

**DEED OF EASEMENT**

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 19th day of December, 2024, by and between **KAMTECH, LLC**, a Kentucky limited liability company, 1163 Floyd Drive, Lexington, Kentucky 40505, 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 **TEN DOLLARS AND 00/100 CENTS (\$10.00)**, 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, repair,

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

maintenance 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
Floyd Drive Trunk
Sewer Improvement Project
(a portion of 1163 Floyd Drive)

Tract A

A certain parcel of land near Floyd Drive, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the southernmost corner of the New Circle Road Industrial Area Subdivision, Lot 36, Block A, of record in Plat Cabinet C, Slide 278, in the Fayette County Clerk's records, as conveyed to Kamtech, LLC, in Deed Book 3348, Page 239; also being the easternmost corner of the New Circle Road Industrial Area Subdivision, Lot 37, Block A, as conveyed to Honeycutt Realty, LLC, in Deed Book 2708, Page 67; thence with the line of said Lot 37, for one (1) call:

1. N 28°53'19" W, a distance of 348.04 feet to **THE TRUE POINT OF BEGINNING**; thence with a new easement line for three (3) calls:
 1. N 61°45'40" E, a distance of 227.21 feet;
 2. S 33°22'11" E, a distance of 2.51 feet;
 3. S 61°45'40" W, a distance of 227.41 feet to a point in the line of the New Circle Road Industrial Area Subdivision, Lot 37, Block A; thence with the line of said Lot 37, for one (1) call:
 1. N 28°53'19" W, a distance of 2.50 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 568.29 square feet of permanent easement; and,

Tract B

A certain parcel of land near Floyd Drive, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the easternmost corner of the New Circle Road Industrial Area Subdivision, Lot 25, Block A, of record at Plat Cabinet C, Slide 278, in the Fayette County Clerk's records, as conveyed to Kamtech, LLC, in Deed Book 3348, Page 239; also being the southernmost corner of the New Circle Road Industrial Area Subdivision, Lot 24, Block A, as conveyed to Ramesh C. Patel in Deed Book 1892, Page 229; thence with the line of Lot 25 and Lots 4 through 12, for one (1) call:

1. N 28°53'19" W, a distance of 344.30 feet to the **TRUE POINT OF BEGINNING**; thence with a new easement line for three (3) calls:
 1. S 62°03'41" W, a distance of 60.14 feet;
 2. S 33°22'11" E, a distance of 2.51 feet;
 3. N 62°03'41" E, a distance of 59.94 feet, to a point in the line of the New Circle Road Industrial Area Subdivision, Lot 4, Block A, as conveyed to Shunar, LLC, in Deed Book 2755, Page 509; thence with the line of Lot 4, for one (1) call:
 1. N 28°53'19" W, a distance of 2.50 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 150.10 square feet of permanent easement; and,

Tract C

A certain parcel of land near Floyd Drive, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the southernmost corner of the New Circle Road Industrial Area Subdivision, Lot 36, Block A, of record in Plat Cabinet C, Slide 278, in the Fayette County Clerk's records, as conveyed to Kamtech, LLC in Deed Book 3348, Page 239; also being the easternmost corner of the New Circle Road Industrial Area Subdivision, Lot 37, Block A, as conveyed to Honeycutt

Realty, LLC in Deed Book 2708, Page 67; thence with the line of said Lot 37, for one (1) call:

1. N 28°53'19" W, a distance of 330.54 feet to the **TRUE POINT OF BEGINNING**; thence with a new easement line for two (2) calls:
 1. N 61°49'32" E, a distance of 297.89 feet;
 2. S 28°56'42" E, a distance of 326.82 feet, to a point in the northwestern right-of-way of Floyd Drive; thence with the right-of-way of Floyd Drive for one (1) call:
 1. S 61°06'41" W, a distance of 4.01 feet; thence with a new easement line for three (3) calls:
 1. N 28°57'48" W, a distance of 198.07 feet;
 2. N 28°56'35" W, a distance of 126.32 feet;
 3. S 61°49'20" W, a distance of 293.83 feet, to a point in the line of Lot 37; thence with the line of Lot 37, for one (1) call:
 1. N 28°53'19" W, a distance of 2.50 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 2,054.52 square feet of permanent easement; and,

Tracts A, B and C, being a portion of the property conveyed to Kamtech, LLC, a Kentucky limited liability company, by Deed dated September 23, 2015, of record in Deed Book, 3348, Page 239, 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, repair, maintenance 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
Floyd Drive Trunk
Sewer Improvement Project
(a portion of 1163 Floyd Drive)

