

DEED OF EASEMENT

This **PERMANENT STORMWATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 31st day of October, 2022, by and between the **HARRODS POINT, LLC**, a Kentucky limited liability company, 2040 Regency Road, Suite D, Lexington, Kentucky 40503, 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 **TWO THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$2,500.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantor has

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

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
Lyon Drive
Stormwater Improvement Project
(a portion of 2160 Ft. Harrods Drive)

A drainage easement for a certain tract or parcel of land located in Lexington, Fayette County, Kentucky, approximately at the intersection of Lyon Drive and Ft. Harrods Drive and being more fully described and bounded as follows, to-wit:

Tract 1B

BEGINNING, at an 5/8 inch iron pin found in the east line of Lot 1 of Harrods Hill Estates Subdivision, along Ft. Harrods Drive, Unit 2-A, Block B, Section 1 (Plat Cabinet D, Slide 487), having a coordinate of N:187172.30 E:1547933.66;

Thence a tie bearing of S 70° 27' 45" W, a distance of 176.36 feet to a calculated corner in the southern right-of-way of Ft. Harrods Drive, which is the **TRUE POINT OF BEGINNING**, for Easement Tract 1B, having the coordinates of N:187123.76, E:1547796.70 for the following three calls:

- 1) Thence turning away from the right-of-way into the Lot 1 (Deed Book 3116, Page 707), S 19°32'58" E, a distance of 20.00 feet (L6) to a calculated corner;
- 2) Thence turning back to the right-of-way, N 87°54'11" W, a distance of 23.88 feet (L7) to a point in the right-of-way of Ft. Harrods Drive;
- 3) Thence with the right-of-way line, N 70°27'45" E, a distance of 13.15 feet (L8) back to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 132 sq. ft. (0.003 Acres) of permanent easement; and

Tract 1B, being a portion of the property conveyed to Harrods Point, LLC, a Kentucky limited liability company, by Deed dated November 22, 2012, of record in Deed Book 3117, Page 707, 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 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 Exhibit "A", attached hereto, and more particularly described as follows:

Temporary Construction Easement
Lyon Drive
Stormwater Improvement Project
(a portion of 2160 Ft. Harrods Drive)

A drainage easement for a certain tract or parcel of land located in Lexington, Fayette County, Kentucky, approximately at the intersection of Lyon Drive and Ft. Harrods Drive and being more fully described and bounded as follows, to-wit:

Tract 1A

BEGINNING, at an 5/8 inch iron pin found in the east line of Lot 1 of Harrods Hill Estates Subdivision, along Ft. Harrods Drive, Unit 2-A, (Plat Cabinet D, Slide 487), having a coordinate of N:187172.30 E:1547933.66;

Thence a tie bearing of S 70° 27' 45", W a distance of 189.51 feet to a calculated corner in the southern right-of-way of Ft. Harrods Drive, which is the **TRUE POINT OF BEGINNING**, for Easement

Tract 1A, having the coordinates of N:187108.18, E:1547752.97;
thence the following six calls:

- 1) Thence turning away from the right-of-way into the Lot 1 (Deed Book 3116, Page 707) S 52°37'54" E, a distance of 23.88 feet (L1) to a calculated corner;
- 2) Thence S 19°32'58" E, a distance of 5.06 feet (L2) to a calculated corner;
- 3) Thence S 76°07'59" W, a distance of 5.02 feet (L3) to a calculated corner;
- 4) Thence N 85°18'17" W, a distance of 11.11 feet (L4) to a calculated corner;
- 5) Thence N 52°28'26" W, a distance of 23.76 feet (L5) to a point in the right-of-way of Ft. Harrods Drive;
- 6) Thence with the right-of-way line, N 70°27'45" E, a distance of 14.89' feet (L15) back to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 374 sq. ft. (0.009 Acres) of temporary construction easement; and

Tract 1C

BEGINNING, at an 5/8 inch iron pin found in the east line of Lot 1 of Harrods Hill Estates Subdivision, along Ft. Harrods Drive, Unit 2-A, (Plat Cabinet D, Slide 487), having a coordinate of N:187172.30 E:1547933.66;

