DEED OF EASEMENTS

WITNESSETH:

That for and in consideration of the sum of EIGHTEEN THOUSAND SEVEN HUNDRED FIFTY-FOUR DOLLARS AND 25/100 CENTS (\$18,754.25), 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, the permanent right to lay, construct, operate, repair, reconstruct and remove a sanitary sewer, improvements and appurtenances thereto, which sanitary sewer and appurtenances shall be of such dimension, character, construction and use determined by Grantee along, through, under, and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on Exhibit "A-1" attached hereto, and more particularly described as follows:

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

Permanent Sanitary Sewer Easement (a portion of 2099-2815 Newtown Pike f/k/a 2101-2815 Newtown Pike) Expansion Area 3 Pump Station and Force Main

Commencing at a corner in the eastern line of the University of Kentucky Research Foundation property, said corner being in the common line with the western right-of-way line on Newtown Pike (KY 922); thence leaving said corner along a reference line, approximately S 19°57'00" W a distance of 619.35 feet to the POINT of BEGINNING of this Permanent Utility Easement being more particularly described as follows:

Beginning at a point in the eastern line of the University of Kentucky Research Foundation property, thence leaving said line and crossing said property approximately N 70°03'00" W a distance of 47.60 feet to a point; thence approximately S 18°24'35" W a distance of 70.78 feet to a point; thence approximately S 16°01'32" W a distance of 53.53 feet to a point; thence approximately S 21°17'42" W a distance of 272.76 feet to a point; thence approximately S 20°29'06' W a distance of 207.13 feet to a point; thence approximately S 19°08'45" W a distance of 144.34 feet to a point; thence approximately S 20°54'12" W a distance of 189.91 feet to a point; thence approximately S 17°31'06" W a distance of 338.26 feet to a point; thence approximately S 16°27'24" W a distance of 264.96 feet to a point; thence approximately S 20°19'31" W a distance of 158.77 feet to a point; thence approximately S 23°20'29" W a distance of 49.35 feet to a point; thence approximately S 13°46'14" W a distance of 66.38 feet to a point; thence approximately S 08°22'39" W a distance of 260.92 feet to a point; thence S 03°40'38" W a distance of 243.68 feet to a point; thence approximately S 48°40'38" W a distance of 14.74 feet to a point; thence approximately S 86°52'48" W a distance of 264.89 feet to a point; thence approximately S 64°03'22" W a distance of 22.17 feet to a point; thence approximately S 87°19'57" W a distance of 89.25 feet to a point; thence approximately N 63°37'18" W a distance of 305.94 feet to a point; thence approximately N 63°23'05" W a distance of 115.51 feet to a point; thence approximately N 65°12'02' W a distance of 147.81 feet to a point; thence approximately N 61°45'37" W a distance of 58.82 feet to a point; thence approximately S 33°29'20" W a distance of 19.88 feet to a point in grantors southern line common with the north right-

of-way of Interstate 64 and Interstate 75; thence with said common line approximately S 56°30'40" E a distance of 12.00 feet to a point in said common line; thence leaving aforesaid common line and crossing grantors property approximately N 33°29'20" E a distance of 8.93 feet to a point: thence approximately S 61°45'37" E a distance of 48.23 feet to a point; thence approximately S 65°12'02' E a distance of 147.98 feet to a point; thence approximately S 63°23'05" E a distance of 115.35 feet to a point; thence approximately S 63°37'18" E a distance of 309.07 feet to a point; thence approximately N 87°19'57" E a distance of 94.83 feet to a point; thence approximately N 64°03'22" E a distance of 22.22 feet to a point; thence approximately N 86°52'48' E a distance of 266.63 feet to a point; thence approximately N 48°40'38" E a distance of 23.87 feet to a point; thence approximately N 03°40'38" E a distance of 248.16 feet to a point; thence approximately N 08°22'39" E a distance of 259.86 feet to a point; thence approximately N 13°46'14" E a distance of 64.81 feet to a point; thence approximately N 23°20'29" E a distance of 48.66 feet to a point; thence approximately N 20°19'31" E a distance of 159.49 feet to a point; thence approximately N 16°27'24" E a distance of 265.25 feet to a point; thence approximately N 17°31'06" E a distance of 337.80 feet to a point: thence approximately N 20°54'12" E a distance of 189.74 feet to a point: thence approximately N 19°08'45" E a distance of 145.30 feet to a point; thence approximately N 20°29'27" E a distance of 205.99 feet to a point; thence approximately N 21°17'45" E a distance of 273.19 feet to a point; thence approximately N 16°01'32" E a distance of 53.87 feet to a point; thence approximately N 18°24'35" E a distance of 58.20 feet to a point; thence approximately S 70°03'00" E a distance of 35.27 feet to a point in grantors eastern line common with the right-of-way of Newtown Pike (KY 922); thence with said common line approximately N 19°57'00" E a distance of 12.00 feet to the POINT of BEGINNING; and,

The above described parcel contains 0.935 acres (40,738.84 sq. ft.) of permanent easement; and

