

**DEED OF CONVEYANCE AND GRANT OF EASEMENT**

This **DEED OF CONVEYANCE AND GRANT OF EASEMENT** is made and entered into this the 25<sup>th</sup> day of February, 2019, by and between **ZACHARY M. SELBY and DANIELLE L. QUINTOS, husband and wife**, 145 Lackawanna Road, Lexington, Kentucky 40503, which is the in-care of tax mailing address for the current year ("Grantors"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, ("Grantee").

**WITNESSETH:**

That for and in consideration of the sum of **THIRTY AND 56/100 DOLLARS (\$30.56)**, 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 and assigns forever the following tract of land situated on the north side of Lackawanna Road, at the intersection of Lackawanna Road and Chesapeake Drive in Lexington, Fayette County Kentucky, being more fully described and bounded as follows, to wit:

**Fee Simple**  
**(a portion of 145 Lackawanna Road)**

**WGPL Stormwater Improvement Project**  
**(Lackawanna Road)**  
**Parcel No. 2A**

BEGINNING at the intersection of the existing northerly right-of-way of Lackawanna Road and the easterly right-of-way of Chesapeake Drive, thence with the existing easterly right-of-way line of Chesapeake Drive, N 23°44'50" E – 7.19' to a point, thence leaving the existing easterly right-of-way of

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

Chesapeake Drive and traversing through the lands of 145 Lackawanna Road, S 31°35'52" E – 12.67' to a point on the existing northerly right-of-way of Lackawanna Road, thence with the existing northerly right-of-way of Lackawanna Road, N 66°10'07" W – 10.42' to the POINT OF BEGINNING;

The above described parcel contains 0.001 acres (37.4 sq. ft.) in fee simple; and

Being a portion of the property conveyed to Zachary Selby and Danielle Quintos, husband and wife, by deed dated July 12, 2012, of record in Deed Book 3086, Page 206, 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, Grantors have **BARGAINED** and **SOLD** and do 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 situated on the north side of Lackawanna Road, at the intersection of Lackawanna Road and Chesapeake Drive in Lexington, Fayette County Kentucky, being more fully described and bounded as follows, to wit:

**Temporary Construction Easement**  
**(a portion of 145 Lackawanna Road)**

**WGPL Stormwater Improvement Project**  
**(Lackawanna Road)**  
**Parcel No. 2B**

BEGINNING at a point on the existing easterly right-of-way of Chesapeake Drive, said point being situated N 23°44'50" E – 7.19' from the intersection of the northerly right-of-way of Lackawanna Road and the existing easterly right-of-way of Chesapeake Drive, thence with the existing easterly right-of-way of Chesapeake Drive, N 23°44'50" E – 16.12' to a point, thence leaving the existing easterly right-of-way of

Chesapeake Drive and traversing through the lands of 145 Lackawanna Road, along a curve to the right having a radius of 28.39' for an arc distance of 9.77', and having a chord bearing S 12°02'04" E – 9.73' to a point, thence S 31°35'52" E – 12.67' to a point and S 58°24'08" W – 10.00' to a point in the existing northerly right-of-way of Lackawanna Road, thence with the northerly line of the above described PARCEL A, N 31°35'52" W – 12.67' to the POINT OF BEGINNING;

The above described parcel contains 0.004 acres (169.7 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Zachary Selby and Danielle Quintos, husband and wife, by deed dated July 12, 2012, of record in Deed Book 3086, Page 206, in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** the above-described fee simple conveyance and temporary easement 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 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 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 same as herein done, and that they will **WARRANT GENERALLY** said title.

**PROVIDED, HOWEVER,** that the above conveyance and warranty is subject to all easements, restrictions and right of ways that pertain to the above described property as found of record in the Fayette County Clerk's Office.

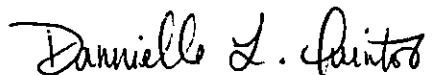
**CONSIDERATION CERTIFICATE**

The undersigned Grantors and Grantee hereby certify, swear, and affirm that the consideration herein is the full and actual consideration paid for the property transferred herein, with the property having a fair market value of Thirty and 56/100 Dollars (\$30.56). The Grantee signs this deed for the sole purpose of certifying the consideration paid, as authorized by Resolution No. 724-2018, passed by the Lexington-Fayette Urban County Council on December 4, 2018. Pursuant to KRS 145.050(7)(b), this deed and grant of easement is exempt from transfer tax.

