UTILITY MAINTENANCE EASEMENT

THIS INDENTURE made and entered into this 17th day of May, 2007, by and between party of the first part, DEERFIELD LAND CORPORATION, a Delaware corporation (hereinafter “Grantor”) whose address is 14901 South Orange Blossom Trail, Orlando, Florida 32837, and TOHOPEKALIGA WATER AUTHORITY, an independent “Special District” created pursuant to Chapter 189, laws of the State of Florida, party of the second part, whose address is 101 North Church Street, Kissimmee, Florida 34741, its successors and/or assigns (hereinafter the “Authority” or “Grantee”).

WITNESSETH:

That for and in consideration of the sum of One ($1.00) Dollar, receipt whereof is hereby acknowledged, and the benefits they may derive therefrom and other good and valuable considerations, said party of the first part does give and grant unto said party of the second part, its successors and assigns, a non-exclusive, perpetual utility maintenance easement over and across the following described property located in Osceola County, Florida, to-wit:

LEGAL DESCRIPTION - SEE EXHIBIT A

The easement for utility purposes, over and across the above described property shall be for the sole purpose of maintaining and keeping in repair the existing sewer, reuse and water utility service, in such manner as said second party may deem reasonably advisable. Party of the second part shall perform all repairs in a manner which does not unreasonably interfere with Grantor and its invitees, tenants, and assignees use of the described property.

Party of the first part shall not alter the ground elevation more than one (1) foot without prior written approval from the party of the second part.

Party of the first part shall not place any permanent structures upon the above-described easement, except for such items as asphalt, curbs and lighting associated with Grantor’s development of the described property.

Party of the first part shall not place any obstacles which unreasonably prohibit the party of the second part from repairing, replacing or maintaining the utility service.

Party of the second part shall promptly restore the property to its original condition or better after construction and after any repairs.

This easement may not be assigned to third parties or other utility companies providing services unrelated to the existing water, sanitary and reuse utility lines.

Parcel Tax Identification Number: R032529-4575000100A0
IN WITNESS WHEREOF, said party of the first part has hereunto set its hand and seal the date first above written.

Signed, sealed and delivered in the presence of:

Deerfield Land Corporation,
a Delaware corporation

By: Thomas M. Roehlk, Vice President

Witness

printed or typed name

Witness

printed or typed name

STATE OF FLORIDA
COUNTY OF OSCEOLA

Before me personally appeared Thomas M. Roehlk, Vice President of Deerfield Land Corporation, a Delaware corporation, to me well known and known to me to be the individual described in and who executed the foregoing instrument and acknowledged before me that he executed the same for the purposes therein expressed, and did not take an oath. WITNESS my hand and seal this 17th day of May, 2007.

Notary Public in and for the County and State aforesaid

Document Prepared By:

D. Helen Ford, Esq.
Greenberg Traurig, P.A.
450 South Orange Avenue, Suite 650
Orlando, Florida 32801
EXHIBIT A

Tract "A", more commonly known as Dart Avenue, Batts Street and Triathlon Drive, OSCEOLA CORPORATE CENTER - REPLAT NINE, according to the Plat thereof recorded in Plat Book 19, Pages 177 and 178, Public Records of Osceola County, Florida.