

FAYETTE CO, KY FEE \$56.00

SUSAN LAMB
COUNTY CLERK

PRESENTED/LODGED: 04/11/2024 11:41:47 AM

BOBBIE MARSTELLA, DEPUTY CLERK 202404110075

BK: DB 4066

PG: 553-559



PERMANENT EASEMENT

This **PERMANENT EASEMENT** is made and entered into this the 9TH day of APRIL, 2024, by and between **CARMILETA ROSE, a single person**, 2691 Tanner Court, Lexington, Kentucky 40517, which is the in-care of tax mailing address for the current year ("Grantor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 ("Grantee").

WITNESSETH:

That for and in consideration of the sum of **ONE THOUSAND DOLLARS AND 00/100 CENTS (\$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, the permanent to right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction,

Return to:
Cynthia Cannon-Ferguson
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

installation, maintenance 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 Easement
Plainview Trunk
Sewer Improvement Project
(a portion of 2691 Tanner Court)

All that tract or parcel of land situated on the Tanner Court cul-de-sac north right-of-way, in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at the common corner of Carmileta Rose (2961 Tanner Court, Deed Book 1010, Page 182) and Connie W. Ellis and Peggy H. Ellis (2695 Tanner Court, Deed Book 2502, Page 486), said point being in the Tanner Court cul-de-sac north right-of-way, having NAD 83 Kentucky State Plane North Zone (2011) coordinates of North 183,531.22 and East 1,579,779.18; thence leaving said Tanner Court and with said Ellis, North 02°19'31" East, 84.27 feet to the **TRUE POINT OF BEGINNING**; thence leaving said Ellis for three (3) new lines through the lands of said Rose:

1. South 88°01'50" West, 111.44 feet, to a point,
2. North 44°16'29" West, 12.25 feet, to a point,
3. North 81°44'31" East, 122.10 feet, to a point in
the line with said Ellis;

Thence with said Ellis, South 02°19'31" West, 22.50 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 1,856 sq. ft., more or less of permanent easement; and,

A portion of the same property conveyed to Ralph Lee Rose and Carmileta Rose, husband and wife, by Deed dated February 25, 1971, of record in Deed Book 1010, Page 182, in the Fayette County Clerk's Office. Said Ralph Lee Rose died testate a resident of Lexington, Fayette County, Kentucky on May 29, 2003, by the terms of said Will of record in Will Book 23, Page 626, in the Fayette County Clerk's Office, said property vests to his wife, Carmileta Rose, by right-of-survivorship.

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. 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 her right, title, and interest in and to the property to the extent of the interest conveyed herein, including all exemptions allowed by law, and does hereby covenant to and with the Grantee, its successors and assigns forever, that she is lawfully seized in fee simple of said property and has good right to sell and convey the same as herein done, and that she will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 006-2024, passed by the Lexington-Fayette Urban County Council on January 23, 2024. Pursuant to KRS

382.135(2)(a), this deed of easement, which pertains to a public utility, need not contain a statement of consideration.

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

GRANTOR:

BY: Carmileta Rose
CARMILETA ROSE

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Carmileta Rose, a single person, on this the 9th day of APRIL, 2024.




Michael Louis Clayborne
Notary Public, Kentucky, State-at-Large

My Commission Expires: 05 / 10 / 2025

Notary ID # KYNP27704

PREPARED BY:



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

4854-0899-4474, v. 1



GRAPHIC SCALE: 1" = 20'

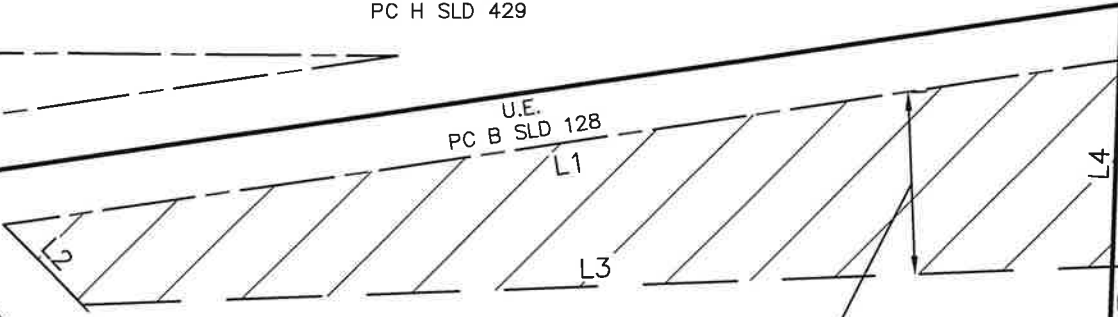
TEMP. CONST. ESMT.
 PERM. SAN. ESMT.