**IN TESTIMONY WHEREOF,** Grantors and Grantee have hereunto set their hands on this the day and year first above written.

GRANTORS:

  
\_\_\_\_\_  
ZACHARY M. SELBY

  
\_\_\_\_\_  
DANIELLE L. QUINTOS

GRANTEE:

LEXINGTON-FAYETTE URBAN  
COUNTY GOVERNMENT

  
\_\_\_\_\_  
LINDA GORTON, MAYOR

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This instrument was acknowledged, subscribed and sworn to before me by Zachary M. Selby and Danielle L. Quintos, husband and wife on this the 25<sup>th</sup> day of February, 2019.

*Paul C. G. # 579097*  
Notary Public, Kentucky, State at Large

My Commission Expires: 5 / 16 / 2021

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This instrument was acknowledged, subscribed and sworn to before me by Linda Gorton, in her capacity as mayor of the Lexington-Fayette Urban County Government, on this the 27<sup>th</sup> day of February, 2019.

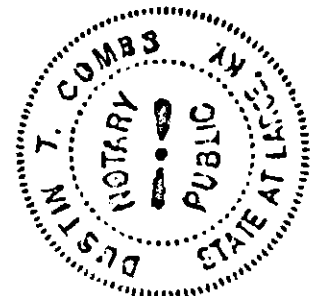
*Dustin T. Combs # 545656*  
Notary Public, Kentucky, State at Large

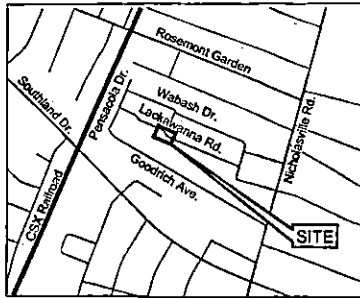
PREPARED BY:

My Commission Expires: 11 / 29 / 2019

*Charles E. Edwards III*

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  
X:\Cases\WATER-AIR\19-RE0033\RE\00641218.DOC





VICINITY MAP  
SCALE 1"=100'

**SITE STATISTICS:**

PARCEL "A"  
ZONED R-1C  
0.001 ACRES  
STREET FRONTAGE ON  
LACKAWANNA-10.42'  
STREET FRONTAGE ON  
CHESAPEAKE-7.19'

PARCEL "B" (REMAINDER)  
ZONED R-1C  
0.208 ACRES  
STREET FRONTAGE ON  
LACKAWANNA-78.22'  
STREET FRONTAGE ON  
CHESAPEAKE-114.12'

**TEMPORARY CONSTRUCTION EASEMENT**

160.7 SQ. FT.  
0.001 ACRES

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	28.97'	9.77'	8.73'	S 42° 02' 04" E

LINE	BEARING	DISTANCE
L1	N 29° 44' 50" E	7.19'
L2	S 31° 35' 52" E	12.07'
L3	N 68° 10' 03" E	10.42'
L4	N 29° 44' 50" E	10.17'
L5	S 31° 35' 52" E	12.87'
L6	S 55° 24' 04" W	10.00'

**OWNER'S CERTIFICATION:**

"I (WE) DO HEREBY CERTIFY THAT I AM (WE ARE) THE ONLY (OWNERS) OF THE PROPERTY PLATTED HEREON, SAID PROPERTY BEING RECORDED IN DEED BOOK (PLAT CABINET) #, PAGE (SLIDE) #, IN THE FAYETTE COUNTY CLERK'S OFFICE AND DO HEREBY ADOPT THIS AS MY (OUR) RECORD PLAT FOR THIS PROPERTY.

OWNER: ZACHARY SELBY \_\_\_\_\_ DATE \_\_\_\_\_

OWNER: DANIELLE QUINTOS \_\_\_\_\_ DATE \_\_\_\_\_

ADDRESS \_\_\_\_\_

WITNESS \_\_\_\_\_ DATE \_\_\_\_\_

ADDRESS \_\_\_\_\_

\* DB 3086, PG 206, CAB E, SL 432

**PUBLIC ACQUISITION PLANS CERTIFICATION**

I DO HEREBY CERTIFY THAT ACQUISITION OF THE PROPERTY SHOWN HEREON WAS APPROVED BY THE URBAN COUNTY COUNCIL ON \_\_\_\_\_

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

COUNCIL CLERK \_\_\_\_\_ DATE \_\_\_\_\_

**RESOLUTION NO. \_\_\_\_\_ - 2018 PLANNING COMMISSION CERTIFICATION**

I DO HEREBY CERTIFY THAT THIS PLAT HAS MET THE REQUIREMENTS ESTABLISHED BY THE SUBDIVISION REGULATIONS FOR A MINOR PLAN, AND IS NOW ELIGIBLE FOR RECORDING.

