

PERMANENT EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT** is made and entered into this the 21 day of November, 2018, by and between **BETTY J. FINNEY, as successor trustee under the BENJAMIN FINNEY INTER VIVOS TRUST DATED FEBRUARY 2, 2010**, 668 Cromwell Way, Lexington, Kentucky 40503, 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 **ONE HUNDRED AND 00/100 (\$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, 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:

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

Permanent Easement
KY 4 New Circle Road Sanitary Sewer Relocation Project
(a portion of 1132 Finney Drive f/k/a 928 Georgetown Street)
Parcel No. 32

A certain parcel of land located in Fayette County, Kentucky along Frontage Road approximately 500 feet southeast from the intersection of Frontage Road and Georgetown Road, lying on the south side of New Circle Road (KY 4), and being more particularly described as follows:

Beginning at a point in the northwest New Circle Road (KY 4) / Frontage Road right-of-way, common with City of Lexington Municipal Improvement Corporation; thence South $61^{\circ} 32' 19''$ West a distance of 90.05 feet to the POINT OF BEGINNING; thence through the lands of Benjamin Finney Inter Vivos Trust (Parcel 32) South $20^{\circ} 52' 03''$ West a distance of 5.32 feet to a point; thence South $66^{\circ} 43' 49''$ West a distance of 66.23 feet to a point in the New Circle (KY 4) / Frontage Road right-of-way; thence with the right-of-way along an arc to the right, having a length of 6.29 feet, a radius of 174.00 feet, and the cord of North $41^{\circ} 18' 45''$ East a distance of 6.29 feet to a point; thence North $65^{\circ} 43' 01''$ East a distance of 64.28 feet to the POINT OF BEGINNING; and

The above described parcel containing 0.005 acres (212 square feet) of permanent easement; and

Being a portion of the property conveyed to the Benjamin Finney Inter Vivos Trust dated February 2, 2010, by deed dated February 2, 2010, of record in Deed Book 2926, Page 473, 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:

THE BENJAMIN FINNEY INTER VIVOS
TRUST DATED FEBRUARY 2, 2010


BETTY J. FINNEY TRUSTEE

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#529134

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e at Large
 2/19
 NOTARY
 LOIS R. RYAN

