

Prepared By:
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Vilaret Law, PLLC
10901 Danka Circle, Suite C
Saint Petersburg, Florida 33716

PARTIAL ASSIGNMENT OF EASEMENT

THIS PARTIAL ASSIGNMENT OF EASEMENT ("Partial Assignment") is entered into this _____ day of _____, 2025, by THE CITY OF OCALA, FLORIDA, d/b/a OCALA ELECTRIC UTILITY ("OCALA") in favor of **DUKE ENERGY FLORIDA, LLC, a Florida limited liability company d/b/a DUKE ENERGY**, whose mailing address is Post Office Box 14042, St. Petersburg, Florida 33733, as tenants in common (referred to as "DUKE ENERGY").

RECITALS

- A. OCALA is the owner of an electric transmission line and distribution line easement for the purpose of constructing, operating and maintaining one (1) 230kV overhead electric transmission line and related appurtenances along with separate electric distribution line facilities, pursuant to that certain easement dated December 13, 1974 and recorded in **Official Record Book 670, Page 196**, of the Public Records of Marion County, Florida, as to Parcel ID Number 21457-001-00 ("Easement 1").
- B. OCALA desires to partially assign unto DUKE ENERGY its right to construct, operate and maintain one (1) 230kV overhead electric transmission line and related appurtenances operated within Easement 1, whereas OCALA desires to reserve and retain all rights related to OCALA's operation of its separate reuse water line facilities and related appurtenances within Parcel ID Number 21457-001-00 ("Reuse Facilities").
- C. OCALA is the owner of an electric transmission line and distribution line easement for the purpose of constructing, operating and maintaining one (1) 230kV electric overhead transmission line and related appurtenances along with separate electric distribution line facilities, pursuant to that certain easement dated May 13, 1991 and recorded in **Official Record Book 1737, Pages 909-913**, of the Public Records of Marion County, Florida ("Easement 2") as to Parcel ID Numbers 13718-000-00 and 13718-004-00.
- D. OCALA desires to partially assign unto DUKE ENERGY its right to construct, operate and maintain one (1) 230kV overhead electric transmission line and related appurtenances operated within Easement 2, whereas OCALA desires to reserve and retain all rights related to OCALA's operation of its separate reuse water line facilities and related appurtenances within Parcel ID Numbers 13718-000-00 and 13718-004-00 ("Reuse Facilities").
- E. OCALA is the owner of an electric transmission line and distribution line easement for the purpose of constructing, operating and maintaining one (1) 230kV overhead electric transmission line and related appurtenances along with separate reuse line facilities, pursuant to that certain easement dated July 22, 2013 and recorded in **Official Record Book 5904, Pages 1679-1683**, of the Public Records of Marion County, Florida as to Parcel ID Number 13718-001-00 ("Easement 3").
- F. OCALA desires to partially assign unto DUKE ENERGY its right to construct, operate and maintain one (1) 230kV overhead electric transmission line and related appurtenances operated within Easement 3, whereas OCALA desires to reserve and retain all rights related to OCALA's operation of its separate reuse water line facilities and related appurtenances within Parcel ID Number 13718-001-00 ("Reuse Facilities").

- G. OCALA is the owner of an electric transmission line and distribution line easement for the purpose of constructing, operating and maintaining one (1) 230kV overhead electric transmission line and related appurtenances along with separate electric 69kV electric transmission line facilities, separate electric distribution line facilities, separate lift station facilities, separate reclaimed water facilities, separate sewer facilities, and separate water main facilities pursuant to that certain easement dated February 26, 2021 and recorded in **Official Record Book 7394, Pages 115-150**, of the Public Records of Marion County, Florida as to Parcel ID Numbers 21387-000-01, 21385-006-00, 21385-003-00 and 21385-000007 ("Easement 4").
- H. OCALA desires to partially assign unto DUKE ENERGY its right to construct, operate and maintain one (1) 230kV overhead electric transmission line and related appurtenances operated within Easement 4 pursuant to Paragraph 1.1 and Paragraph 2 of Easement 4, whereas OCALA desires to reserve and retain all rights related to OCALA's operation of its separate electric 69kV electric transmission line facilities, separate electric distribution line facilities, separate lift station facilities, separate reclaimed water facilities, separate sewer facilities, and separate water main facilities and related appurtenances within Parcel ID Numbers 21387-000-01, 21385-006-00, 21385-003-00 and 21385-000007 (collectively "Utilities Facilities") pursuant to Paragraphs 1.1-1.7 and Paragraphs 3-9 of Easement 4.
- I. OCALA is the owner of an electric transmission line and distribution line easement for the purpose of constructing, operating and maintaining one (1) 230kV overhead electric transmission line and related appurtenances along with separate electric distribution line facilities for providing electric service, pursuant to that certain easement dated August 13, 1993 and recorded in **Official Record Book 1951, Pages 994**, of the Public Records of Marion County, Florida as to Parcel ID Number 23799-000-07 ("Easement 5").
- J. OCALA desires to partially assign unto DUKE ENERGY its right to construct, operate and maintain one (1) 230kV overhead transmission line and related appurtenances operated within Easement 5, whereas OCALA desires to reserve and retain all rights related to OCALA's operation of its separate electric distribution line facilities and related appurtenances within Parcel ID Number 23799-000-07 ("Distribution Facilities").

ASSIGNMENT

NOW, THEREFORE, for and in consideration of the mutual covenants and benefits herein contained, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. The foregoing Recitals are true and correct and are incorporated herein by reference.
2. Easement 1, Easement 2, Easement 3, Easement 4, and Easement 5 are all collectively defined hereinafter as the "Easements".
3. OCALA hereby assigns to DUKE ENERGY all of its right to construct, operate and maintain one (1) 230kV overhead electric transmission line and all associated appurtenances therein pursuant to the Easements.
4. DUKE ENERGY hereby accepts such partial assignment of the Easements.
5. This Partial Assignment shall be binding upon the parties respective successors and assigns.
6. OCALA hereby reserves and retains all rights within the Easements related to OCALA's operation of its separate Distribution Facilities, Sewer Facilities, Reuse Facilities, Utilities Facilities, and related appurtenances.

IN WITNESS WHEREOF, the parties have executed this Partial Assignment as of the date and year set forth above.

THE CITY OF OCALA, FLORIDA, d/b/a
OCALA ELECTRIC UTILITY

By: Kristen M. Dreyer, as
City Council President

ATTEST:

By: ANGEL B. JACOBS, as
City Clerk

APPROVED AS TO FORM AND LEGALITY:

By: WILLIAM E. SEXTON, as
City Attorney

IN WITNESS WHEREOF, the parties have executed this Partial Assignment as of the date and year set forth above.

**DUKE ENERGY FLORIDA, LLC, a Florida
limited liability company d/b/a DUKE
ENERGY**

**SIGNED AND DELIVERED
IN THE PRESENCE OF:**

Signature of First Witness

Print Name of First Witness

Address: 3300 Exchange Place, Lake Mary, FL 32746

Signature of Second Witness

Print Name of Second Witness

Address: 3300 Exchange Place, Lake Mary, FL 32746

State of Florida)
) ss
County of _____)

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2025, by _____ as _____ of **DUKE ENERGY FLORIDA, LLC**, a Florida limited liability company **d/b/a Duke Energy**, on behalf of the company. He/She personally appeared before me at the time of notarization and is personally known to me.

NOTARY SEAL

Signature

Print Name

Title

Duke Energy's mailing address:

Attn: Real Estate Transactions - Florida

3300 Exchange Place

Lake Mary, FL 32746

Notary Public

Name typed, printed or stamped

My Commission Expires: _____