Thence a tie bearing of S 70° 27' 45" W, a distance of 145.30 feet to a calculated corner in the southern right-of-way of Ft. Harrods Drive, which is the **TRUE POINT OF BEGINNING**, for Easement Tract 1C, having the coordinates of N:187134.09, E:1547825.99 for the following six calls:

- 1) Thence turning away from the right-of-way, S 19° 44'37" E, a distance of 218.54 feet to a calculated corner;
- 2) Thence S 71°20'43" W, a distance of 6.88 feet to a calculated corner, having a tie bearing of N 54°25'09" W, a distance of 43.35 feet to a 5/8 inch iron pin found;

- 3) Thence N 19°32'58" W, a distance of 99.27 feet to a calculated corner;
- 4) Thence S 62°30'56" W, a distance of 12.96 feet to a calculated corner;
- 5) Thence N 19°32'58" W, a distance of 120.76 feet to a point in the right-of-way;
- 6) Thence with the right-of-way N 70°27'45" E, a distance of 19.06 feet (L11) back to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 2,968 sq. ft. (0.0681 Acres) of temporary construction easement; and

Tract 1D

BEGINNING, at an 5/8 inch iron pin found in the east line of Lot 1 of Harrods Hill Estates Subdivision, Unit 2-A, (Plat Cabinet D, Slide 487), having a coordinate of N:187172.30 E:1547933.66;

Thence a tie bearing of S 60° 42'05" W, a distance of 147.43 feet to a calculated corner across the street from Lyons Drive, which is the **TRUE POINT OF BEGINNING**, for Easement Tract 1D, having the coordinates of N:187100.62, E:1547804.92; thence the following four calls:

- 1) Thence S 19° 32'58" E, a distance of 97.87 feet to a calculated corner;
- 2) Thence S 70°27'02" W, a distance of 5.00 feet (L9) to a calculated corner;
- 3) Thence N 19°32'58" W, a distance of 97.87 feet to a calculated corner;
- 4) Thence N 76°0 7'59" E, a distance of 5.02 feet (L10) back to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 488 sq. ft. (0.011 Acres) of temporary construction easement; and

Tracts 1A, 1C and 1D, being a portion of the property conveyed to Harrods Points, LLC, a Kentucky limited liability company, by Deed dated November 22, 2012, of record in Deed Book 3117, Page 707, 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 said Grantee, its successors and assigns, 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 the 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 its 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 it is lawfully seized in fee simple of said property and has good right to sell and convey the same as herein done, and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 458-2022, passed by the Lexington-Fayette Urban County Council on August 30, 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 Grantor has signed this Deed of Easement, this the day and year first above written.

GRANTOR:

HARRODS POINT, LLC, a
Kentucky limited liability company

BY: 
GERALD A. DUBILIER,
MEMBER

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Gerald A. Dubilier, as a Member, for and on behalf of Harrods Point, LLC, a Kentucky limited liability company, on this the 31ST day of OCTOBER, 2022.




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

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SURVEY NOTES

1. THE PURPOSE OF THIS PLAT IS TO ESTABLISH A TEMPORARY CONSTRUCTION EASEMENT ON LOT 1.
2. KENTUCKY STATE PLANE NORTH ZONE COORDINATE SYSTEM AND NORTH AMERICAN VERTICAL DATUM 1988.
3. NO PROPERTY CORNERS WERE SET FOR THIS PROPERTY
4. PROPERTY SHOWN IS NOT INCLUDED IN THE FLOODPLAIN AS SHOWN ON NFIP PANEL 2100670114E, DATED MARCH 3, 2014.