Tract A

A certain parcel of land near Floyd Drive, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the southernmost corner of the New Circle Road Industrial Area Subdivision, Lot 36, Block A, of record in Plat Cabinet C, Slide 278, in the Fayette County Clerk's records, as conveyed to Kamtech, LLC, in Deed Book 3348, Page 239; also being the easternmost corner of the New Circle Road Industrial Area Subdivision, Lot 37, Block A, as conveyed to Honeycutt Realty, LLC, in Deed Book 2708, Page 67; thence with the line of said Lot 37, for one (1) call:

1. N 28°53'19" W, a distance of 348.04 feet to the **TRUE POINT OF BEGINNING**; thence with the line of said Lot 3,7 for one (1) call:
1. N 28°53'19" W, a distance of 10.00 feet; thence with a new easement line for three (3) calls:
1. N 61°45'40" E, a distance of 226.43 feet;
2. S 33°22'11" E, a distance of 10.04 feet:
3. S 61°45'40" W, a distance of 227.21 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 2,268.20 square feet of temporary construction easement; and,

Tract B

A certain parcel of land near Floyd Drive, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the easternmost corner of the New Circle Road Industrial Area Subdivision, Lot 25, Block A, of record in Plat Cabinet C, Slide 278, in the Fayette County Clerk's records, as conveyed to Kamtech, LLC, in Deed Book 3348, Page 239; also being the southernmost corner of the New Circle Road Industrial Area Subdivision, Lot 24, Block A, as conveyed to Ramesh C. Patel in Deed Book 1892, Page 229; thence with the line of Lot 25 and Lots 4 through 12, for one (1) call:

1. N 28°53'19" W, a distance of 344.30 feet to the **TRUE POINT OF BEGINNING**; thence with a new easement line for three (3) calls:

1. S 62°03'41" W, a distance of 60.14 feet;
2. N 33°22'11" W, a distance of 10.05 feet;
3. N 62°03'41" E, a distance of 60.92 feet, to a point in the line of Lot 4; thence with the line of Lot 4, for one (1) call:

1. S 28°53'19" E, a distance of 10.00 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 605.29 square feet of temporary construction easement; and,

Tract C

A certain parcel of land near Floyd Drive, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the southernmost corner of the New Circle Road Industrial Area Subdivision, Lot 36, Block A, of record in Plat Cabinet C, Slide 278, in the Fayette County Clerk's records, as conveyed to Kamtech, LLC, in Deed Book 3348, Page 239; also being the easternmost corner of the New Circle Road Industrial Area Subdivision, Lot 37, Block A, as conveyed to Honeycutt Realty, LLC, in Deed Book 2708, Page 67; thence with the line of said Lot 37, for one (1) call:

1. N 28°53'19" W, a distance of 328.04 feet, to the **TRUE POINT OF BEGINNING**; thence with a new easement line for three (3) calls:

1. N 61°49'20" E, a distance of 293.83 feet;

2. S 28°56'35" E, a distance of 126.32 feet;
3. S 28°57'48" E, a distance of 198.07 feet, to a point in the northwestern right-of-way of Floyd Drive; thence with the right-of-way of Floyd Drive for one (1) call:
 1. S 61°06'41" W, a distance of 10.00 feet; thence with a new easement line for three (3) calls:
 1. N 28°57'48" W, a distance of 198.06 feet;
 2. N 28°56'35" W, a distance of 116.50 feet;
 3. S 61°48'51" W, a distance of 283.84 feet, to a point in the line of Lot 37; thence with the line of Lot 37, for one (1) call:
 1. N 28°53'19" W, a distance of 10.00 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 6,075.24 square feet of temporary construction easement; and,

Tracts A, B and C, being a portion of the property conveyed to Kamtech, LLC, a Kentucky limited liability company, by Deed dated September 23, 2015, of record in Deed Book 3348, Page 239, 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.

TOGETHER with the right to use the above-described easements during the time the sanitary sewer is being constructed, repaired or reconstructed, with the right of ingress and egress upon said easements as may be reasonably necessary for the construction and maintenance of said project.

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 do 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 SPECIALLY** said title.

