

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 13 day of May, 2019, by and between **NICO SCHULZ, a single person**, 1157 Lantern Creek Court, Lexington, Kentucky 40517, which is the in-care of tax mailing address for the current year (hereinafter "Grantor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, (hereinafter "Grantee").

WITNESSETH:

That for and in consideration of the sum of **ONE THOUSAND ONE HUNDRED AND 00/100 DOLLARS (\$1,100.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, permanent right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction, installation and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on the attached Exhibit "A", and more particularly described as follows, to wit:

Permanent Sanitary Sewer Easement
West Hickman Trunk - Sewer Line D Project
(a portion of 1157 Lantern Creek Court)

Beginning at a point 44.12 feet from the owner's South property corner of Lot 17 of Dove Creek Subdivision as depicted in Plat Cabinet J, Slide 222 of the Fayette County

Return to:
 Charles E. Edwards III
 LFUCG, Dept. of Law, 11th Floor
 200 East Main Street
 Lexington, KY 40507

(CC-F)

Clerk's Records; thence with said southwestern property line, North 27 Degrees 44 Minutes 03 Seconds West a distance of 40.10 feet; thence with a new severance line, North 58 Degrees 08 Minutes 47 Seconds East a distance of 190.28; thence North 70 Degrees 59 Minutes 05 Seconds East a distance of 21.03 feet to a point on the stated parcels northeastern property line; thence with that line, South 58 Degrees 13 Minutes 58 Seconds East a distance of 44.32 feet; thence with a new severance line, South 32 Degrees 47 Minutes 31 Seconds West for a distance of 9.27 feet; thence South 70 Degrees 59 Minutes 05 Seconds West for a distance of 37.34 feet; thence South 58 Degrees 08 Minutes 47 Seconds West for a distance of 188.66 feet to the POINT OF BEGINNING; and,

The above described parcel contains 0.203 acres of permanent easement;

Being a portion of the property conveyed to Nico Schulz, a single person, by deed dated July 25, 2012, of record in Deed Book 3088, Page 469, in the Fayette County Clerk's Office.

FURTHER, for and in consideration of the sum hereinbefore mentioned, the receipt and sufficiency of which is hereby acknowledged, Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer placement and construction, installation and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on Exhibit "A" attached hereto, and more particularly described as follows:

Temporary Construction Easement
West Hickman Trunk - Sewer Line D Project
(a portion of 1157 Lantern Creek Court)

Tract A

Beginning at a point 84.22 feet from the owner's South property corner of Lot 17 of Dove Creek Subdivision as

depicted in Plat Cabinet J, Slide 222 of the Fayette County Clerk's Records; thence with said southwestern property line, North 27 Degrees 44 Minutes 03 Seconds West a distance of 19.19 feet; thence with a new severance line, North 54 Degrees 30 Minutes 47 Seconds East a distance of 13.62 feet; North 58 Degrees 08 Minutes 47 Seconds East for a distance of 177.56 feet; thence North 70 Degrees 59 Minutes 05 Seconds East for a distance of 6.69 feet to a point on the stated parcels northeast property line; thence with that line, South 58 Degrees 13 Minutes 58 Seconds East a distance of 25.81 feet; thence with a new severance line, South 70 Degrees 59 Minutes 05 Seconds West a distance of 21.03 feet; thence South 58 Degrees 08 Minutes 47 Seconds East for a distance of 190.29 feet to the POINT OF BEGINNING; and,

The above described parcel contains 0.111 acres of temporary construction easement;

Tract B

Beginning at a point 24.07 feet from the owner's South property corner of Lot 17 of Dove Creek Subdivision as depicted in Plat Cabinet J, Slide 222 of the Fayette County Clerk's Records; thence with said southwestern property line, North 27 Degrees 44 Minutes 03 Seconds West a distance of 27.07 feet; thence with a new severance line, North 58 Degrees 08 Minutes 47 Seconds East a distance of 188.67 feet; thence North 70 Degrees 59 Minutes 05 Seconds East for a distance of 37.34 feet; thence North 57 Degrees 12 Minutes 29 Seconds East for a distance of 9.27 feet to a point on the stated parcels northeast property line; thence with that line, South 58 Degrees 13 Minutes 58 Seconds East a distance of 44.32 feet; thence South 58 Degrees 13 Minutes 58 Seconds East a distance of 20.01 feet with a new severance line, South 32 Degrees 47 Minutes 31 Seconds West for a distance of 9.27 feet; thence South 70 Degrees 59 Minutes 05 Seconds West for a distance of 42.02 feet; thence South 58 Degrees 08 Minutes 47 Seconds West for a distance of 188.66 feet to the POINT OF BEGINNING; and,

The above described parcel contains 0.094 acres of temporary construction easement;

Both tracts being a portion of the property conveyed to Nico Schulz, a single person, by deed dated July 25, 2012, of record in Deed Book 3088, Page 469, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described easements together with all rights, appurtenances, and improvements thereunto belonging unto Grantee, its successors and assigns forever, for the purposes and uses herein designated.

The above-described temporary construction easement runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantor. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

Grantor shall have the full right to use the surface of the land lying over said permanent easement for any purpose desired, provided such use will not interfere with the Grantee's free use of the easement herein granted and provided further that no building or structure shall be erected upon, across, over or through said permanent easement without prior written consent of the Grantee.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of his right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and does hereby covenant to and with the Grantee, its successors and assigns forever, that he is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that he will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 640-2018, passed by the Lexington-Fayette Urban County Council on October 25, 2018. Pursuant to KRS 382.135(2)(a), this deed of easement, which pertains to a public utility, need not contain a statement of consideration.

IN TESTIMONY WHEREOF, the Grantor has signed this Deed of Easement, this the day and year first above written.