Being a portion of the same property conveyed to The University of Kentucky Research Foundation, a Kentucky non-profit corporation, by Deed dated October 11, 1967, of record in Deed Book 913, Page 31, 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-2" attached hereto, and more particularly described as follows:

Temporary Construction Easement (a portion of 2099-2815 Newtown Pike f/k/a 2101-2815 Newtown Pike) Expansion Area 3 Pump Station and Force Main

Commencing at a corner in the eastern line of the University of Kentucky Research Foundation property, said corner being in the common line with the western right-of-way line on Newtown Pike (KY 922); thence leaving said corner along a reference line, approximately S 19°57'00" W a distance of 599.35 feet to the POINT of BEGINNING of this Temporary Construction Easement being more particularly described as follows:

Beginning at a point in the eastern line of the University of Kentucky Research Foundation property; thence continuing along said line approximately S 19°57'00" W a distance of 20.00 feet to a point, (said point also being the P.O.B. of the Permanent Utility Easement): thence leaving aforesaid line and crossing said property approximately N 70°03'00" W a distance of 47.60 feet to a point; thence approximately S 18°24'35" W a distance of 70.78 feet to a point; thence approximately S 16°01'32" W a distance of 53.53 feet to a point; thence approximately S 21°17'42" W a distance of 272.76 feet to a point; thence approximately S 20°29'06" W a distance of 207.13 feet to a point; thence approximately S 19°08'45" W a distance of 144.34 feet to a point; thence approximately S 20°54'12' W a distance of 189.91 feet to a point; thence approximately S 17°31'06" W a distance of 338.26 feet to a point; thence approximately S 16°27'24" W a

distance of 264.96 feet to a point; thence approximately S 20°19'31" W a distance of 158.77 feet to a point; thence approximately S 23°20'29" W a distance of 49.35 feet to a point; thence approximately S 13°46'14" W a distance of 66.38 feet to a point; thence approximately S 08°22'39" W a distance of 260.92 feet to a point; thence approximately S 03°40'38" W a distance of 243.68 feet to a point; thence approximately S 48°40'28" W a distance of 14.74 feet to a point; thence approximately S 86°52'48" W a distance of 264.89 feet to a point; thence approximately \$ 64°03'22" W a distance of 22.17 feet to a point; thence approximately S 87°19'57" W a distance of 89.25 feet to a point; thence approximately N 63°37'18' W a distance of 305.94 feet to a point; thence approximately N 63°23'05" W a distance of 115.51 feet to a point; thence approximately N 65°12'02" W a distance of 147.81 feet to a point; thence approximately N 61°45'37" W a distance of 58.82 feet to a point; thence approximately S 33°29'20" W a distance of 19.88 feet to a point in the grantors southern line common with the north right-of-way of Interstate 64 and Interstate 75; thence with said common line approximately N 56°30'40" W a distance of 20.00 feet to a point in said common line; thence leaving aforesaid common line and crossing grantors property approximately N 33°29'30" E a distance of 38.12 feet to a point; thence approximately S 61°45'37" E a distance of 76.46 feet to a point; thence approximately S 65°12'02" E a distance of 147.53 feet to a point; thence approximately S 63°23'05" E a distance of 115.79 feet to a point; thence approximately S 63°37'18" E a distance of 300.71 feet to a point; thence approximately N 87°19'57" E a distance of 79.95 feet to a point; thence approximately N 64°03'22" E a distance of 22.09 feet to a point; thence approximately N 86°52'48" E a distance of 261.67 feet to a point; thence approximately N 03°40'38" E a distance of 235.92 feet to a point; thence approximately N 08°22'39" E a distance of 262.69 feet to a point; thence approximately N 13°46'14" E a distance of 69.00 feet to a point; thence approximately N 23°20'29" E a distance of 50.50 feet to a point; thence approximately N 20°19'31" E a distance of 157.57 feet to a point; thence approximately N 16°27'24" E a distance of 264.47 feet to a point; thence approximately N 17°31'06" E a distance of 339.04 feet to a point; thence approximately N 20°54'12' E a distance of 190.20 feet to a point; thence approximately N 19°08'45" E a distance of 142.73 feet to a point; thence approximately N 20°28'31" E a distance of 209.04 feet to a point; thence approximately N 21°17'38" E a distance of 272.05 feet to a point; thence approximately N 16°01'32" E a distance of 52.96 feet to a point; thence approximately N 18°24'35" E a distance of 91.74 feet to a point; thence approximately S 70°03'00" E a distance of 68.14 feet to the POINT of BEGINNING; and,

The above described parcel contains 1.574 acres (68,556.20 sq. ft.) of temporary construction easement; and

Being a portion of the same property conveyed to The University of Kentucky Research Foundation, a Kentucky non-profit corporation, by Deed dated October 11, 1967, of record in Deed Book 913, Page 31, 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 its 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 it is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 729-2017, passed by the Lexington-Fayette Urban County Council on December 5, 2017. Pursuant to KRS 382.135(2)(a), this Deed of Easements, which conveys public utility easements, need not contain a certificate of consideration. Pursuant to KRS 142.050, this public utility easement is exempt from real estate transfer tax.

