

**DEED OF EASEMENT**

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 7<sup>th</sup> day of August, 2020, by and between **NORMA M. RICHMOND, a widow**, 1000 Della Drive, Lexington, Kentucky 40504, which is the in-care of tax mailing address for the current year (hereinafter "Grantor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, (hereinafter "Grantee").

**WITNESSETH:**

That for and in consideration of the sum of **NINE HUNDRED FIFTY-EIGHT DOLLARS AND 44/100 DOLLARS (\$958.44)**, 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 improvements and construction, installation 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**  
**Wolf Run Trunks D & E Sewer Replacement Project**  
**(a portion of 1000 Della Drive)**

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

**BEGINNING**, at a point on the eastern property line, said property line being the right of way of Appomattox Rd, approximately 67' from the southeastern property corner, thence 25.53' at a bearing of N 62°07'47" W to a point, thence 55.59' at a bearing of S 71°15'24" W to the southern property line shared with Fayette County School District Finance Group, thence 20.43' at a bearing of N 30°34'27" W along the southern property line to a point, thence 68.40' at a bearing of N 71°15'24" E to a point, thence 42.34' at a bearing of S 62°07'47" E to the right of way of Appomattox Rd, thence 21.62' at a bearing of S 50°09'36" W along the right of way back to the **POINT OF BEGINNING**; and,

The above described parcel contains 1,920.59 square feet of permanent easement; and

Being a portion of the property conveyed to Frank E. Richmond and Norma M. Richmond, husband and wife, by Deed dated May 31, 2007, of record in Deed Book 2734, Page 267, in the Fayette County Clerk's Office. Said Frank E. Richmond (a/k/a Frank Edward Richmond, Jr.) died intestate a resident of Lexington, Fayette County, Kentucky on November 10, 2017. The property is vested to his surviving spouse, Norma M. Richmond, by right of survivorship, in fee simple, in the abovementioned deed of record in the Fayette County Clerk's Office.

**FURTHER**, for and in consideration of the sum hereinbefore mentioned, 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, temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer placement and construction, installation and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on Exhibit "A" attached hereto, and more particularly described as follows:

**Temporary Construction Easement**  
**Wolf Run D & E Trunk Sewer Replacement Project**  
**(a portion of 1000 Della Drive)**

**Tract No. 1**

**BEGINNING**, at a point on the eastern property line, said property line being the right of way of Appomattox Rd, approximately 67' from the southeastern property corner, thence 25.53' at a bearing of N 62°07'47" W to a point, thence 55.59' at a bearing of S 71°15'24" W to the southern property line shared with Fayette County School District Finance Group, thence 10.22' at a bearing of S 30°34'27" E along the southern property line to a point, thence 49.19' at a bearing of N 71°15'24" E to a point, thence 16.56' at a bearing of S 62°07'47" E to the right of way of Appomattox Rd, thence 11.03' at a bearing of N 52°51'07" E along the right of way back to the **POINT OF BEGINNING**; and,

The above described parcel contains a total area of 734.30 square feet of temporary construction easement;

**Tract No. 2**

**BEGINNING**, at a point on the eastern property line, said property line being the right of way of Appomattox Rd, approximately 89' from the southeastern property corner, thence 10.65' at a bearing N 47°56'34" E along the right of way of Appomattox Rd to a point, thence 50.30' at a bearing N 62°07'47" W to a point, thence 74.80' at a bearing S 71°15'24" W to the southern property line shared with Fayette County School District Finance Group, thence 10.22' at a bearing S 30°34'27" E along the southern property line to a point, thence 68.40' at a bearing of N 71°15'24" E to a point, thence 42.34' at a bearing of S 62°07'47" E to the right of way of Appomattox Rd back to the **POINT OF BEGINNING**; and,

The above described parcel contains a total area of 1,179.19 square feet of temporary construction easement;

Being a portion of the property conveyed to Frank E. Richmond and Norma M. Richmond, husband and wife, by Deed dated May 31, 2007, of record in Deed Book 2734, Page 267, in the Fayette County Clerk's Office. Said Frank E. Richmond (a/k/a Frank Edward Richmond, Jr.) died intestate a resident of Lexington, Fayette County, Kentucky on November 10, 2017. The property is vested to his surviving spouse, Norma M. Richmond, by right of

survivorship, in fee simple, in the abovementioned deed of record in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** the above-described easements 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 temporary construction easement runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantor. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

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 her right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and do 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 easements as herein done, and that she will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 256-2020, passed by the Lexington-Fayette Urban County Council on June 11, 2020. Pursuant to KRS



PREPARED BY:



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CHARLES E. EDWARDS III

Attorney

Lexington-Fayette Urban

County Government

Department of Law, 11th Floor

200 East Main Street

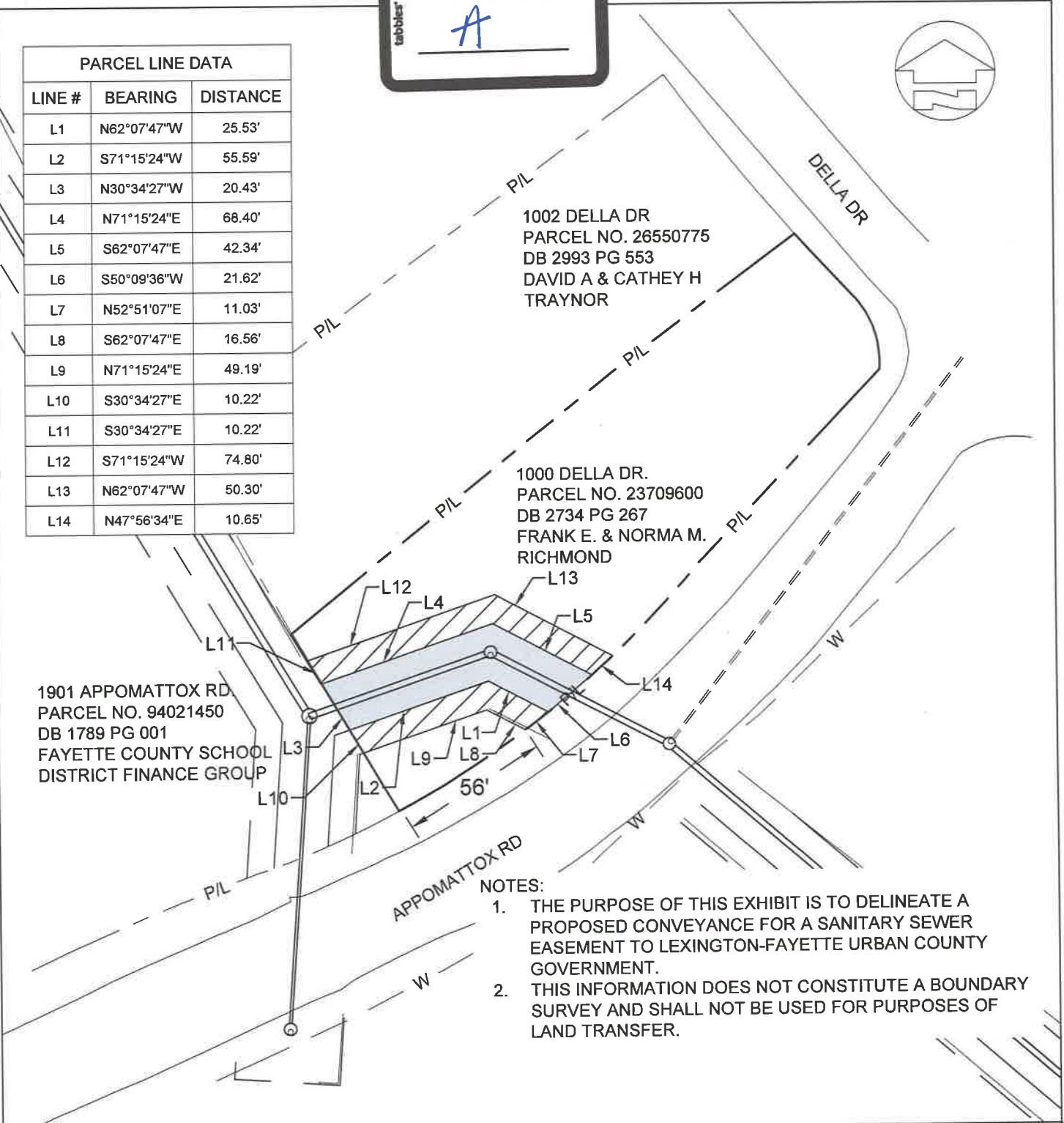
Lexington, Kentucky 40507

(859) 258-3500

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PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L1	N62°07'47"W	25.53'
L2	S71°15'24"W	55.59'
L3	N30°34'27"W	20.43'
L4	N71°15'24"E	68.40'
L5	S62°07'47"E	42.34'
L6	S50°09'36"W	21.62'
L7	N52°51'07"E	11.03'
L8	S62°07'47"E	16.56'
L9	N71°15'24"E	49.19'
L10	S30°34'27"E	10.22'
L11	S30°34'27"E	10.22'
L12	S71°15'24"W	74.80'
L13	N62°07'47"W	50.30'
L14	N47°56'34"E	10.65'



- NOTES:
1. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A PROPOSED CONVEYANCE FOR A SANITARY SEWER EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
  2. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.

**LEGEND:**

- 20' PERMANENT UTILITY EASEMENT (1920.5897 SQ FT)
- 10' TEMPORARY CONSTRUCTION EASEMENT (1913.4931 SQ FT)
- PROPOSED SEWER LINE

**EXHIBIT "A"**  
UTILITY EASEMENT EXHIBIT  
MARCH 10, 2020  
FRANK & NORMA RICHMOND  
PROPERTY  
1000 DELLA DR  
LEXINGTON, KY 40504

SCALE: 1"= 50'

LFUGG  
DIVISION OF WATER QUALITY  
WOLF RUN TRUNK SEWER LINES D & E

200 E MAIN STREET  
LEXINGTON, KY 40507

engineering | architecture | geospatial  
www.gwinc.com

PROJECT NO. 4790

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: PATTY DAVIS ,dc

202008180092

August 18, 2020                      10:07:08    AM

Fees	\$56.00	Tax	\$ .00
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Total Paid	\$56.00
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8 Pages

466 - 473



MAYOR LINDA GORTON



**LEXINGTON**

SUSAN B. SPECKERT  
COMMISSIONER  
DEPARTMENT OF LAW

To: Abigail Allan, Council Clerk  
Council Clerk's Office

From: Department of Law

Date: August 21, 2020

Re: Permanent and Temporary Construction Easement  
1000 Della Drive

Our File No. 20-RE0185  
Wolf Run Trunks D & E Sewer  
Replacement Project

Enclosed is the original recorded Permanent and Temporary Construction Easement for the above-referenced property to the Urban County Government for the Wolf Run Trunks D & E Sewer Replacement Project. Please file the easement with the authorizing legislation, Resolution No. 256-2020.

Please note that the attached asset acquisition form is for the permanent easement only.

If you have any questions, please let me know.

Sincerely,

Keith Horn  
Managing Attorney

**Enclosure**

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