

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 13 day of MAY, 2019, by and between **LEXINGTON-FAYETTE URBAN COUNTY HOUSING AUTHORITY** a Kentucky corporation, 300 West New Circle Road, ATTN: Sean Cooper, Lexington, Kentucky 40515-1428, 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 **FORTY-TWO AND 27/100 DOLLARS (\$42.27)**, 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-1" and Exhibit "A-2", and more particularly described as follows, to wit:

Permanent Sanitary Sewer Easement
Lansdowne South Trunk Sewer Replacement Project
(a portion of 3601 Allante Brook Court)

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

(CC-F)

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All of that tract or parcel of land being a permanent sewer easement situated north of Allante Brook Court in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Beginning at a point in the northeast corner of the property and being a common corner to 3640 Allante Brook Court property (Deed Book 1592, Page 86), LFUCG Housing Authority property, said point being **THE POINT OF BEGINNING OF THE PROPOSED PERMANENT SANITARY SEWER EASEMENT**; thence S 24°58'42" W, a distance of 9.26 feet; thence S 24°58'42" W, a distance of 0.20 feet; thence S 74°13'49" W, a distance of 4.28 feet; thence N 15°46'11" W, a distance of 8.00 feet; thence N 78°46'38" E, a distance of 10.49 feet, more or less to the **POINT OF BEGINNING**; and,

The above described parcel contains 57.15 square feet of permanent easement; and

Included in the above described proposed permanent sanitary sewer easement area description is an existing sanitary sewer easement of 21.14 square feet, resulting in a net increase of 36.01 square feet of new easement area; and,

Permanent Sanitary Sewer Easement
Lansdowne South Trunk Sewer Replacement Project
(a portion of 3640 Allante Brook Court)

Three tracts or parcels of land being a permanent sewer easement situated northeast of Allante Brook Court in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Tract No. 1

Beginning at a point in the southeast corner of the property and being a common corner to 3905 Waterwood Terrace property (Deed Book 3183, Page 277), and lying in the north right-of-way of Wilson Downing Road; thence N 27°56'26" E, 124.83 feet, more or less along the common property line with the 3905 Waterwood Terrace property to **THE POINT OF BEGINNING OF THE PROPOSED PERMANENT SANITARY SEWER EASEMENT**; thence N 06°00'20" W, a distance of 42.61 feet; thence S 52°59'09" E, a distance of

24.10 feet; thence S 27°57'02" W, a distance of 31.54 feet, more or less to the **POINT OF BEGINNING**; and,

The above described parcel contains 375.35 square feet of permanent easement; and

Tract No. 2

Beginning at a point in the northwest corner of the property and being a common corner to 3601 Allante Brook Court property (Deed Book 1592, Page 86) LFUCG Housing Authority property; thence S 12°10'44" E, 293.50 feet, more or less along the common property line with the 3395 Spangler Drive property (Deed Book 3480, Page 96, Downing Place Subdivision, Unit 1-C, Lot 1) to **THE POINT OF BEGINNING OF THE PROPOSED PERMANENT SANITARY SEWER EASEMENT**; thence S 12°12'26" E, a distance of 12.52 feet; thence S 52°44'54" E, a distance of 9.45 feet; thence S 46°17'16" W, a distance of 10.38 feet; thence N 43°42'44" W, a distance of 20.00 feet; thence N 46°17'16" E, a distance of 15.44 feet, more or less to the **POINT OF BEGINNING**; and,

The above described parcel contains 219.73 square feet of permanent easement; and,

Tract No. 3

Beginning at a point in the northwest corner of the property and being a common corner to 3601 Allante Brook Court property (Deed Book 1592, Page 86) LFUCG Housing Authority property; said point being **THE POINT OF BEGINNING OF THE PROPOSED PERMANENT SANITARY SEWER EASEMENT**; thence S 11°53'18" E, a distance of 7.18 feet; thence S 74°13'49" W, a distance of 5.69 feet; thence N 24°58'42" E, a distance of 9.46 feet, more or less to the **POINT OF BEGINNING**; and,