PLANNING COMMISSION SECRETARY \_\_\_\_\_ DATE \_\_\_\_\_

**METHOD OF SURVEY**

THIS PLAT IS BASED ON A FIELD SURVEY PERFORMED BY 2020 LAND SURVEYING IN AUGUST, 2018. THIS SURVEY WAS CONDUCTED USING GPS EQUIPMENT, THE CONTROL POINTS AND A PORTION OF THE BOUNDARY CORNERS WERE LOCATED USING GPS EQUIPMENT. THE REMAINDER OF THE BOUNDARY CORNERS WERE LOCATED USING A TOTAL STATION FROM SAID CONTROL POINTS. TRIMBLE R8-3 DUAL FREQUENCY RECEIVER WAS USED FOR THE NETWORK ADJUSTED REAL TIME KINEMATIC SURVEY. THE SURVEY AS SHOWN IS A URBAN SURVEY. THE RELATIVE POSITIONAL ACCURACY IS LESS THAN ±0.05" ±100 PPM. THE HORIZONTAL DATUM IS NAD 1983, THE VERTICAL DATUM IS NAVD 1988 AND THE GEOID MODEL USED IS GEOID09.

THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY NORTH STATE PLANE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY. THE DIRECTIONS AND DISTANCES SHOWN ON THE PLAT ARE NOT BASED ON AN ADJUSTED SURVEY.

ALL PROPERTY CORNERS HAVE BEEN MONUMENTED WITH AN IRON PIN (1" LENGTH, 5/8" DIAMETER) AND CAP STAMPED #3848 UNLESS OTHERWISE NOTED HEREON.

**SURVEY NOTES**

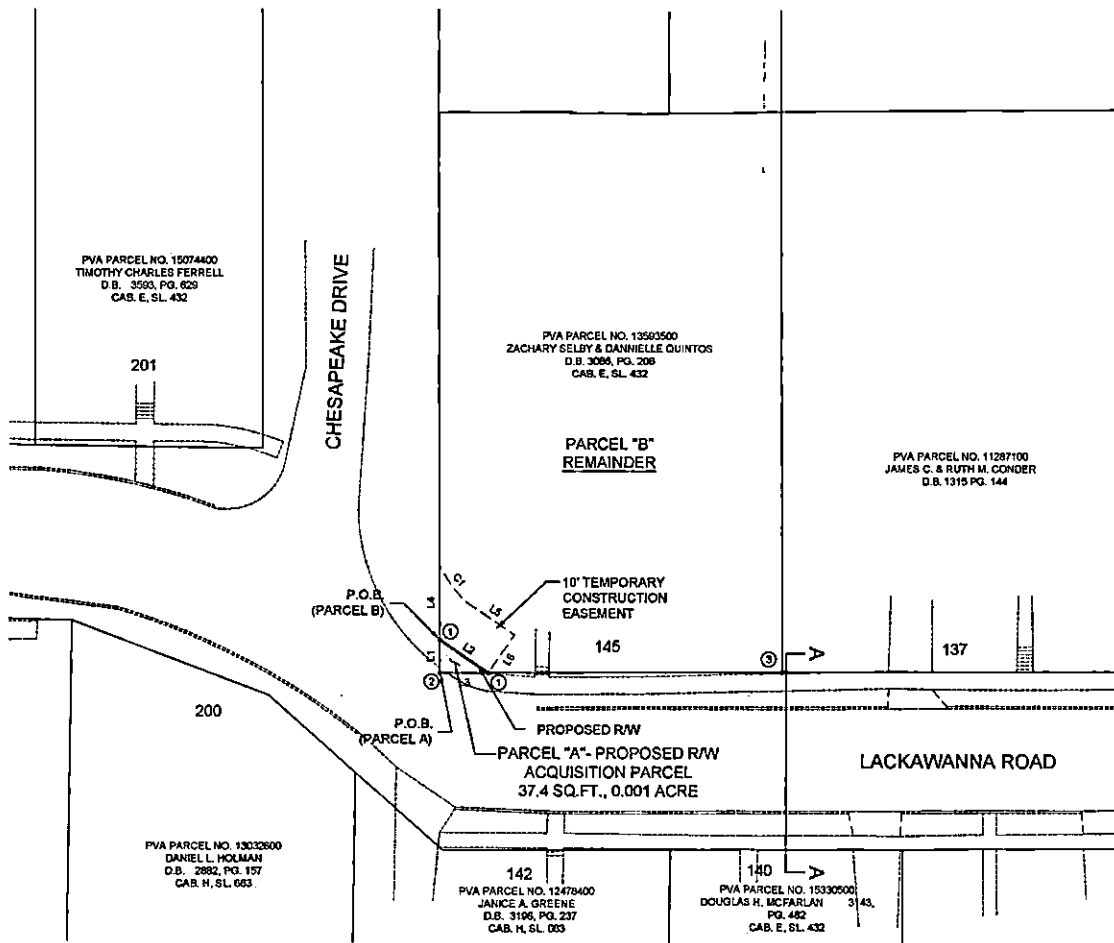
1. REAR PROPERTY CORNERS WERE NOT RE-ESTABLISHED THIS SURVEY.
2. THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE FULL EXTERIOR BOUNDARIES OF THE PROPERTIES SHOWN DEPICTED HEREON.
3. AREA OF "REMAINDER" PARCELS IS BASED ON PRIOR RECORD PLAT LOGGED IN PLAT CABINET E; SLIDE 432 IN THE FAYETTE COUNTY CLERK'S OFFICE.