The obtaining of this easement was authorized by Resolution 629-2023, passed by the Lexington-Fayette Urban County Council on December 5, 2023. 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:

KAMTECH, LLC, a
Kentucky limited liability company

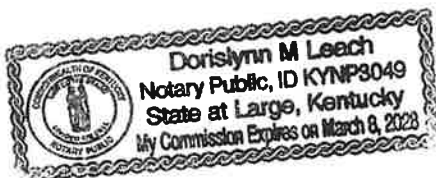
BY:


CHARLES R. MCKEE,
MANAGER

COMMONWEALTH OF KENTUCKY)

COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by
Charles R. McKee, as a Manager, for and on behalf of Kamtech, LLC, a Kentucky
limited liability company, on this the 19th day of Dec, 2024.



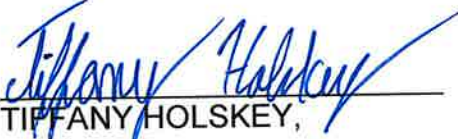


Notary Public, Kentucky, State-at-Large

My Commission Expires: 03 / 08 / 2026

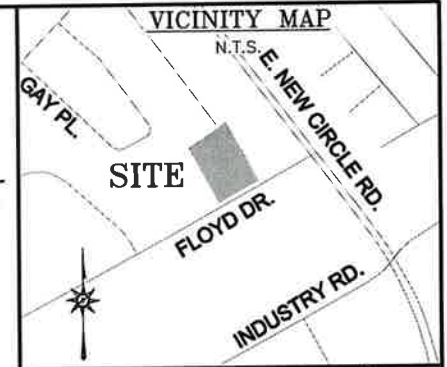
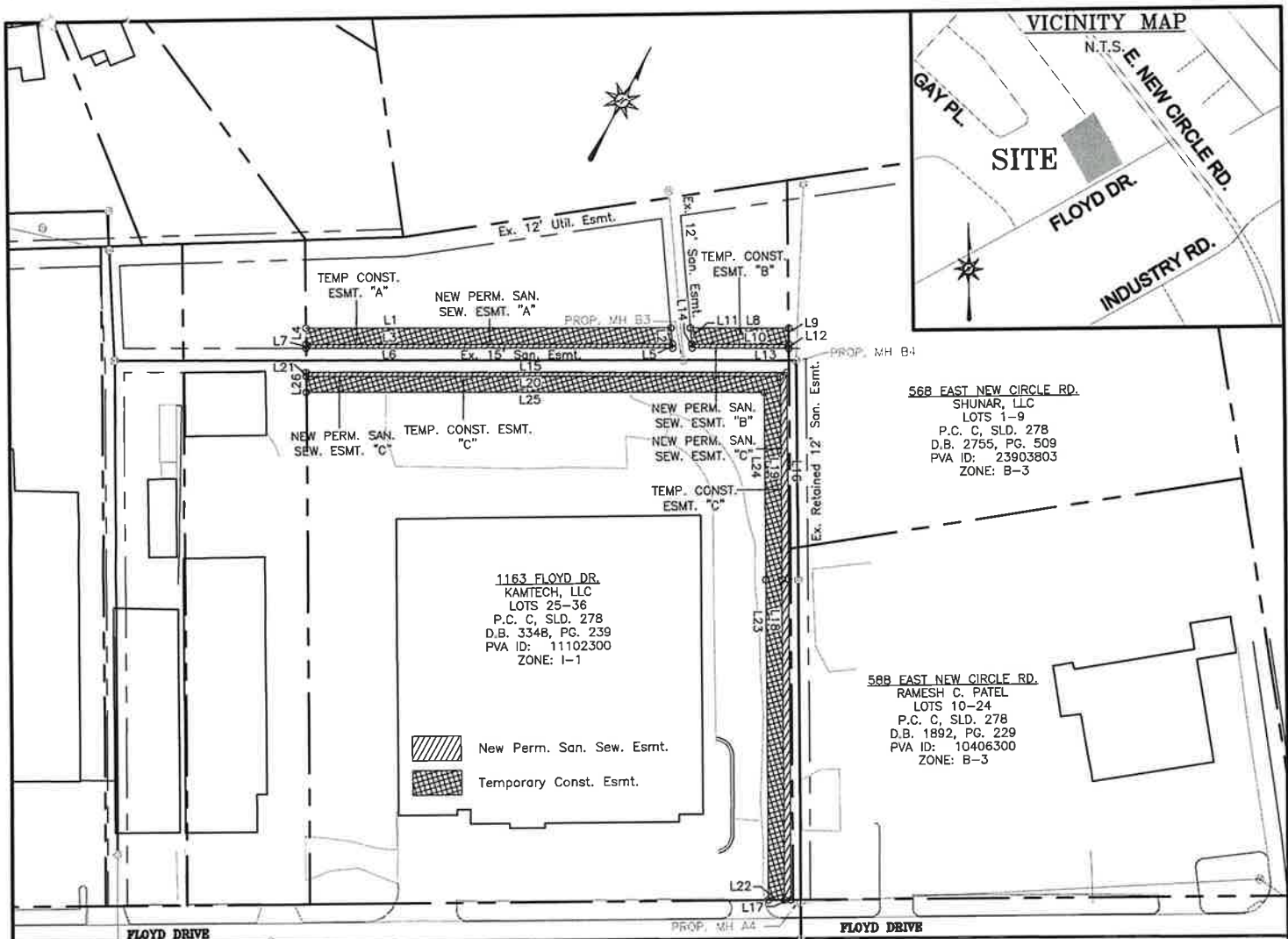
Notary ID # KYNP3049

