

**DEED OF EASEMENT**

This **DEED OF EASEMENT** is made and entered into this 8<sup>th</sup> day of January, 2018, by and between **ILHAM BACHA, LLC, a Kentucky limited liability company**, 430 Keene Manor Circle, Nicholasville, Kentucky 40356 ("Grantor"), which is also the in-care of tax mailing address for the current year, and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 ("Grantee");

**W I T N E S S E T H:**

That for and consideration of **FIVE THOUSAND DOLLARS AND 00/100 CENTS (\$5,000.00)** and other good and valuable consideration, 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, the permanent right to lay, construct, operate, repair, reconstruct and remove sanitary sewer improvements and appurtenances thereto, which sanitary sewer improvements 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, and more particularly described as follows:

**Permanent Sanitary Sewer Easement**  
**(a portion of 1498 Boardwalk)**  
**KY 4 New Circle Road Sanitary**  
**Sewer Relocation Project**  
**Parcel No. 56**

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

Charles E. Edwards, III  
LFUCG Department of Law  
200 East Main Street, 11<sup>th</sup> Floor  
Lexington, Kentucky 40507

Circle Road, and being more particularly described as follows:

Beginning at a point in the northeast property corner common with Yale Lexington, LLC; thence North 79°48'10" West, 6.00 feet, to the POINT OF BEGINNING; thence South 09°57'58" West, 4.59 feet, to a point common with an existing utility easement; thence South 79°24'26" West, 101.94 feet, through the lands of Ilham Bacha, LLC, to a point; thence South 81°28'16" West, 79.45 feet, to a point; thence North 79°34'34" West, 1.74 feet, to a point common with an existing sanitary sewer easement; thence North 09°57'58" East 14.34 feet, to a point common with Boardwalk right-of-way; thence South 80°04'00" East, 0.78 feet, to a point common with said right-of-way; thence North 09°57'58" East, 1.14 feet, to a point common with said right-of-way; thence North 81°28'16" East, 43.30 feet, through the lands of Ilham Bacha, LLC, to a point, common with New Circle Road (KY 4) right-of-way; thence with said right-of-way, South 79°48'10" East, 137.19 feet to the POINT OF BEGINNING, containing approximately 0.033 Acres (1,440 square feet); and,

Being a portion of the same property conveyed to Ilham Bacha, LLC, a Kentucky limited liability company, by deed, dated January 21, 2004, of record in Deed Book 2429, Page 365, in the Fayette County Clerk's Office.

Described on Exhibit "A" attached hereto and incorporated herein by reference.

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

Grantor does hereby covenant to and with said Grantee, its successors and assigns forever, that it is lawfully seized in fee simple of said property and has a good right to sell and convey the interest herein conveyed, and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution No. 512-2018

passed by the Lexington-Fayette Urban County Council on August 30, 2018. Pursuant to KRS 382.135 (2)(a), this public utility easement is exempt from the requirements related to certificate of consideration. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

**IN TESTIMONY WHEREOF**, the parties have signed this Deed of Easement, the day and year first above written.

GRANTOR:

ILHAM BACHA, LLC, a  
Kentucky limited liability company

BY:



ILHAM BACHA  
PRESIDENT

COMMONWEALTH OF KENTUCKY       )  
  )  
COUNTY OF JESSAMINE               )

The foregoing Deed of Easement was subscribed, sworn to and acknowledged before me by Ilham Bacha, as President, for and on behalf of Ilham Bacha, LLC, a Kentucky limited liability company, on this the 8<sup>th</sup> day of Jan, 2018.<sup>9</sup>

My commission expires: 3/18/21

Elizabeth Bailey  
Notary Public, Kentucky, State-at-Large

Notary ID # 485650



PREPARED BY:

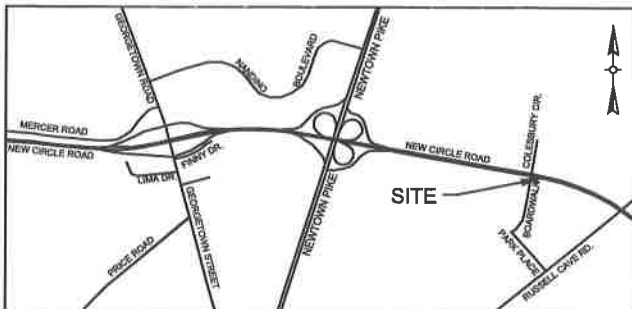
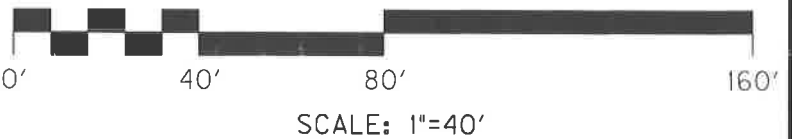
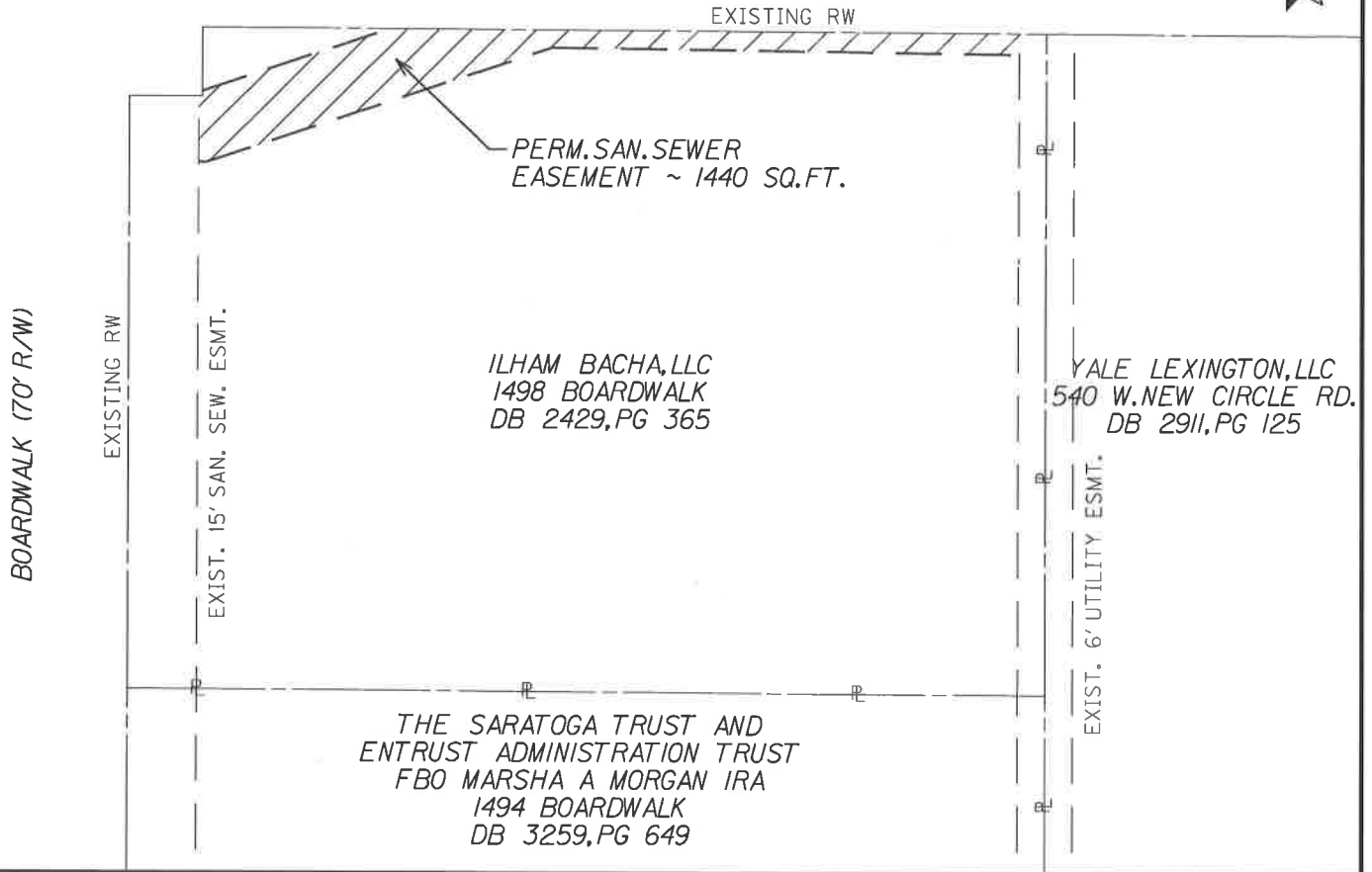
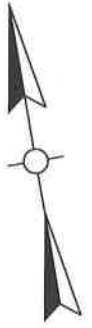
*Michael Keith Horn*

Michael Keith Horn,  
Managing Attorney  
Lexington-Fayette Urban  
County Government  
Department of Law, 11<sup>th</sup> Floor  
200 East Main Street  
Lexington, Kentucky 40507  
(859) 258-3500

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# EXHIBIT "A"

NEW CIRCLE ROAD (R/W VARIES 140' - 155')



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 ILHAM BACHA, LLC 1498 BOARDWALK LEXINGTON, FAYETTE COUNTY, KENTUCKY LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT	DATE:
		WCM		SCALE: 1"=40'
		CHECKED:		SHEET NO.
		GTI		P-56
		JOB NUMBER:		
		10866.00		

**Palmer**  
ENGINEERING  
PALMER ENGINEERING  
301 EAST MAIN STREET  
SUITE 600  
LEXINGTON, KENTUCKY 40517  
(606) 389-4293

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.



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By: EMILY GENTRY ,dc

201901110178

January 11, 2019 15:23:22 PM

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

59 - 64