

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 2nd day of May, 2022, by and between **TRADE STREET PROPERTIES, LLC**, an Illinois **limited liability company**, 2100 Manchester Road, Unit 948, Wheaton, IL 60187, 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 **TWO THOUSAND THREE HUNDRED SEVENTY-TWO DOLLARS AND 00/100 CENTS (\$2,372.00)**, 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**,

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

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", and more particularly described as follows, to wit:

10' Permanent Sanitary Sewer Easement-1A
Leestown Road Industrial
Pump Station Replacement Project
(a portion of 164 Trade Street)

COMMENCING at the property corner between Trade Street Properties, LLC (Deed Book 3069, Page 706) and Sealy Lexington Trade Street, L.L.C. (Deed Book 3293, Page 72) on the right-of-way line of Trade Street, said point being the Point of Commencement; thence following the common property line **SOUTH 12 DEGREES 16 MINUTES 20 SECONDS WEST**, a distance of 150.00 feet to an iron pin found (no cap); thence with the common property line **SOUTH 42 DEGREES 16 MINUTES 21 SECONDS WEST**, a distance of 118.25 feet to a point, said point being the **POINT OF BEGINNING 1**; thence leaving the property line and crossing the property of Trade Street Properties, LLC **SOUTH 46 DEGREES 58 MINUTES 43 SECONDS EAST**, a distance of 10.00 feet (L1) to a point; thence **SOUTH 42 DEGREES 16 MINUTES 21 SECONDS WEST**, a distance of 102.87 feet (L2) to a point on an existing 12 foot sanitary easement; thence with the easement line **NORTH 14 DEGREES 20 MINUTES 27 SECONDS WEST**, a distance of 12.04 feet (L3) to a point in the property line of Trade Street Properties, LLC and Sealy Lexington Trade Street L.L.C.; thence with the common property line **NORTH 42 DEGREES 16 MINUTES 21 SECONDS EAST**, a distance of 96.38 feet (L4) to the **POINT OF BEGINNING 1**; and,

The above-described parcel contains 0.023 Acres and 999 sq. ft. of permanent easement; and

15' Permanent Sanitary Sewer Easement-1B
Leestown Road Industrial
Pump Station Replacement Project
(a portion of 164 Trade Street)

COMMENCING at the property corner between Trade Street Properties, LLC (Deed Book 3069, Page 706) and Sealy Lexington Trade Street L.L.C. (Deed Book 3293, Page 72) on the right-of-way line of Trade Street, said point being the Point of Commencement; thence following the common property line SOUTH 12 DEGREES 16 MINUTES 20 SECONDS WEST, a distance of 150.00 feet to an iron pin found (no cap); thence with the common property line SOUTH 42 DEGREES 16 MINUTES 21 SECONDS WEST, a distance of 228.47 feet to a point, said point being on the south side of a 12 foot sanitary easement and being the **POINT OF BEGINNING 2;** thence with the easement SOUTH 14 DEGREES 48 MINUTES 23 SECONDS EAST, a distance of 11.91 feet (L5) to a point; thence SOUTH 42 DEGREES 16 MINUTES 21 SECONDS WEST, a distance of 55.89 feet (L6) to a point; thence SOUTH 58 DEGREES 32 MINUTES 12 SECONDS EAST, a distance of 78.03 feet (L7) to a point on the southern side of a 12 foot sanitary easement; thence with the easement SOUTH 24 DEGREES 48 MINUTES 45 SECONDS EAST, a distance of 27.02 feet (L8) to a point; thence NORTH 58 DEGREES 32 MINUTES 12 SECONDS WEST, a distance of 113.55 feet (L9) to a point on the common property line of Trade Street Properties, LLC and Sealy Lexington Trade Street L.L.C.; thence with the property line NORTH 42 DEGREES 16 MINUTES 21 SECONDS EAST, a distance of 79.63 (L10) to the **TRUE POINT OF BEGINNING;** and,

The above-described parcel contains 0.049 Acres and 2,114 sq. ft. of permanent easement; and

Both parcels being a portion of the property conveyed to Trade Street Properties, LLC, an Illinois limited liability company, by Deed dated April 30, 2012, of record in Deed Book 3069, Page 706, 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" attached hereto, and more particularly described as follows:

Temporary Construction Easement-1C
Leestown Road Industrial
Pump Station Replacement Project
(a portion of 164 Trade Street)

COMMENCING at the property corner between Trade Street Properties, LLC (Deed Book 3069, Page 706) and Sealy Lexington Trade Street L.L.C. (Deed Book 3293, Page 72) on the right-of-way line of Trade Street, said point being the **POINT OF BEGINNING 3**; thence with a curve to the left with an arc length of 31.66 feet, with a radius of 70.00 feet, with a chord bearing of **SOUTH 60 DEGREES 36 MINUTES 49 SECONDS EAST**, with a chord length of 31.39 feet (C1) to a point; thence leaving the right-of-way **SOUTH 12 DEGREES 16 MINUTES 20 SECONDS WEST**, a distance of 148.79 feet (L11) to a point; thence **SOUTH 42 DEGREES 16 MINUTES 20 SECONDS WEST**, a distance of 225.87 feet (L12) to a point; thence **SOUTH 45 DEGREES 16 MINUTES 05 SECONDS EAST**, a distance of 78.22 feet (L13) to a point; thence **SOUTH 42 DEGREES 16 MINUTES 22 SECONDS WEST**, a distance of 50.90 feet (L14) to a point on an existing 12 foot sanitary easement; thence with the easement a curve to the right with an arc length of 110.90 feet, with a radius of 540.82 feet, with a chord bearing of **NORTH 20 DEGREES 15 MINUTES 45 SECONDS WEST**, with a chord length of 110.70 feet to a point (C2); thence **NORTH 42 DEGREES 16 MINUTES 21 SECONDS EAST**, a distance of 102.65 feet (L15) to a point; thence **NORTH 46 DEGREES 58 MINUTES 41 SECONDS WEST**, a distance of 10.00 feet (L16) to a point on the common property line of Trade Street Properties, LLC and Sealy Lexington Trade Street L.L.C.; thence with the property line **NORTH 42 DEGREES 16 MINUTES 20 SECONDS EAST**, a distance of 118.25 feet (L17) to an iron pin found (no cap); thence **NORTH 12 DEGREES 16**

MINUTES 20 SECONDS EAST, a distance of 150.00 feet (L18) to the POINT OF BEGINNING 3; and,

The above described parcel contains 0.299 Acres and 13,014 sq. ft. of temporary construction easement; and

Temporary Construction Easement-1D
Leestown Road Industrial
Pump Station Replacement Project
(a portion of 164 Trade Street)

COMMENCING at the property corner between Trade Street Properties, LLC (Deed Book 3069, Page 706) and Sealy Lexington Trade Street L.L.C. (Deed Book 3293, Page 72) on the right-of-way line of Trade Street, said point being the Point of Commencement; thence following the common property line SOUTH 12 DEGREES 16 MINUTES 20 SECONDS WEST, a distance of 150.00 feet to an iron pin found (no cap); thence with the common property line SOUTH 42 DEGREES 16 MINUTES 21 SECONDS WEST, a distance of 228.47 feet to a point, said point being on the south side of a 12 foot sanitary easement; thence with the easement SOUTH 14 DEGREES 48 MINUTES 23 SECONDS EAST, a distance of 11.91 feet to a point, said point being the POINT OF BEGINNING 4; thence with the easement with a curve to the left with an arc length of 87.12 feet, with a radius of 618.38 feet, with a chord bearing of SOUTH 19 DEGREES 26 MINUTES 11 SECONDS EAST, with a chord length of 87.05 feet (C3) to a point; thence NORTH 58 DEGREES 32 MINUTES 12 SECONDS WEST, a distance of 78.03 feet (L19) to a point; thence NORTH 42 DEGREES 16 MINUTES 21 SECONDS EAST, a distance of 55.89 feet (L20) to the POINT OF BEGINNING 4; and,

The above described parcel contains 0.047 Acres and 2,053 sq. ft. of temporary construction easement; and