PREPARED BY:


TIFFANY HOLSKEY,
Attorney

Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

4913-5123-6354, v. 1



568 EAST NEW CIRCLE RD.
SHUNAR, LLC
LOTS 1-9
P.C. C, SLD. 278
D.B. 2755, PG. 509
PVA ID: 23903803
ZONE: B-3

588 EAST NEW CIRCLE RD.
RAMESH C. PATEL
LOTS 10-24
P.C. C, SLD. 278
D.B. 1892, PG. 229
PVA ID: 10406300
ZONE: B-3

1163 FLOYD DR.
KAMTECH, LLC
LOTS 25-36
P.C. C, SLD. 278
D.B. 3348, PG. 239
PVA ID: 11102300
ZONE: I-1

New Perm. San. Sew. Esmt.
 Temporary Const. Esmt.

NOTES:

1. SOURCE OF TITLE: KAMTECH, LLC, DEED BOOK 3348, PAGE 239.

2. THE BASIS OF BEARINGS ARE KENTUCKY STATE PLANE GRID NORTH ZONE (NAD 83), U.S. SURVEY FEET.

AREAS:

NEW PERMANENT EASEMENT "A": 568.29 S.F.
NEW PERMANENT EASEMENT "B": 150.10 S.F.
NEW PERMANENT EASEMENT "C": 2054.52 S.F.
EX. UTIL. EASEMENT TO BE RETAINED: 3617.98 S.F.
EX. SEWER EASEMENT TO BE RETAINED: 5939.49 S.F.
TOTAL PERMANENT EASEMENTS: 12330.38 S.F.
TOTAL NEW PERMANENT EASEMENTS: 2772.91 S.F.
TEMP. CONSTRUCTION EASEMENT "A": 2268.20 S.F.
TEMP. CONSTRUCTION EASEMENT "B": 605.29 S.F.
TEMP. CONSTRUCTION EASEMENT "C": 6075.24 S.F.
TOTAL CONSTRUCTION EASEMENTS: 8948.73 S.F.

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 61°45'40" E	226.43'	L14	N 33°22'11" W	2.51'
L2	S 33°22'11" E	10.04'	L15	N 61°49'32" E	297.89'
L3	S 61°45'40" W	227.21'	L16	S 28°56'42" E	326.82'
L4	N 28°53'19" W	10.00'	L17	S 61°06'41" W	4.01'
L5	S 33°22'11" E	2.51'	L18	N 28°57'48" W	198.07'
L6	S 61°45'40" W	227.41'	L19	N 28°56'35" W	126.32'
L7	N 28°53'19" W	2.50'	L20	N 61°49'20" E	293.83'
L8	N 62°03'41" E	60.92'	L21	N 28°53'19" W	2.50'
L9	S 28°53'19" E	10.00'	L22	S 61°06'41" W	10.00'
L10	S 62°03'41" W	60.14'	L23	N 28°57'48" W	198.06'
L11	N 33°22'11" W	10.05'	L24	N 28°56'35" W	116.50'
L12	S 28°53'19" E	2.50'	L25	S 61°48'51" W	283.84'
L13	S 62°03'41" W	59.94'	L26	N 28°53'19" W	10.00'



Environmental, Civil Engineering Consultants, Land Surveying
128 E. Reynolds Rd, Suite 150, Lexington, KY 40517
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www.visionengr.com

OWNER:
KAMTECH, LLC
342 MERINO STREET
LEXINGTON, KY 40508



FLOYD DRIVE TRUNK SEWER
IMPROVEMENTS
EXHIBIT SHOWING SANITARY SEWER
EASEMENT TO BE ACQUIRED FROM
KAMTECH, LLC
1163 FLOYD DRIVE
LEXINGTON, KENTUCKY 40505
12/19/2023
SHEET 1 OF 1