

DEED OF EASEMENT

This **PERMANENT STORMWATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 1st day of March, 2021, by and between **PATRICIA JEAN BISSMEYER, a single person**, 2320 Tucson Drive, Lexington, Kentucky 40503, 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 **EIGHT HUNDRED SIXTY-ONE DOLLARS AND 64/100 DOLLARS (\$801.64)**, 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 stormwater 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 Stormwater Easement
Southland Area Stormwater Improvement Project
(a portion of 2320 Tucson Drive)

All that tract or parcel of land situated on the east side of Tucson Drive, approximately 600' feet northerly of the intersection of Tucson Drive and Hill N Dale Road in

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

Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING at a point on the existing easterly right-of-way of Tucson Drive, common corner to 2330 Tucson Drive, thence with the existing easterly right-of-way of Tucson Drive, N 25°36'49" E-15.00' to a point; thence leaving the existing right-of-way of Tucson Drive and traversing through the lands of 2320 Tucson Drive, S 64°31'25" E-39.01' to a point; thence S 25°53'53" W-0.41' to a point; thence S 64°06'07" E-52.40' to a point; thence N 25°53'53" E-0.79' to a point; thence S 64°31'25" E-83.59' to a point in the common line of 625 Hill N Dale Road; thence with said common line, S 25°36'49" W-15.00' to a point, common corner to 2330 Tucson Drive; thence with the common line of 2330 Tucson Drive, N 64°31'25" W-175.00' to the **POINT OF BEGINNING**; and,

The above-described parcel contains 2,593.60 square feet (0.06 Acres, more or less) of permanent easement; and

Being a portion of the property conveyed to Ollie E. Bissmeyer, Jr. and Patricia Jean Bissmeyer, husband and wife, by Deed dated August 7, 1959, of record in Deed Book 674, Page 425, in the Fayette County Clerk's Office. Said Ollie E. Bissmeyer, Jr. died testate a resident of Lexington, Fayette County, Kentucky on February 4, 2011. Title to the property vests to Patricia Jean Bissmeyer, his wife, by right-of-survivorship in the aforementioned deed.

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 stormwater 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 #1
Southland Area Stormwater Improvement Project
(a portion of 2320 Tucson Drive)

BEGINNING at a point on the existing easterly right-of-way of Tucson Drive, common corner to the above-described permanent drainage and utility easement, said point being located N 25°36'49" E-15.00' from the common corner to 2330 Tucson Drive; thence with the existing easterly right-of-way of Tucson Drive, N 25°36'49" E-10.00' to a point; thence leaving the existing right-of-way of Tucson Drive and traversing through the lands of 2320 Tucson Drive, S 64°31'25" E-39.06' to a point; thence S 25°53'53" W-10.00' to a point, common corner to said permanent easement described above; thence with said permanent drainage and utility easement, N 64°31'25" W-39.01' to the **POINT OF BEGINNING**; and,

The above-described parcel contains a total area of 390.30 square feet (0.01 Acres, more or less) of temporary construction easement;

Temporary Construction Easement #2
Southland Area Stormwater Improvement Project
(a portion of 2320 Tucson Drive)

BEGINNING at a point on the common line of 625 Hill N Dale Road, common corner to the above-described permanent drainage and utility easement; thence with the common line of said permanent easement, N 64°31'25" W-83.59' to a point; thence leaving the common line of said permanent easement and traversing through the lands of 2320 Tucson Drive, N 25°53'53" E-10.00' to a point; thence S 64°31'25" E-83.54' to a point on the common line of 625 Hill N Dale Road; thence with the common line of 625 Hill N Dale Road, S 25°36'49" W-10.00' to the **POINT OF BEGINNING**; and,

The above-described parcel contains a total area of 835.60 square feet (0.02 Acres, more or less) of temporary construction easement;

Both parcels being a portion of the property conveyed to Ollie E. Bissmeyer, Jr. and Patricia Jean Bissmeyer, husband and wife, by Deed dated August 7, 1959, of record in Deed Book 674, Page 425, in the Fayette County Clerk's

Office. Said Ollie E. Bissmeyer, Jr. died testate a resident of Lexington, Fayette County, Kentucky on February 4, 2011. Title to the property vests to Patricia Jean Bissmeyer, his wife, by right-of-survivorship in the aforementioned deed.

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.

PREPARED BY:



EVAN P. THOMPSON

Attorney

Lexington-Fayette Urban

County Government

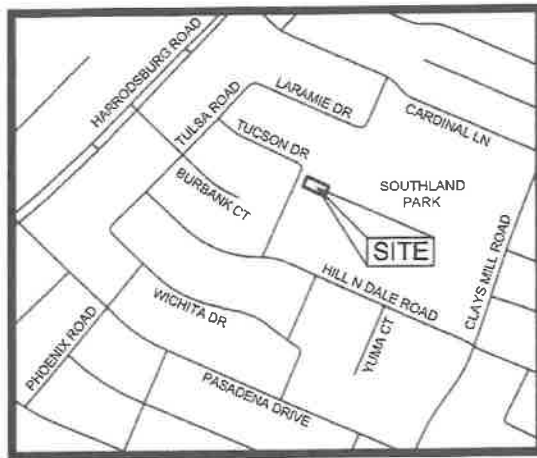
Department of Law, 11th Floor

200 East Main Street

Lexington, Kentucky 40507

(859) 258-3500

X:\Cases\WATER-AIR\20-RE0392\RE\00718190.DOC



VICINITY MAP

SCALE: 1"=100'