The above described parcel contains 20.38 square feet of permanent easement; and,

Included in the above described proposed permanent sanitary sewer easement area description is an existing sanitary sewer easement of 600.05 square feet, resulting in a net increase of 15.41 square feet of new easement area; and,

All of the above tracts being a portion of the property conveyed to Lexington-Fayette Urban County Housing Authority a Kentucky corporation, by deed dated July 5, 1991, of record in Deed Book 1592, Page 86, 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-1" and Exhibit "A-2" attached hereto, and more particularly described as follows:

Temporary Construction Easement
Lansdowne South Trunk Sewer Replacement Project
(a portion of 3601 Allante Brook Court)

One tract or parcel of land being a temporary construction easement situated north of Allante Brook Court in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Tract No. 1

Beginning at a point in the northeast corner of the property and being a common corner to 3640 Allante Brook Court property (Deed Book 1592, Page 86) LFUCG Housing Authority parcel; thence S 24°58'42" W, 9.46 feet, more or less along the common property line with the 3640 Allante Brook Court property to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence S 24°58'42" W, a distance of 6.56 feet; thence N 15°46'11" W, a distance of 4.97 feet; thence N 74°13'49" E, a distance of 4.28 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 10.64 square feet of temporary construction easement; and,

Temporary Construction Easement
Lansdowne South Trunk Sewer Replacement Project
(a portion of 3640 Allante Brook Court)

Four tracts or parcels of land being a temporary construction easement situated northeast of Allante Brook Court in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Tract No. 1

Beginning at a point in the northwest corner of the property and being a common corner to 3601 Allante Brook Court property (Deed Book 1592, Page 86) LFUCG Housing Authority parcel; thence S 24°58'42" W, 9.46 feet, more or less along the common property line with the 3601 Allante Brook Court property and existing sanitary sewer easement to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence N 74°13'49" E, a distance of 0.12 feet; thence S 12°25'10" E, a distance of 10.02 feet; thence S 74°13'49" W, a distance of 3.82 feet; thence N 15°46'11" W, a distance of 5.03 feet; thence N 24°58'42" E, a distance of 6.56 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 30.49 square feet of temporary construction easement; and,

Tract No. 2

Beginning at a point in the northwest corner of the property and being a common corner to 3601 Allante Brook Court property (Deed Book 1592, Page 86) LFUCG Housing Authority property; thence S 12°10'44" E, 281.77 feet, more or less along the common property line with the 3395 Spangler Drive property (Deed Book 3480, Page 9, Downing Place Subdivision, Unit 1-C, Lot 1); thence S 46°17'16" W, 5.19 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence S 12°25'10" E, a distance of 7.64 feet; thence S 37°26'42" W, a distance of 12.49 feet; thence N 43°42'44" W, a distance of 8.45 feet; thence N 46°17'16" E, a distance of 16.31 feet, more or less to **THE POINT OF**

BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT; and,

The above described parcel contains 105.31 square feet of temporary construction easement; and,

Tract No. 3

Beginning at a point in the northwest corner of the property and being a common corner to 3601 Allante Brook Court property (Deed Book 1592, Page 86) LFUCG Housing Authority property; thence S 12°10'44" E, 306.00 feet, more or less along the common property line with the 3395 Spangler Drive property (Deed Book 3480, Page 96, Downing Place Subdivision, Unit 1-C, Lot 1); thence S 19°38'48" E, 6.89 feet, more or less; thence S 52°33'18" E, 3.10 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence S 52°33'18" E, a distance of 10.12 feet; thence S 46°17'16" W, a distance of 8.05 feet; thence N 43°42'44" W, a distance of 10.00 feet; thence N 46°17'16" E, a distance of 6.50 feet; more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 72.73 square feet of temporary construction easement; and,

