

PERMANENT EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT** is made and entered into this the 13 day of November, 2018, by and between **MOREHEAD COMPANY, INC.**, a Kentucky corporation, P.O. Box 1485, Lexington, Kentucky 40591, which is the in-care of tax mailing address for the current year ("Grantor"), and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, ("Grantee").

WITNESSETH:

That for and in consideration of the sum of **FOUR HUNDRED NINETY ONE AND 75/100 (\$491.75)**, 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 as determined by Grantee along, through, under, 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 Easement
KY 4 New Circle Road Sanitary Sewer Relocation Project
(a portion of 1499 Boardwalk a/k/a 528 New Circle Road)
Parcel No. 55

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

DTC

A certain parcel of land located in Fayette County, Kentucky along New Circle Road (KY 4) at the intersection of New Circle Road and Boardwalk, lying on the south side of New Circle Road (KY 4), and being more particularly described as follows:

Beginning at the northeast property corner common with the Boardwalk and New Circle Road (KY 4) right-of-ways being the POINT OF BEGINNING; thence with the right-of-way of Boardwalk South 09° 57' 58" West a distance of 13.62 feet to a point; thence through the lands of Morehead Co., Inc. North 79° 34' 34" West a distance of 138.33 feet to a point common with an existing sanitary sewer easement; thence with the existing easement North 09° 55' 59" East a distance of 15.00 feet to a point; thence leaving the existing sanitary sewer easement South 79° 34' 34" East a distance of 73.39 feet to a point common with the New Circle Road (KY 4) right-of-way; thence with said right-of-way South 09° 55' 59" West a distance of 1.94 feet to a point; thence South 80° 04' 00" East a distance of 64.94 feet to the POINT OF BEGINNING; and

The above described parcel containing 0.045 acres (1,967 square feet) of permanent easement; and

Being a portion of the property conveyed to Morehead Company, Inc., a Kentucky corporation, by deed dated December 22, 1975, of record in Deed Book 1137, Page 784, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD said easement together with all rights, appurtenances, and improvements thereunto belonging unto said Grantee, its successors and assigns, for the purposes and uses herein designated.

The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantor, and shall take effect upon the execution of this instrument.

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 as 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 512-2018, passed by the Lexington-Fayette Urban County Council on August 30, 2018. Pursuant to KRS 382.135(2)(c), this public utility easement, need not contain a statement 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 Permanent Sanitary Sewer Easement, this the day and year first above written.

GRANTOR:

MOREHEAD COMPANY, INC.


FRED M. KELLER, PRESIDENT

)

)

)