Both parcels being a portion of the property conveyed to Trade Street Properties, LLC, an Illinois limited liability company, by Deed dated April 30, 2012, of record in Deed Book 3069, Page 706, 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 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 146-2022, passed by the Lexington-Fayette Urban County Council on March 17, 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:

TRADE STREET PROPERTIES, LLC, an Illinois limited liability company

BY: Patrick Kirchhofer
PATRICK KIRCHHOFER,
MANAGER

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

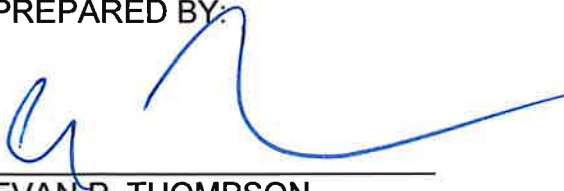
This instrument was acknowledged, subscribed and sworn to before me by Patrick Kirchhofer, as Manager, for and on behalf of Trade Street Properties, LLC, an Illinois limited liability company, on this the 2nd day of MAY, 2022.



Angela R Lopez
Notary Public, Illinois, State-at-Large

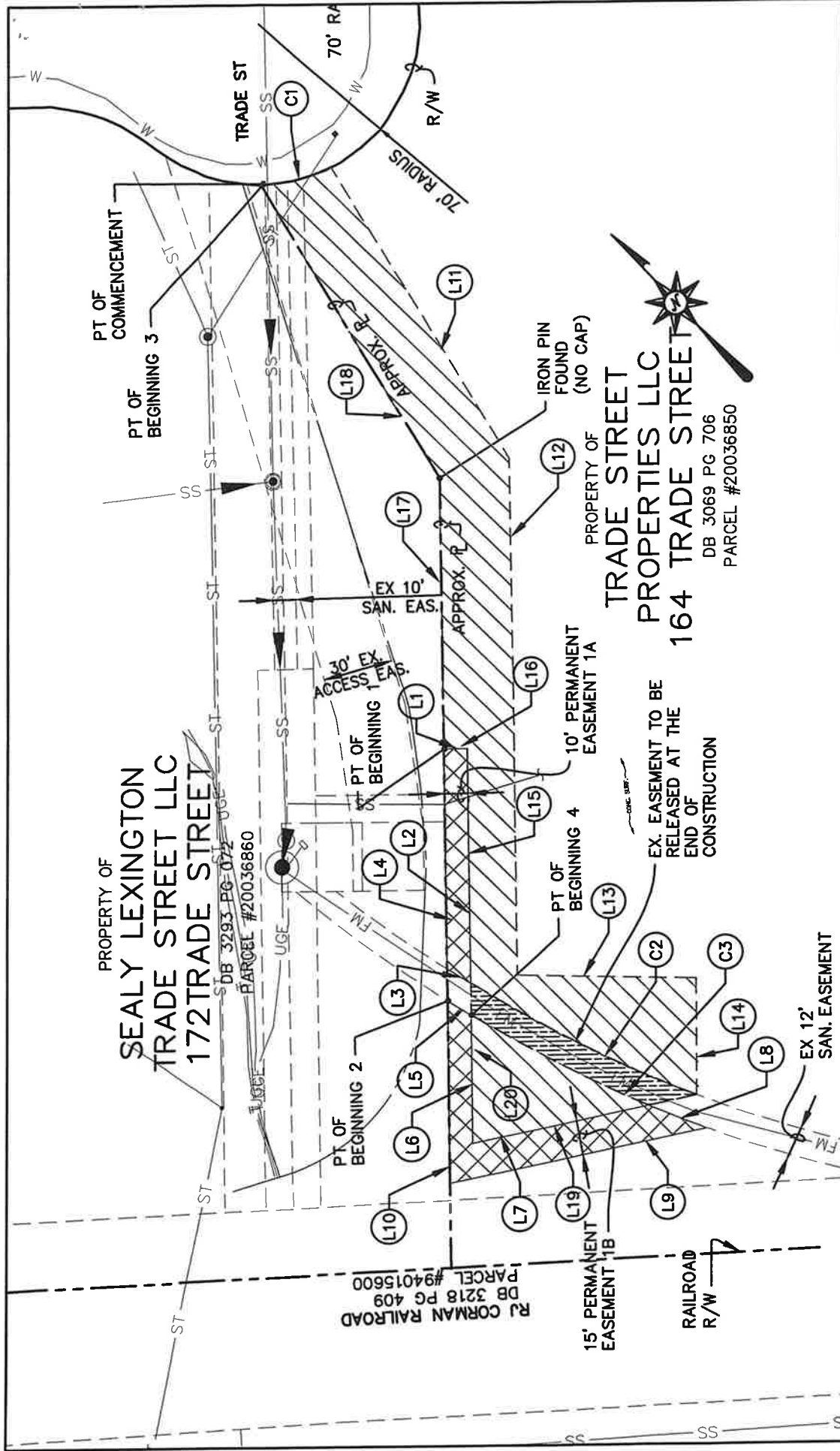
My Commission Expires: 02 / 11 / 2023

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

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SHTNAME: SHEET 1 OF 2
 PERMANENT EASEMENT 1A AND 1B AND TEMPORARY
 CONSTRUCTION AND ACCESS EASEMENT 1C AND 1D

CLIENT: LFUGG, 200 EAST MAIN STREET
 LEXINGTON, KENTUCKY 40507

OWNER: 164 TRADE STREET
 TRADE STREET PROPERTIES LLC DB 3069 PG 706

TITLE: LEESTOWN ROAD INDUSTRIAL PS REPLACEMENT

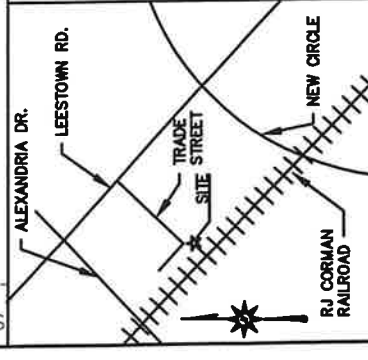
SURVEYOR: JAMES K. ROBERTS, PE, PLS

DATE: NOVEMBER 2021

SCALE: 1"=60'

FIRM: BELL ENGINEERING
 2480 FORTUNE DRIVE, SUITE 350
 LEXINGTON, KENTUCKY 40509

LEGEND	
	NEW PERMANENT EASEMENT (3,113 SQ FT)
	NEW TEMPORARY EASEMENT (15,067 SQ FT)
	EXISTING EASEMENT TO BE RELEASED AFTER CONSTRUCTION (1,159 SQ FT)