GRANTOR:



NICO SCHULZ

STATE OF TENNESSEE)

COUNTY OF KNOX)


This instrument was acknowledged, subscribed and sworn to before me by Nico Schulz, a single person, on this the 13 day of May, 2019.



Notary Public, Tennessee, State at Large

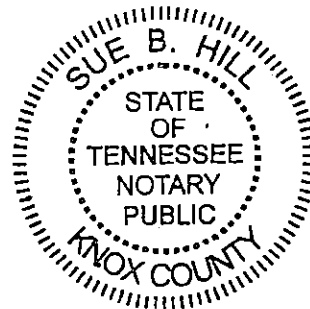
My Commission Expires: 2/6/2023

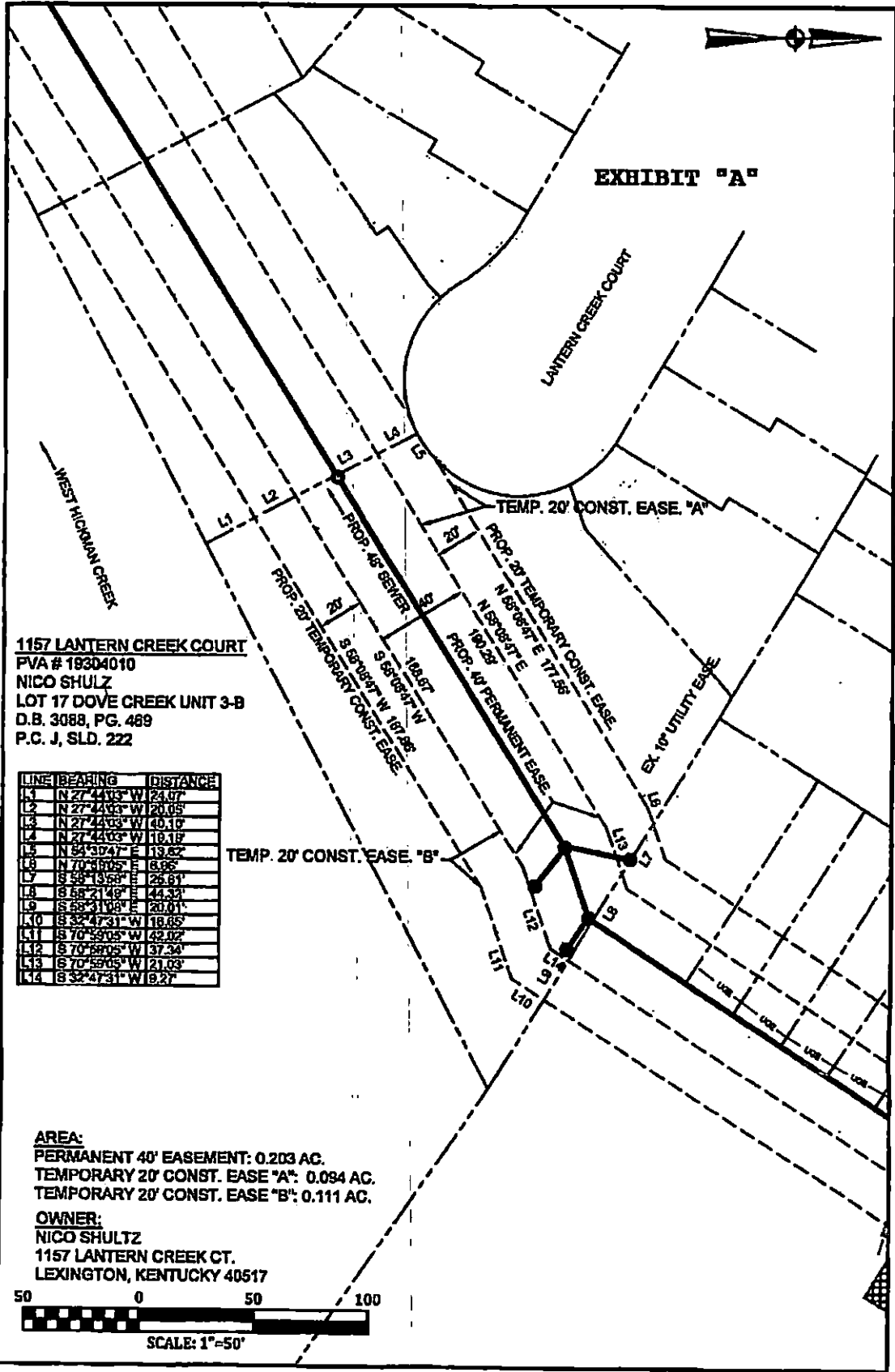
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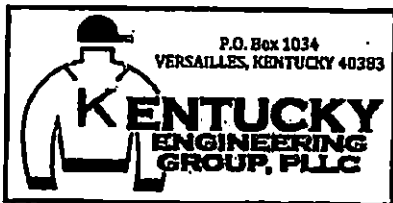
CHARLES E. EDWARDS III
Attorney
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County Government
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200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

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**EXHIBIT SHOWING
 SANITARY SEWER EASEMENT
 TO BE ACQUIRED FROM
 NICO SCHULZ
 1157 LANTERN CREEK CT.
 LEXINGTON, KENTUCKY**

Project No.	16046
Date	MARCH 2018
Dwg. No.	
Sheet	

I, Donald W Blevins Jr, County Court Clerk
of Fayette County, Kentucky, hereby
certify that the foregoing instrument
has been duly recorded in my office.



By: EMILY GENTRY ,dc

201905170197

May 17, 2019

11:14:01 AM

Fees	\$26.00	Tax	\$.00
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Total Paid	\$26.00
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7 Pages

624 - 630