LAND SURVEYOR'S CERTIFICATION:

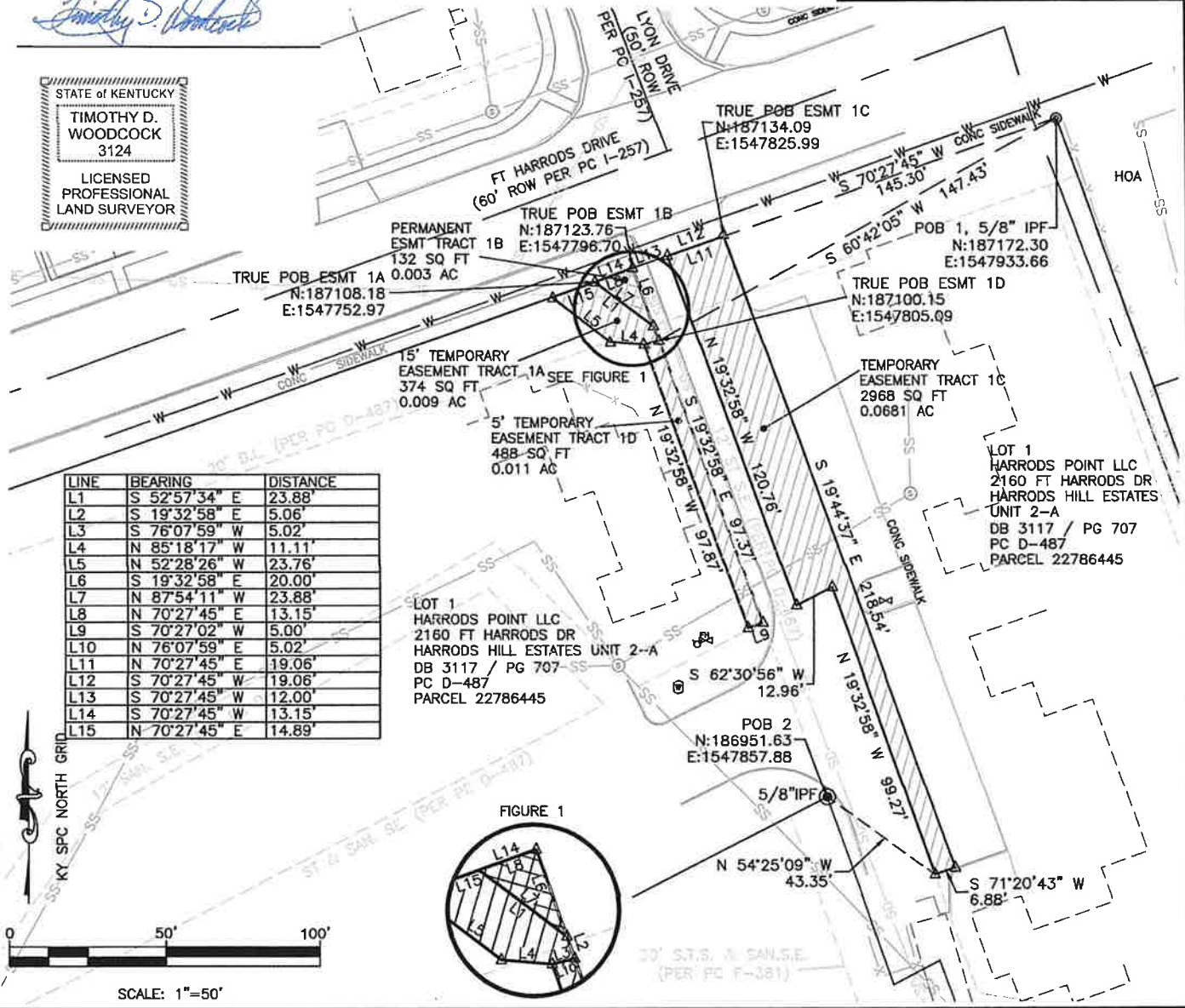
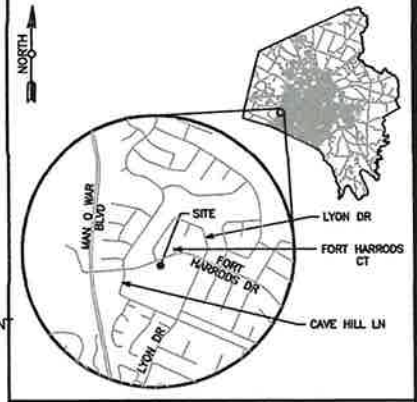
I DO HEREBY CERTIFY THAT THIS EASEMENT PLAT WAS PREPARED UNDER MY DIRECTION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE BOUNDARIES OF THE PROPERTY BEING TRANSFERRED ARE TRUE AND ACCURATE.