Tract No. 4

Beginning at a point in the southeast corner of the property and being a common corner to 3905 Waterwood Terrace Property (Deed Book 3183, Page 277) Walden Grove Subdivision, Unit 2-B, Lot 4B and in the northern right-of-way line of Wilson Downing Road; thence N 58°23'37" W, 25.03 feet, more or less along the northern right-of-way line of Wilson Downing Road; thence N 27°56'26" E, 142.46 feet, more or less along the existing sanitary sewer easement to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASTMENT**; thence N 06°00'20" W, a distance of 15.13 feet; thence S 52°33'18" E, a distance of 8.56 feet; thence S 27°56'26" W, a distance of 11.13 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 47.02 square feet of temporary construction easement; and,

All of the above tracts being a portion of the property conveyed to Lexington-Fayette Urban County Housing Authority a Kentucky corporation, by deed dated July 5, 1991, of record in Deed Book 1592, Page 86, in the Fayette County Clerk's Office.

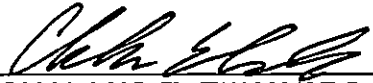
TO HAVE AND TO HOLD the above-described easements together with all rights, appurtenances, and improvements thereunto belonging unto Grantee, its successors and assigns forever, for the purposes and uses herein designated.

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 its right, title, and interest in and to the property to the extent of the interests 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 easements as herein done, and that it will **WARRANT GENERALLY** said title.

PREPARED BY:



CHARLES E. EDWARDS III

Attorney

Lexington-Fayette Urban

County Government

Department of Law, 11th Floor

200 East Main Street

Lexington, Kentucky 40507

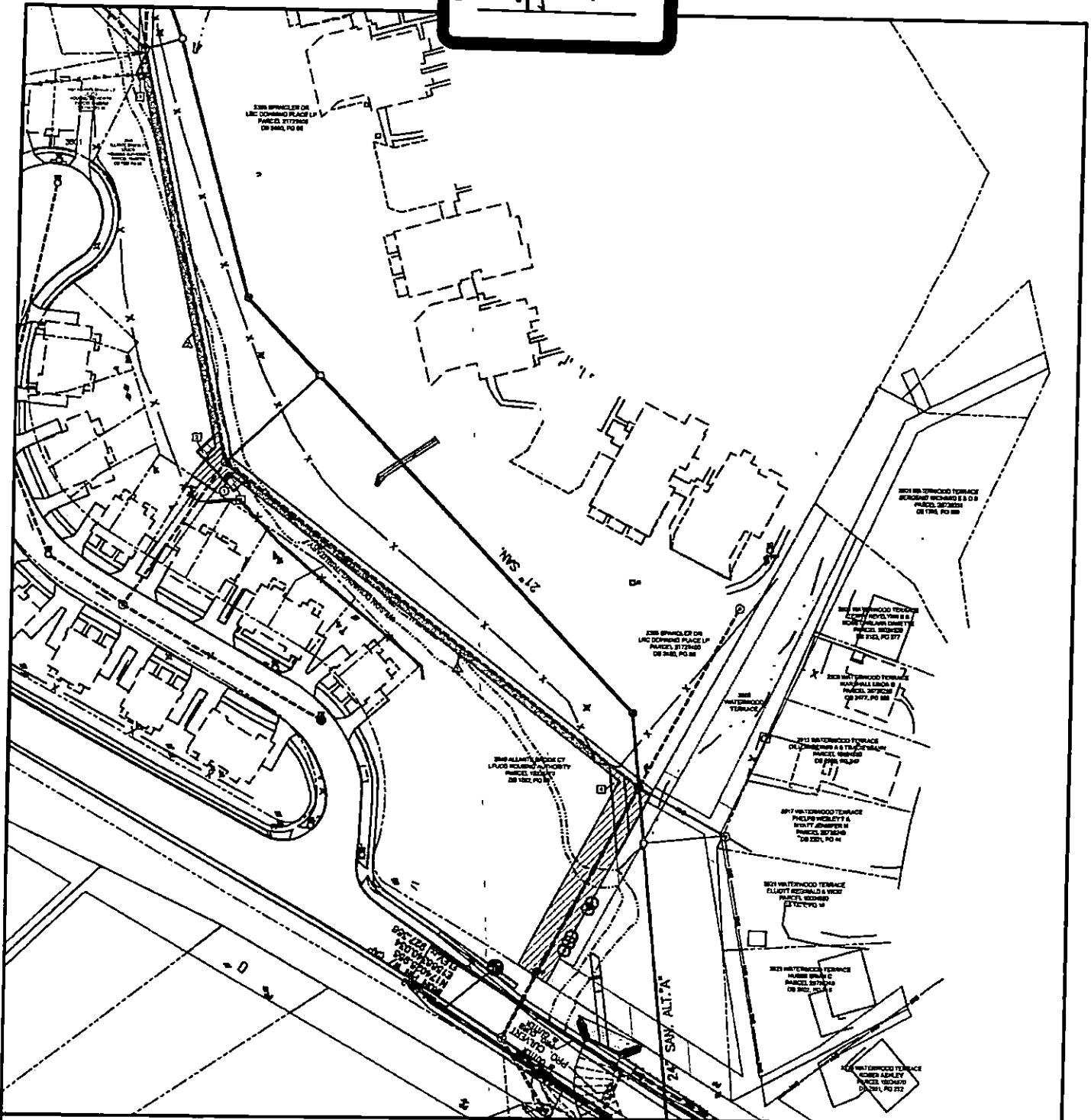
(859) 258-3500

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EXHIBIT

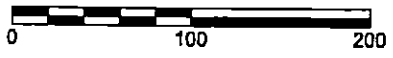
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BASIS OF BEARINGS:
NAD 83 KY NORTH

GRAPHIC SCALE: 1" = 100'



- ① PERMANENT EASEMENT TRACT NO.
- ① TEMPORARY CONSTRUCTION EASEMENT TRACT NO.
- ⚠ EXISTING EASEMENT TO BE RELEASED TRACT NO.

- EXISTING EASEMENT AREA
- TEMPORARY CONSTRUCTION EASEMENT
- NEW PERMANENT EASEMENT AREA
- EX. EASEMENT AREA TO BE RELEASED



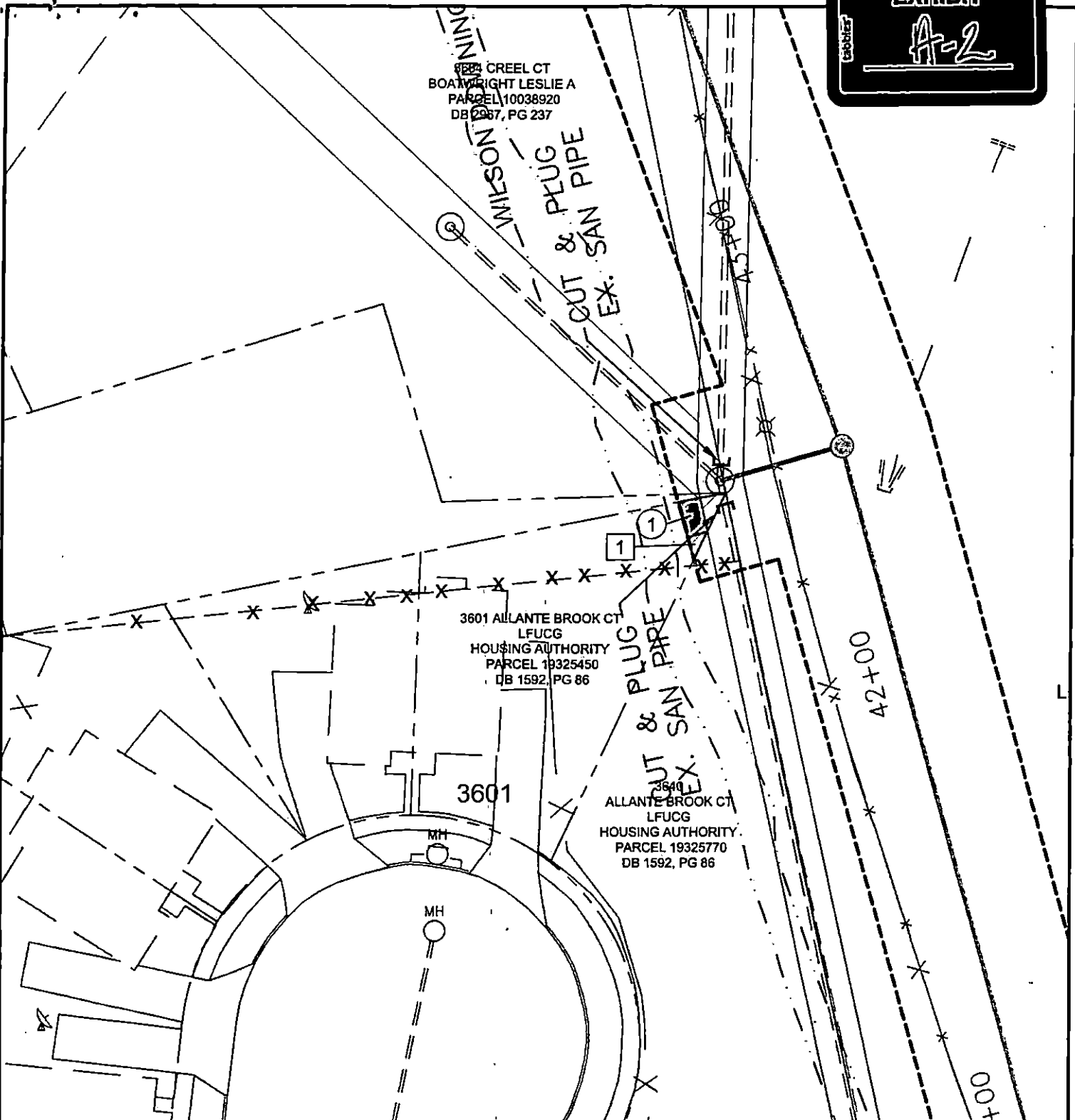
SANITARY SEWER EASEMENT 3640 ALLANTE BROOK COURT



