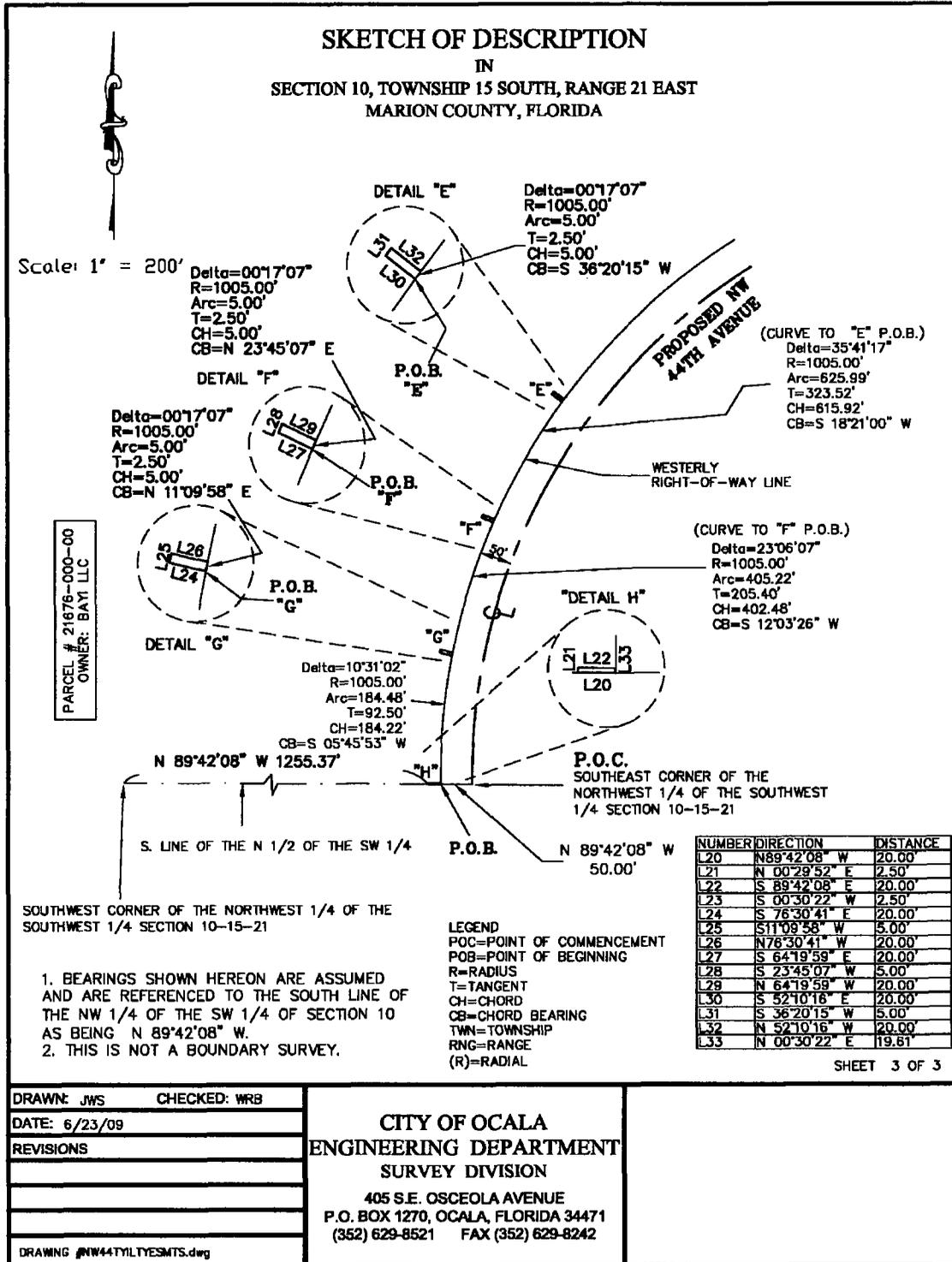
PARCELS "E" THROUGH "H" TOTAL 350.0 SQ. FT.

EXHIBIT "A" continued



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EXHIBIT "A" continued



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