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

GRANTOR:

THE UNIVERSITY OF KENTUCKY RESEARCH FOUNDATION, a Kentucky non-profit corporation

ERIC N. MONDAY,

DIRECTOR AND EXECUTIVE

VICE PRESIDENT, FINANCE AND

ADMINISTRATION

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

This instrument was acknowledged, subscribed and sworn to before me by Eric N. Monday, in his capacity as Director and Executive Vice President, Finance and Administration, on behalf of The University of Kentucky Research Foundation on this the Other day of Port , 2018.

Notary Public, Kentucky, State at Large

My Commission Expires: 9 / 8 / 2019

PREPARED BY:

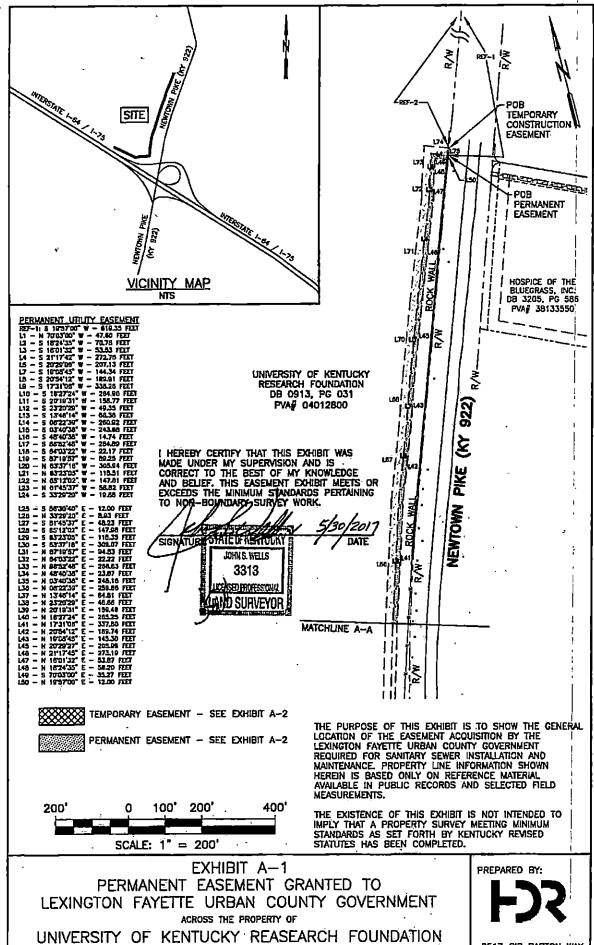
CHARLES E. EDWARDS III

Attorney

Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507

(859) 258-3500

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FAYETTE COUNTY-

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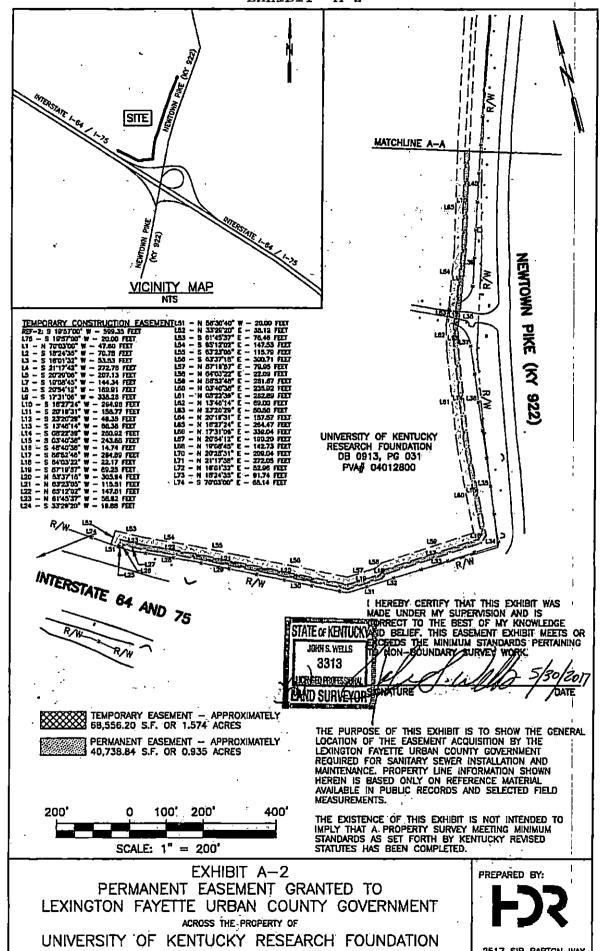
LOCATED ON:

NEWTOWN PIKE

KENTUCKY

2517 SIR BARTON WAY LEXINGTON, KY (859) 629-4800

MAY, 2017



FAYETTE COUNTY

NEWTOWN PIKE 10

LOCATED ON:

KENTUCKY.

2517 SIR BARTON WAY LEXINGTON, KY (859) 629-4800

MAY, 2017

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: PATTY DAVIS, dc

201804300016

April 30, 2018

9:45:59 AM

Fees

\$38.00

Tax

\$.00

Total Paid

\$38.00

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11 Pages

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