

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 27TH day of APRIL, 2022, by and between **DARRELL W. DAVIS and KIMBERLY W. DAVIS, husband and wife**, 524 Southbend Drive, Lexington, Kentucky 40503, which is the in-care of tax mailing address for the current year (hereinafter "Grantors"), 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 **FOUR HUNDRED TWO DOLLARS AND 00/100 CENTS (\$402.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantors have **BARGAINED** and **SOLD** and do hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors

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

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 F
Sewer Improvement Project
(a portion of 524 Southbend Drive)

All that strip or parcel of land situated on the south side of Southbend Drive, west of Lafayette Parkway in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a point in the southerly right-of-way line of Southbend Drive, said point being a common corner between Lots 22 and 23, Block "D," as shown on the Final Plat of Lafayette Subdivision (Cabinet E, Slide 730); thence leaving the southerly right-of-way line of Southbend Drive, with the westerly property line of Lot 23, S 26°42'28" W, 14.38 feet to a point; thence leaving the westerly property line of Lot 23, with a new permanent sanitary sewer easement line through the lands of Lot 22 for two (2) calls:

- 1) N 62°10'59" W, 61.51 feet to a point; and
- 2) N 61°46'41" W, 32.42 feet to a point in the southerly right-of-way line of Southbend Drive;

Thence with the southerly right-of-way line of Southbend Drive for two (2) calls:

- 1) 54.83 feet along an arc to the right, having a radius of 105.00 feet, the chord of which is S 77°14'10" E, 54.21 feet to a point; and
- 2) S 62°16'35" E, 41.30 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.025 Acres (1,100 sq. ft.) of permanent easement; and

Being a portion of the property conveyed to Darrell W. Davis and Kimberly W. Davis, husband and wife, by Deed dated July 16, 1993, of record in Deed Book 1683, Page 542, 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 Trunks F
Sewer Improvement Project
(a portion of 524 Southbend Drive)

All that strip or parcel of land situated on the south side of Southbend Drive, west of Lafayette Parkway in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

BEGINNING, at a point in the southerly right-of-way line of Southbend Drive, said point being a common corner between Lots 22 and 23, Block "D", as shown on the Final Plat of Lafayette Subdivision (Cabinet E, Slide 730); thence leaving the southerly right-of-way line of Southbend Drive, with the westerly property line of Lot 23, S 26°42'28" W, 14.38 feet to the **TRUE POINT OF BEGINNING**; thence continuing with the westerly property line of Lot 23, S 26°42'28' W, 10.00 feet to a point; thence leaving the westerly property line of Lot 23, with a new temporary construction easement line through the lands of Lot 22 for two (2) calls:

- 1) N 62°10'59" W, 61.73 feet to a point; and
- 2) N 61°46'41" W, 46.66 feet to a point in southerly right-of-way line of Southbend Drive;

Thence with the southerly right-of-way of Southbend Drive, 17.39 feet along an arc to the right, having a radius of 105.00 feet, the chord of which is N 83°03'40" E, 17.36 feet to a point; thence leaving the southerly right-of-way line of Southbend Drive, with a new permanent sanitary sewer easement line through the lands of Lot 22 for two (2) calls:

- 1) S 61°46'41" E, 32.42 feet to a point; and
- 2) S 62°10'59" E, 61.51 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 0.023 Acres (1,016 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Darrell W. Davis and Kimberly W. Davis, husband and wife, by Deed dated July 16, 1993, of record in Deed Book 1683, Page 542, 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 Grantors. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantors. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

Grantors 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.

Grantors do hereby release and relinquish unto the Grantee, its successors and assigns forever, all of their 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 they are lawfully seized in fee simple of said property and have good right to sell and convey the easements as herein done, and that they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 042-2022, passed by the Lexington-Fayette Urban County Council on February 10, 2022. 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 Grantors have signed this Deed of Easement, this the day and year first above written.