CS PATCHEN OAKS LLC
251 CHIPPENDALE CIR.
DB 3486 PG 541

12' SAN. SEWER E.
PC H SLD 429

U.E.
PC B SLD 128



TRUE P.O.B.

PERM. SAN. E.
1,856 SQ.FT.
(GROSS & NET)

CARMILETA ROSE
2691 TANNER CT.
DB 1010 PG 182

N 02°19'31" E 84.27'

CONNIE W. ELLIS
PEGGY H. ELLIS
2695 TANNER CT.
DB 2502 PG 486

ST. SEWER & U.E.
PC B SLD 128

ST. SEWER & U.E.
PC B SLD 128

WARREN WILKINSON
2686 TANNER CT.
DB 2869 PG 669

P.O.B.
N:183531.22
E:1579779.18

TANNER CT.

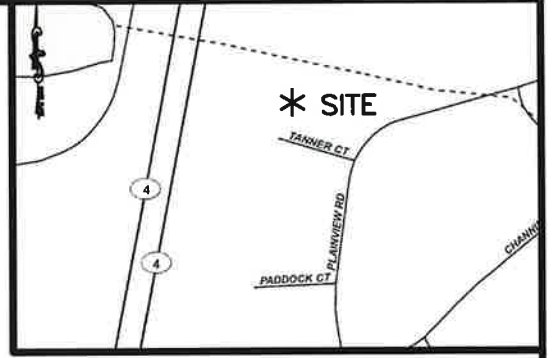
PLAINVIEW TRUNK SANITARY SEWER PROJECT
SANITARY SEWER EASEMENTS
CARMILETA ROSE
2691 TANNER COURT
LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2

REV. DATE:
02/20/24

PRIME AE® 651 Perimeter Drive Suite 300
Lexington, KY 40517
Phone (859) 368-0145
www.primeeng.com



P:\2022\KY01WD-22468 Plainview Trunk Sanitary Sewer\500-CAD\520-Survey\524-Working Drawings\Easements\22468 Proposed Easements.dwg
Day & Time: Feb 20, 2024 - 7:35am
Login Name: jehumiles



VICINITY MAP N.T.S.

LINE	BEARING	DISTANCE
L1	N 81°44'31" E	122.10'
L2	N 44°16'29" W	12.25'
L3	S 88°01'49" W	111.44'
L4	S 02°19'31" W	22.50'

EX. PERM ESMT.=N/A

PROP. PERM. ESMT.(GROSS)=1,856 SQ.FT.
 PROP. PERM. ESMT.(NET)=1,856 SQ.FT.

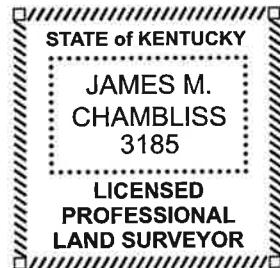
PROP. TEMP. ESMT.(GROSS)=N/A
 PROP. TEMP. ESMT.(NET)=N/A

LAND SURVEYOR'S CERTIFICATE:

THE PROPERTY LINES SHOWN ON THIS EASEMENT EXHIBIT ARE BASED ON DEED AND/OR RECORD PLAT DATA FROM THE FAYETTE COUNTY CLERK'S OFFICE. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DEFINED IN 201 KAR 18:150 AND PRIME AE GROUP HAS NOT PERFORMED A BOUNDARY SURVEY FOR THE PURPOSES OF THIS EXHIBIT. THIS EXHIBIT IS NOT INTENDED TO BE USED FOR LAND TRANSFER.

James M. Chambliss, PLS Digitally signed by James M. Chambliss, PLS
 Date: 2024.02.22 16:05:44 -05'00'

JAMES M. CHAMBLISS, PLS 3185 _____ DATE



REV. DATE:
 02/20/24
 651 Perimeter Drive Suite 300
 Lexington, KY 40517
 Phone (859) 368-0145
 www.primeeng.com

PLAINVIEW TRUNK SANITARY SEWER PROJECT
 SANITARY SEWER EASEMENTS
 CARMELITA ROSE
 2691 TANNER COURT
 LEXINGTON, FAYETTE COUNTY, KENTUCKY- PAGE 2 OF 2