Notary Public, Kentucky, State at Large

My Commission Expires: 11 / 09 / 2021

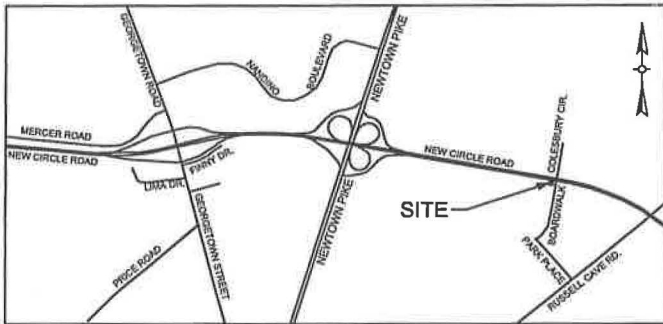
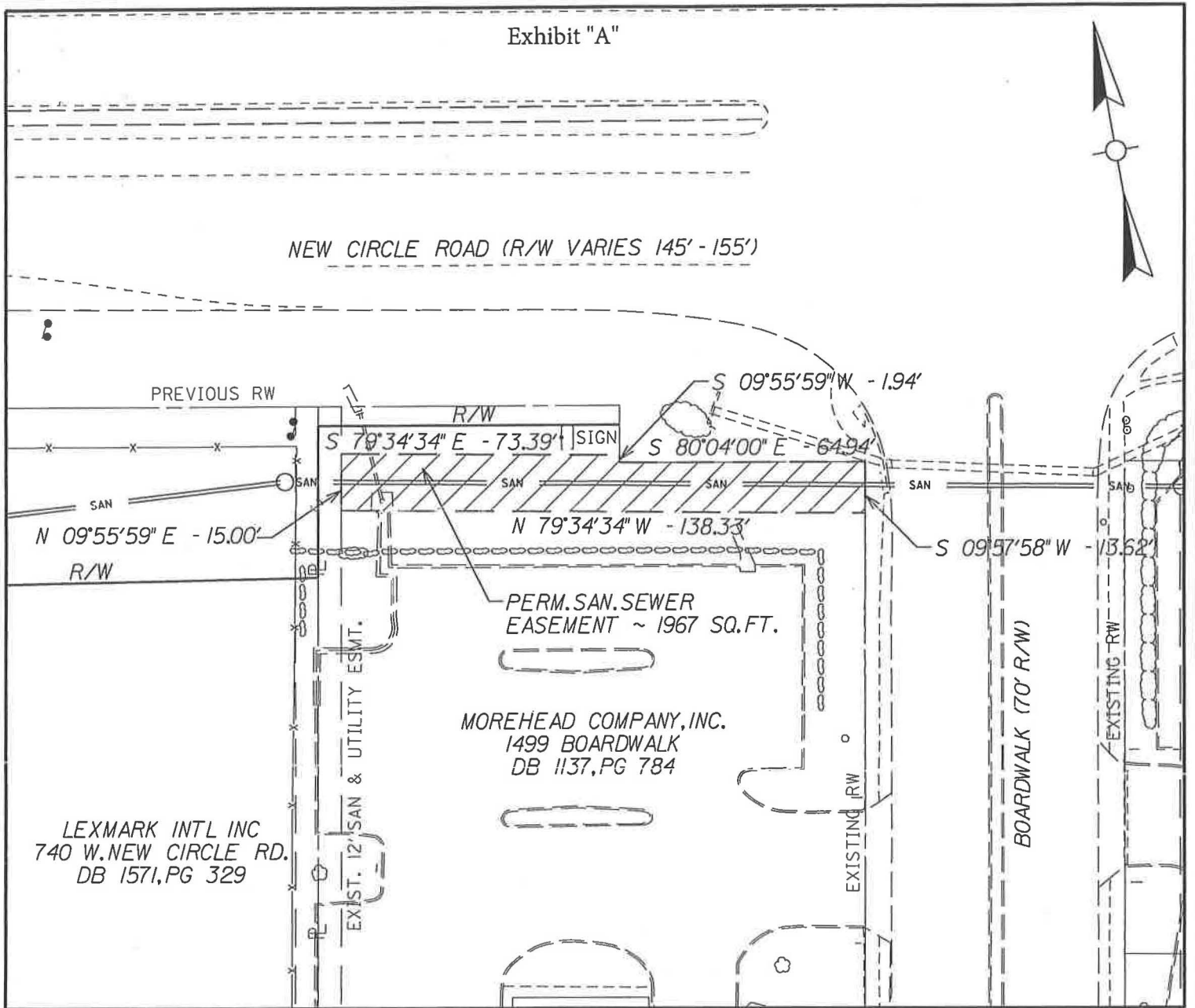


CHARLES E. EDWARDS III

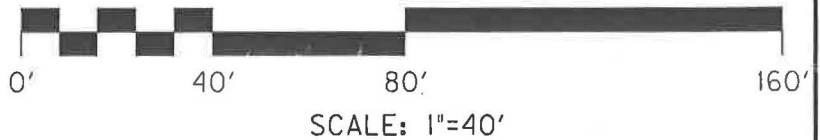
Lexington-Fayette Urban County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

4

Exhibit "A"



SITE LOCATION



NOTE:

THE PROPERTY LINES SHOWN ON THE EASEMENT EXHIBIT ARE BASED ON DEED AND/OR RECORD PLAT DATA FROM THE FAYETTE COUNTY CLERKS OFFICE AND KENTUCKY DEPARTMENT OF HIGHWAY PLANS AND HAVE NOT BEEN FIELD VERIFIED BY PALMER ENGINEERING. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DESCRIBED IN 201 KAR 18:150 AND PALMER ENGINEERING HAS NOT PERFORMED A BOUNDARY SURVEY FOR THE PURPOSES OF THE EXHIBIT. THIS IS NOT INTENDED TO BE USED FOR LAND TRANSFERS.

DATE	REVISION DESCRIPTION	DRAWN:	PERMANENT SANITARY SEWER EASEMENT MOREHEAD COMPANY, INC. 1499 BOARDWALK LEXINGTON, FAYETTE COUNTY, KENTUCKY LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT	Palmer ENGINEERING PALMER ENGINEERING 301 EAST MAIN STREET SUITE 900 LEXINGTON, KENTUCKY 40507 (859)389-9293	DATE: JUNE 2018
		WCM			SCALE: 1"=40'
		CHECKED:			SHEET NO. P-55
		GTI / SIB			
		JOB NUMBER:			
		11541.00			

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: MELISSA STELTER ,dc

201811270181

November 27, 2018 15:17:00 PM

Fees	\$23.00	Tax	\$.00
------	---------	-----	--------

Total Paid	\$23.00
------------	---------

THIS IS THE LAST PAGE OF THE DOCUMENT

6 Pages

98 - 103