**LAND SURVEYORS CERTIFICATION**

"I DO HEREBY CERTIFY THAT THIS RECORD 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."

MONIED: JASON D. BANKS #3848 \_\_\_\_\_ DATE \_\_\_\_\_

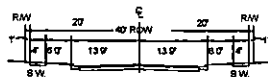
ADDRESS \_\_\_\_\_



- LEGEND**
- ① IRON PIN SET (5/8" DIA., 18" LONG) WITH CAP #3848
  - ② MAG NAIL SET WITH WASHER STAMPED "3848"
  - ③ FOUND CRIMPED PIPE

**PURPOSE OF PLAT**

THE PURPOSE OF THIS PLAT IS TO ACQUIRE PARCEL "A" AS ADDITIONAL RIGHT-OF-WAY AND TO DEPICT THE TEMPORARY CONSTRUCTION EASEMENT.



SECTION A - A  
LACKAWANNA ROAD  
NOT TO SCALE

**GRAPHIC SCALE**



1 inch = 20 feet

PROJECT  
WGFL STORM SEWER PROJECT  
LACKAWANNA ROAD  
LEXINGTON, KY.

Property Owner of Record:  
Zachary Selby  
Danielle Quintos  
145 Lackawanna Road  
Lexington, KY. 40503

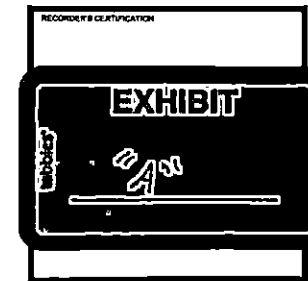
PUBLIC ACQUISITION  
MINOR SUBDIVISION PLAT  
Zachary Selby & Danielle Quintos Property  
145 Lackawanna Road  
Lexington, Fayette County, Kentucky

Client:  
Lexington-Fayette Urban County Government  
200 East Main Street  
Lexington, KY. 40507

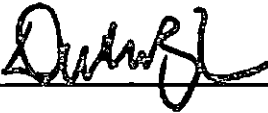
**BANKS**

Engineering, Inc.  
Jason D. Banks, PLS  
1211 Jessamine Station  
Nicholasville, Kentucky 40356  
(859) 881-0020

Plat of survey represents a boundary survey  
and complies with 201 KAR 18:150  
Date: August, 2018



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: SHEA BROWN ,dc

201902270080

February 27, 2019                      10:48:14    AM

Fees	\$26.00	Tax	\$ .50
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Total Paid	\$26.50
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7 Pages

729 - 735