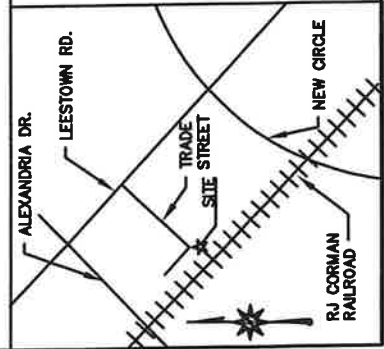


TRADE STREET
 PROPERTIES LLC
 164 TRADE STREET
 DB 3069 PG 706
 PARCEL #20036850

RJ CORMAN RAILROAD
 DB 3218 PG 409
 PARCEL #94015600

PROPERTY OF
 SEALY LEXINGTON
 TRADE STREET LLC
 172 TRADE STREET
 DB 3293 PG 072
 UGE
 PARCEL #20036860

LINE	BEARING/DISTANCES
L1	SOUTH 46 DEGREES 58 MINUTES 43 SECONDS EAST A DISTANCE OF 10.00 FEET
L2	SOUTH 42 DEGREES 16 MINUTES 21 SECONDS WEST A DISTANCE OF 102.87 FEET
L3	NORTH 14 DEGREES 20 MINUTES 27 SECONDS WEST A DISTANCE OF 12.04 FEET
L4	NORTH 42 DEGREES 16 MINUTES 21 SECONDS EAST A DISTANCE OF 96.38 FEET
L5	SOUTH 14 DEGREES 48 MINUTES 23 SECONDS EAST A DISTANCE OF 11.91 FEET
L6	SOUTH 42 DEGREES 16 MINUTES 21 SECONDS WEST A DISTANCE OF 55.89 FEET
L7	SOUTH 58 DEGREES 32 MINUTES 12 SECONDS EAST A DISTANCE OF 78.03 FEET
L8	SOUTH 24 DEGREES 48 MINUTES 45 SECONDS EAST A DISTANCE OF 27.02 FEET
L9	NORTH 58 DEGREES 32 MINUTES 12 SECONDS WEST A DISTANCE OF 113.55 FEET
L10	NORTH 42 DEGREES 16 MINUTES 21 SECONDS EAST A DISTANCE OF 79.63
C1	A CURVE TO THE LEFT WITH AN ARC LENGTH OF 31.66 FEET, WITH A RADIUS OF 70.00 FEET, WITH A CHORD BEARING OF SOUTH 60 DEGREES 36 MINUTES 49 SECONDS EAST, WITH A CHORD LENGTH OF 31.39 FEET
L11	SOUTH 12 DEGREES 16 MINUTES 20 SECONDS WEST A DISTANCE OF 148.79 FEET
L12	SOUTH 42 DEGREES 16 MINUTES 20 SECONDS WEST A DISTANCE OF 225.87 FEET
L13	SOUTH 45 DEGREES 16 MINUTES 05 SECONDS EAST A DISTANCE OF 78.22 FEET
L14	SOUTH 42 DEGREES 16 MINUTES 22 SECONDS WEST A DISTANCE OF 50.90 FEET
C2	A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 110.90 FEET, WITH A RADIUS OF 540.82 FEET, WITH A CHORD BEARING OF NORTH 20 DEGREES 15 MINUTES 45 SECONDS WEST, WITH A CHORD LENGTH OF 110.70 FEET
L15	NORTH 42 DEGREES 16 MINUTES 21 SECONDS EAST A DISTANCE OF 102.65 FEET
L16	NORTH 46 DEGREES 58 MINUTES 41 SECONDS WEST A DISTANCE OF 10.00 FEET
L17	NORTH 42 DEGREES 16 MINUTES 20 SECONDS EAST A DISTANCE OF 118.25 FEET
L18	NORTH 12 DEGREES 16 MINUTES 20 SECONDS EAST A DISTANCE OF 150.00 FEET
C3	A CURVE TO THE LEFT WITH AN ARC LENGTH OF 87.12 FEET, WITH A RADIUS OF 618.38 FEET, WITH A CHORD BEARING OF SOUTH 19 DEGREES 26 MINUTES 11 SECONDS EAST, WITH A CHORD LENGTH OF 87.05 FEET
L19	NORTH 58 DEGREES 32 MINUTES 12 SECONDS WEST A DISTANCE OF 78.03 FEET
L20	NORTH 42 DEGREES 16 MINUTES 22 SECONDS EAST A DISTANCE OF 55.89 FEET

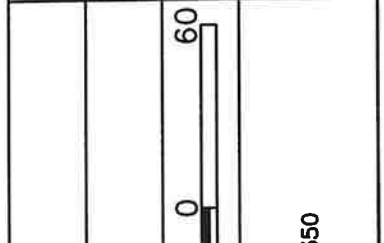


SURVEYOR:
 JAMES K. ROBERTS, PE, PLS

DATE:
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SCALE:
 1"=60'

FIRM:
 BELL ENGINEERING
 2480 FORTUNE DRIVE, SUITE 350
 LEXINGTON, KENTUCKY 40509



SHTNAME:
 SHEET 2 OF 2
 PERMANENT EASEMENT 1A AND 1B AND TEMPORARY
 CONSTRUCTION AND ACCESS EASEMENT 1C AND 1D

CLIENT:
 LFUGG
 200 EAST MAIN STREET LEXINGTON KY 40507

OWNER:
 164 TRADE STREET
 TRADE STREET PROPERTIES LLC DB 3069 PG 706

TITLE:
 LEESTOWN ROAD INDUSTRIAL PS
 REPLACEMENT

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: EMILY GENTRY ,dc

202205050309

May 5, 2022

13:49:08 PM

Fees	\$65.00	Tax	\$.00
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Total Paid	\$65.00
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11 Pages

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