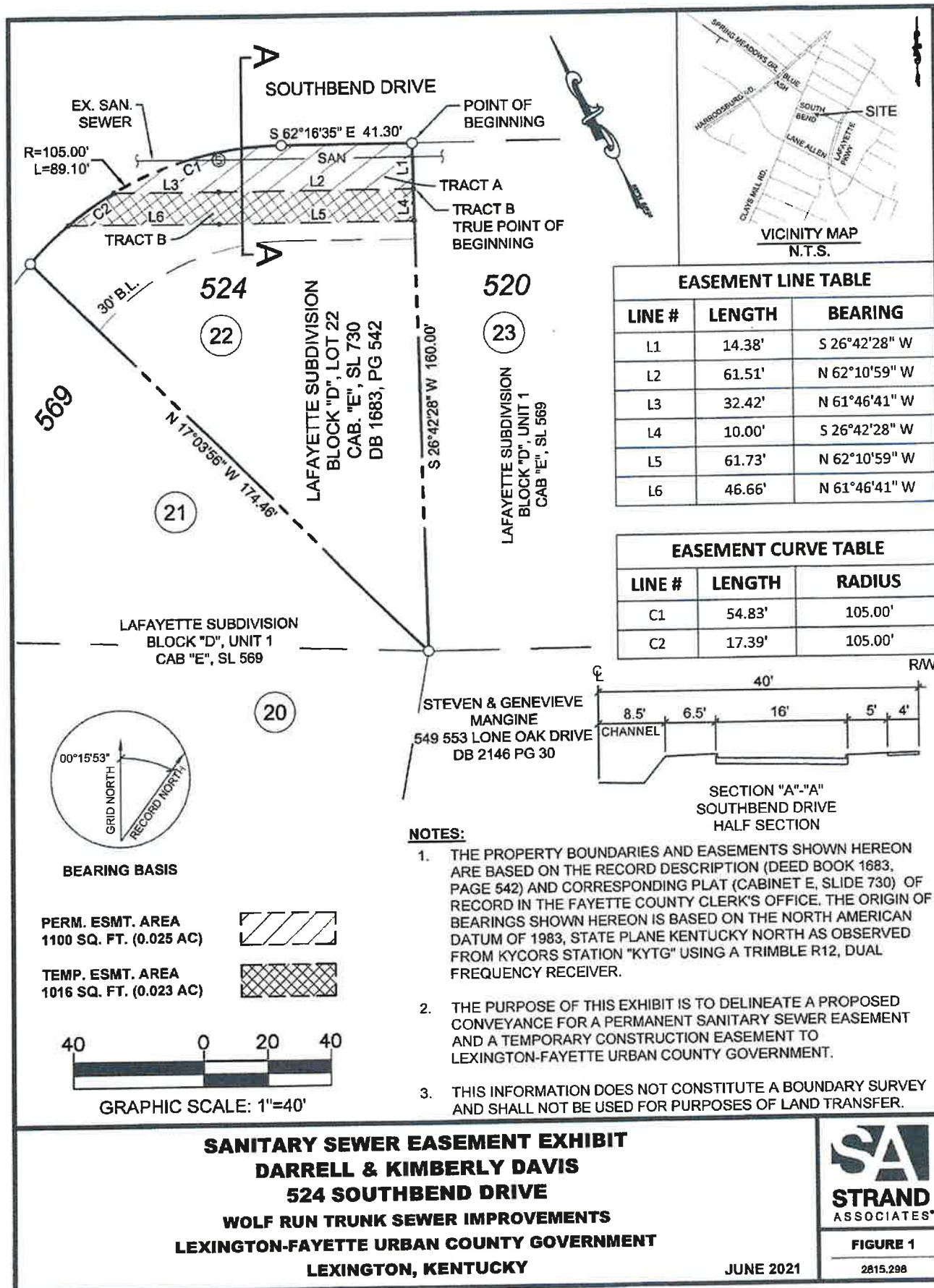
GRANTORS:



DARRELL W. DAVIS



KIMBERLY W. DAVIS

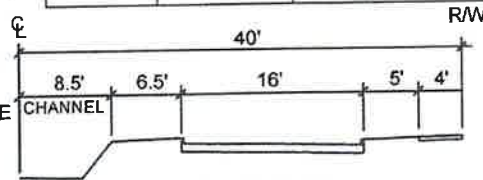


EASEMENT LINE TABLE

LINE #	LENGTH	BEARING
L1	14.38'	S 26°42'28" W
L2	61.51'	N 62°10'59" W
L3	32.42'	N 61°46'41" W
L4	10.00'	S 26°42'28" W
L5	61.73'	N 62°10'59" W
L6	46.66'	N 61°46'41" W

EASEMENT CURVE TABLE

LINE #	LENGTH	RADIUS
C1	54.83'	105.00'
C2	17.39'	105.00'



NOTES:

1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE RECORD DESCRIPTION (DEED BOOK 1683, PAGE 542) AND CORRESPONDING PLAT (CABINET E, SLIDE 730) OF RECORD IN THE FAYETTE COUNTY CLERK'S OFFICE. THE ORIGIN OF BEARINGS SHOWN HEREON IS BASED ON THE NORTH AMERICAN DATUM OF 1983, STATE PLANE KENTUCKY NORTH AS OBSERVED FROM KYCORS STATION "KYTG" USING A TRIMBLE R12, DUAL FREQUENCY RECEIVER.
2. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A PROPOSED CONVEYANCE FOR A PERMANENT SANITARY SEWER EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
3. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.

SANITARY SEWER EASEMENT EXHIBIT
DARRELL & KIMBERLY DAVIS
524 SOUTHBEND DRIVE
WOLF RUN TRUNK SEWER IMPROVEMENTS
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY



FIGURE 1

JUNE 2021

2815.298

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

202204290107

April 29, 2022 15:34:20 PM

Fees	\$56.00	Tax	\$0.00
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Total Paid	\$56.00
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8 Pages

425 - 432