CHARLES E. EDWARDS III

Attorney

Lexington-Fayette Urban County Government

Department of Law, 11th Floor

200 East Main Street

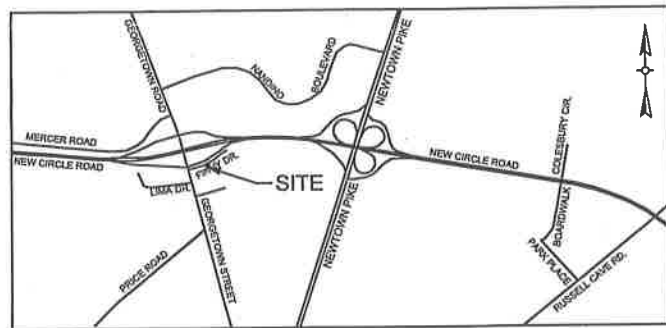
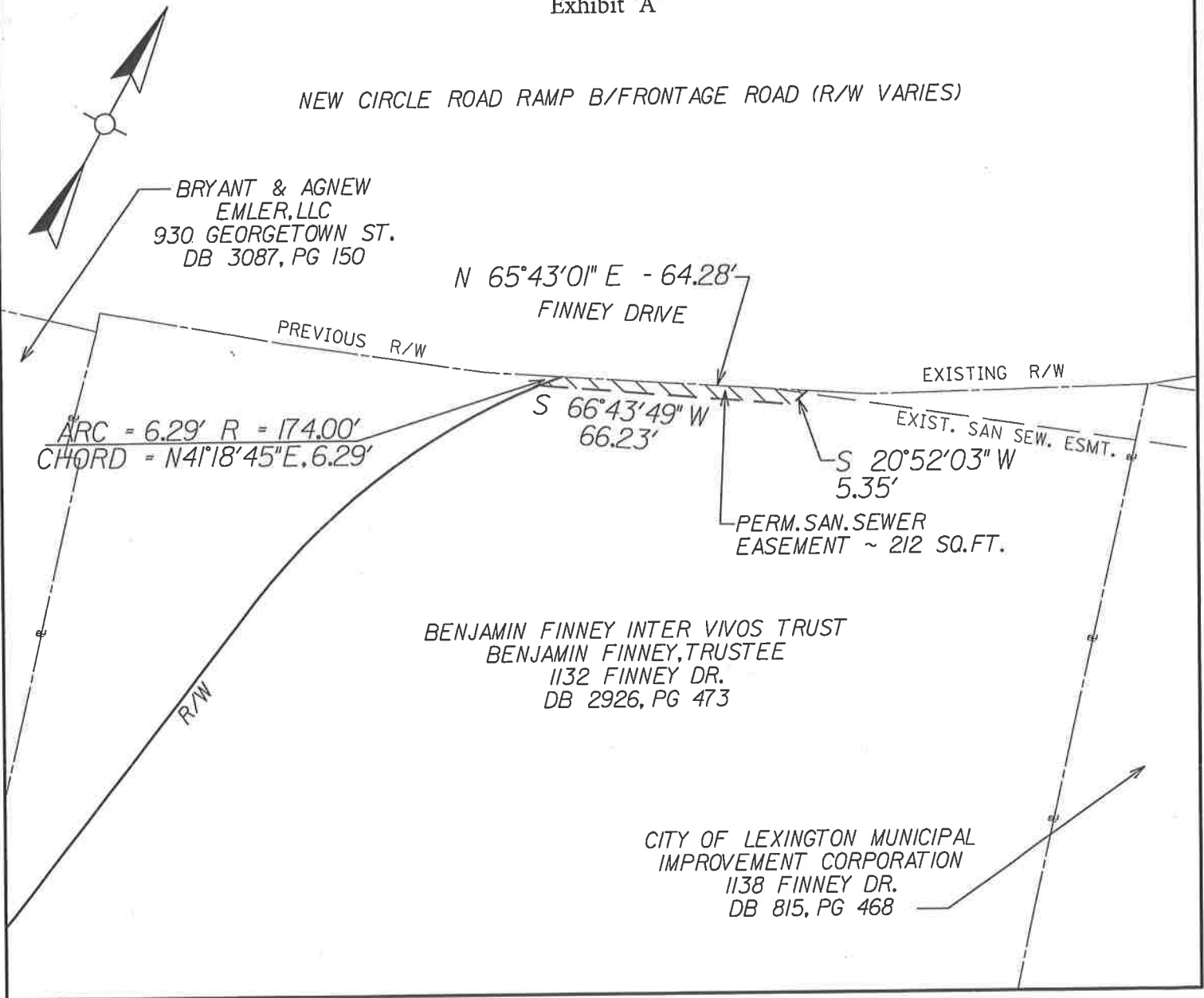
Lexington, Kentucky 40507

(859) 258-3500

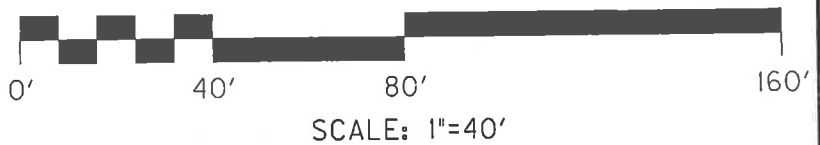
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Exhibit "A"

NEW CIRCLE ROAD RAMP B/FRONTAGE ROAD (R/W VARIES)



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 BENJAMIN FINNEY INTER VIVOS TRUST BENJAMIN FINNEY, TRUSTEE 1132 FINNEY DR. LEXINGTON, FAYETTE COUNTY, KENTUCKY LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT	DATE: JUNE 2018
		WCM		SCALE: 1"=40'
		CHECKED:		SHEET NO.
		GTI / SIB		P-32
		JOB NUMBER:		
		11541.00		

Palmer
ENGINEERING
PALMER ENGINEERING
301 EAST MAIN STREET
SUITE 900
LEXINGTON, KENTUCKY 40507
(609)389-9293

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

201812060095

December 6, 2018

10:46:09 AM

Fees	\$23.00	Tax	\$.00
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Total Paid	\$23.00
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6 Pages

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