BANKS

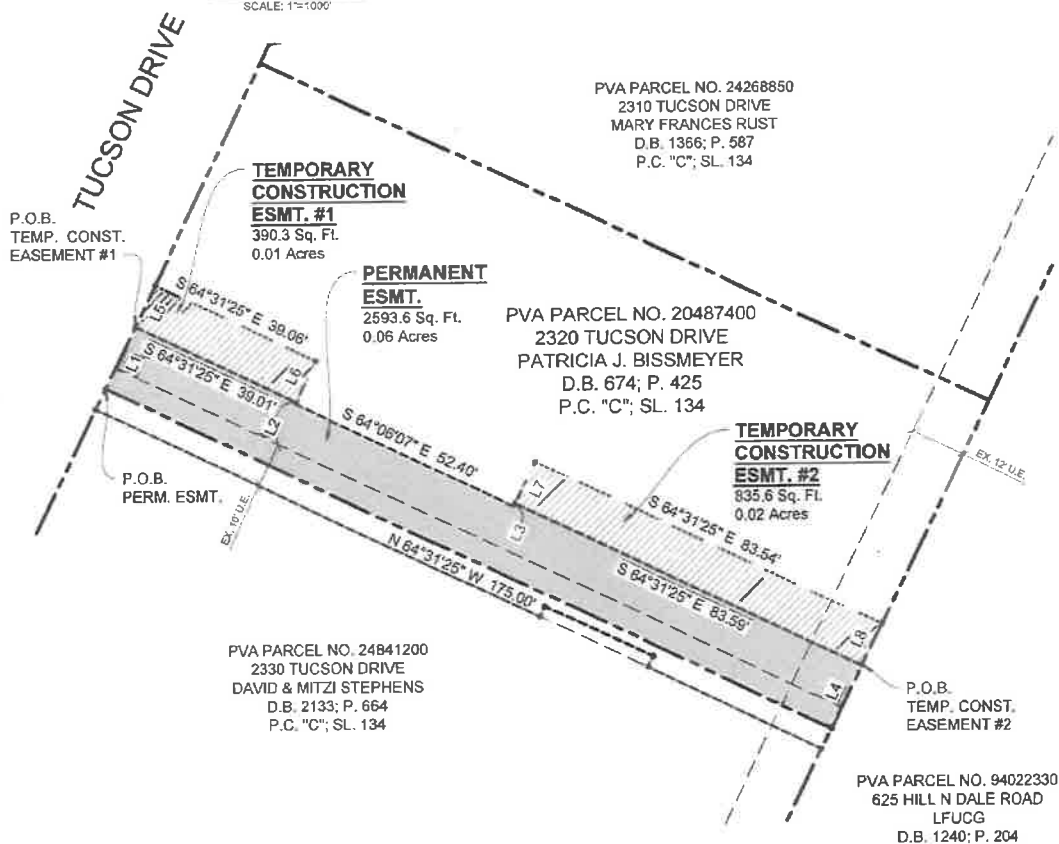
Engineering, Inc.

1211 Jessamine Station
 Nicholasville, Kentucky 40356
 (859) 881-0020



NOTES

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY NORTH STATE PLANE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY.
2. SELECT FIELD MEASUREMENTS WERE MADE, HOWEVER, NO BOUNDARY SURVEY WAS PERFORMED.
3. THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE FULL EXTERIOR BOUNDARIES OF THE PROPERTIES SHOWN AND DEPICTED HEREON.
4. AREA OF "REMAINDER" PARCELS IS BASED ON PRIOR RECORD PLAT LODGED IN PLAT CABINET C, SLIDE 134 IN THE FAYETTE COUNTY CLERK'S OFFICE.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 25°36'49" E	15.00'
L2	S 25°53'53" W	0.41'
L3	N 25°53'53" E	0.79'
L4	S 25°36'49" W	15.00'
L5	N 25°36'49" E	10.00'
L6	S 25°53'53" W	10.00'
L7	N 25°53'53" E	10.00'
L8	S 25°36'49" W	10.00'

GRAPHIC SCALE



1 inch = 30 feet

PROJECT: 19024
 DRAWN BY: CBS
 DATE: November, 2019
 DRAWING: 19024_LFUCG Acquisition Exhibits

EXHIBIT "A"
 STORM SEWER EASEMENT
 Lexington-Fayette Urban
 County Government
 THROUGH THE PROPERTY OF
Patricia J. Bissmeyer
 PARCEL 20487400
 DB. 674; P. 425 & P.C. "C"; SL 134
 2320 TUCSON DRIVE
 Lexington, Kentucky

DEED BOOK 3823 PAGE 699

**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

202103090214

March 9, 2021 11:14:28 AM

Fees \$56.00 Tax \$.00

Total Paid \$56.00

THIS IS THE LAST PAGE OF THE DOCUMENT

8 Pages

692 - 699