CIVIL □ ENVIRONMENTAL □ MINING

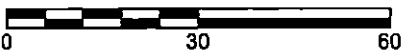
340 S BROADWAY □ LEXINGTON, KY 40517 □ (859) 233-2103 □ fax (859) 259-3394

DATE - 1/22/2018	PROJECT NO. 1016-001
DRAWN - kmf	
PROJECT NAME - LANSOWNE SOUTH TRUNK SEWER REPLACEMENT	
PROJECT LOCATION - LEXINGTON, KENTUCKY	



BASIS OF BEARINGS:
NAD 83 KY NORTH

GRAPHIC SCALE: 1" = 30'



- ① PERMANENT EASEMENT TRACT NO.
- 1 TEMPORARY CONSTRUCTION EASEMENT TRACT NO.
- ⚠ EXISTING EASEMENT TO BE RELEASED TRACT NO.

- EXISTING EASEMENT AREA
- TEMPORARY CONSTRUCTION EASEMENT
- NEW PERMANENT EASEMENT AREA
- EX. EASEMENT AREA TO BE RELEASED



SANITARY SEWER EASEMENT 3601 ALLANTE BROOK COURT



ECSI, LLC

CIVIL & ENVIRONMENTAL & MINING

340 S BROADWAY • LEXINGTON, KY 40517 • (859) 233-2103 • fax (859) 259-3394

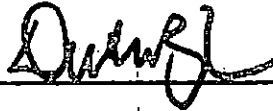
DATE - 1/22/2018 PROJECT NO. 1016-001

DRAWN - kmf

PROJECT NAME - LANSOWNE SOUTH TRUNK SEWER REPLACEMENT

PROJECT LOCATION - LEXINGTON, KENTUCKY

I, Donald W Bleyins Jr, County Court Clerk
of Fayette County, Kentucky, hereby
certify that the foregoing instrument
has been duly recorded in my office.



By: EMILY GENTRY ,dc

201905170198

May 17, 2019

11:14:45 AM

Fees	\$41.00	Tax	\$.00
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Total Paid	\$41.00
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12 Pages

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