

PERMANENT SANITARY SEWER EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT** is made and entered into this the 20th day of August, 2019, by and between **CARMAN PROPERTIES, LLC**, a **Kentucky limited liability company**, ATTN: James H. Frazier, III, 201 East Main Street, Suite 1000, Lexington, Kentucky 40507, (hereinafter "Grantor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, which is the in-care of tax mailing address for the current year (hereinafter "Grantee").

WITNESSETH:

That for and in consideration of the sum of **ONE THOUSAND AND 00/100 DOLLARS (\$1,000.00)**, 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 construction, installation, improvements, 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
KY 4 New Circle Road Sanitary Sewer Relocation Project
(a portion of 1505 Colesbury Road)

A certain parcel of land located in Fayette County, Kentucky along New Circle Road (KY 4) approximately 625 Feet

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

(CC-F)

northwest from the intersection of New Circle Road and Colesbury Circle, lying on the north side of New Circle Road, and being more particularly described as follows:

Beginning at a point in the southwest corner common with Lexmark International Inc. being the POINT OF BEGINNING, thence;

North 44°21'59" East, 10.55 Feet, to a point common with Lexmark International Inc. thence;

South 54°00'52" East, 25.26 Feet, through the lands of Carman Properties, LLC, to a point common with New Circle Road (KY 4) Right Of Way, thence;

North 75°18'00" West, 28.76 Feet, with said Right Of Way to the POINT OF BEGINNING, containing approximately 0.003 acres (132 square feet).

Being a permanent sanitary sewer easement on a portion of the same property as conveyed to Carman Properties, LLC from Rodney B. Hatfield by deed dated September 9, 2004 and recorded in Deed Book 2489, Page 174. All the above is referenced documents are of record in the Fayette County, Kentucky, Clerk's office.

TO HAVE AND TO HOLD the above-described easement 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 permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantor. 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 easement as herein done, and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 558-2018, passed by the Lexington-Fayette Urban County Council on September 13, 2018. Pursuant to KRS 382.135(2)(a), this permanent sanitary sewer easement, which pertains to a public utility, need not contain a statement of consideration.

IN TESTIMONY WHEREOF, the Grantor has signed this Permanent Sanitary Sewer Easement, this the day and year first above written.

GRANTOR:

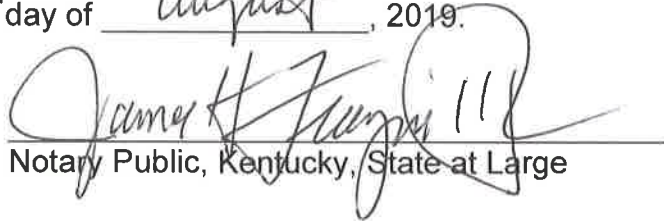
CARMAN PROPERTIES, LLC,
A Kentucky limited liability company

BY: 

RODNEY B. HATFIELD,
MANAGER

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Rodney B. Hatfield, as Manager, for and on behalf of Carman Properties, LLC, a Kentucky limited liability company, on this the 20th day of August, 2019.


Notary Public, Kentucky, State at Large

My Commission Expires: 10/27/19

Notary ID # 543596

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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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

201908270207

August 27, 2019

14:24:19 PM

Fees	\$20.00	Tax	\$.00
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Total Paid	\$20.00
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