Timothy D. Woodcock

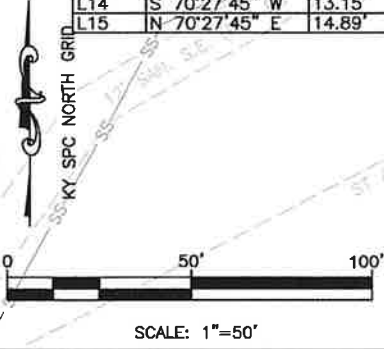
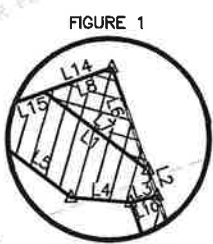
STATE OF KENTUCKY
TIMOTHY D. WOODCOCK
 3124
 LICENSED PROFESSIONAL LAND SURVEYOR

LEGEND:

- DB PG DEED BOOK & PAGE
- PC PG PLAT CABINET & PAGE
- ▲ CALCULATED CORNER
- IPF IRON PIN FOUND
- IPS IRON PIN SET
- PFND PINCHED PIPE FOUND
- NWS MAG NAIL & WASHER SET
- PPF POWER POLE FOUND
- ROW RIGHT-OF-WAY
- PROPERTY LINE
- - - PROPERTY LINE: ADJOINING
- - - EASEMENT LINE
- - - MINIMUM BUILDING SETBACK LINE
- - - SANITARY SEWER
- - - STORM DRAIN LINE & STRUCTURE
- - - TEMPORARY CONSTRUCTION EASEMENT
- ▨ PERMANENT DRAINAGE EASEMENT



LINE	BEARING	DISTANCE
L1	S 52°57'34" E	23.88'
L2	S 19°32'58" E	5.06'
L3	S 76°07'59" W	5.02'
L4	N 85°18'17" W	11.11'
L5	N 52°28'26" W	23.76'
L6	S 19°32'58" E	20.00'
L7	N 87°54'11" W	23.88'
L8	N 70°27'45" E	13.15'
L9	S 70°27'02" W	5.00'
L10	N 76°07'59" E	5.02'
L11	N 70°27'45" E	19.06'
L12	S 70°27'45" W	19.06'
L13	S 70°27'45" W	12.00'
L14	S 70°27'45" W	13.15'
L15	N 70°27'45" E	14.89'



TEMPORARY CONSTRUCTION AND PERMANENT DRAINAGE EASEMENT EXHIBIT

LOCATED AT: LOCATED AT: LOT 1 HARROD HILLS ESTATES, UNIT 2-A
 2160 FT HARRODS DRIVE, LEXINGTON, KY, FAYETTE COUNTY

CLIENT: BELL ENGINEERING, 2480 FORTUNE DRIVE SUITE 350,
 LEXINGTON, KY 40509

OWNER: HARRODS POINT LLC 2160 FT HARRODS DRIVE LEXINGTON KY

PROJECT: 2022-007, SCALE: 1"=50', DATE: 08/25/2022, SIZE: 8.5x11, SHT: 1 OF 1
 CAD: JME, PLS: TDW, PLS QC: AMJ



ABBIE JONES CONSULTING
 PROFESSIONAL LAND SURVEYING & ENGINEERING
 1022 FONTAINE RD.
 LEXINGTON, KY 40502
 859.559.3443
 www.abbie-jones.com

2022-007 Lyon Dr Easements trac 1a -1d Harrod Point LLC tdw v1.dwg

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

202211020255

November 2, 2022 13:59:38 PM

Fees	\$62.00	Tax	\$0.00
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Total Paid	\$62.00
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10 Pages

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