

DEED OF CONVEYANCE AND GRANT OF EASEMENT

This **DEED OF CONVEYANCE AND GRANT OF EASEMENT** is made and entered into this the 24th day of January, 2019, by and between **DANIEL L. HOLMAN**, 202 Lackawanna Road, 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 **THREE HUNDRED THIRTEEN AND 16/100 DOLLARS (\$313.16)**, 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 forever the following tracts of land situated on the south 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 202 Lackawanna Road)

WGPL Stormwater Improvement Project
(Lackawanna Road)
Parcel No. 3A

BEGINNING at a point on the existing southerly right-of-way of Lackawanna Road, common corner to 204 Lackawanna Road, thence with the existing southerly right-of-way of

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

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DR

Lackawanna Road, S 65°00'16" E – 50.00' to a found crimped pipe, thence S 65°06'19" E – 4.50' to an existing pipe, common corner to 200 Lackawanna Road, thence leaving the southerly right-of-way of Lackawanna Road and continuing with the common line of 200 Lackawanna Road, S 24°45'25" W – 6.35' to a point, thence leaving the common line of 200 Lackawanna Road and traversing through the lands of 202 Lackawanna Road, N 56°53'35" W – 7.67' to a point, thence N 66°34'19" W – 46.92' to a point In the common line of 204 Lackawanna Road, thence with said common line, N 24°45'26" E – 6.55' to the POINT OF BEGINNING;

The above described parcel contains 0.007 acres (321.0 sq. ft.) in fee simple; and

Being a portion of the property conveyed to Daniel L. Holman by deed dated May 30, 2009, of record in Deed Book 2882, Page 157, in the Fayette County Clerk's Office; and

Being a portion of the property conveyed to Martha Holman Ballard by deed dated November 22, 1989, of record in Deed Book 1532, Page 221, in the Fayette County Clerk's Office. Martha H. Ballard having died testate on December 30, 2008, said property was devised to Daniel L. Holman in Will Book 283, Page 199, in the Fayette County Clerk's Office; and

Fee Simple
(a portion of 200 Lackawanna Road)

WGPL Stormwater Improvement Project
(Lackawanna Road)
Parcel No. 3C

BEGINNING at a point on the southerly right-of-way of Lackawanna Road, said point being a found pipe, common corner to 202 and 200 Lackawanna Road, thence with the existing southerly right-of-way of Lackawanna Road, S 45°13'50" E – 45.23' to a point and S 24°17'35" E – 25.16' to a point, common corner to 142 Lackawanna Road, thence leaving the existing southerly right-of-way of Lackawanna Road and continuing with the common line of 142 Lackawanna Road, S 24°45'26" W – 4.12' to a point, thence leaving the common line of 142 Lackawanna Road and

traversing through the lands of 200 Lackawanna Road, along a curve to the left having a radius of 126.44' for an arc distance of 69.17', and having a chord bearing N 39°26'29" W – 68.31' to a point in the common line of 202 Lackawanna Road, thence with said common line N 24°45'25" E – 6.35' to the POINT OF BEGINNING; The above described parcel contains 0.007 acres (310.4 sq. ft.) in fee simple; and

Being a portion of the property conveyed to Daniel L. Holman by deed dated May 30, 2009, of record in Deed Book 2882, Page 157, 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 roadway improvements and construction, installation and relocation through and across the following tracts of land situated on the south 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 202 Lackawanna Road)

WGPL Stormwater Improvement Project
(Lackawanna Road)
Parcel No. 3B

BEGINNING at a point on the common line of 204 Lackawanna Road, said point being located S 24°45'26" W – 6.55' from the existing southerly right-of-way of Lackawanna Road, thence leaving the common line of 204 Lackawanna Road and continuing with the southerly line of the above described PARCEL A, S 66°34'19" E – 46.92' to a point, thence S 56°53'35" E – 7.67' to a point in the common

line of 200 Lackawanna Road, thence with the common line of 200 Lackawanna Road, S 24°45'25" W – 10.17', thence leaving the common line of 200 Lackawanna Road and traversing through the lands of 202 Lackawanna Road, along a curve to the left having a radius of 116.44' for an arc distance of 1.65', and having a chord bearing N 54°38'24" W – 1.65' to a point, thence N 56°53'35" W – 6.65' to a point, thence N 66°34'19" W – 46.31' to a point in the common line of 204 Lackawanna Road, thence with said common line, N 24°45'26" E – 10.00' to the POINT OF BEGINNING;

The above described parcel contains 0.013 acres (564.0 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Daniel L. Holman by deed dated May 30, 2009, of record in Deed Book 2882, Page 157, in the Fayette County Clerk's Office; and

Being a portion of the property conveyed to Martha Holman Ballard by deed dated November 22, 1989, of record in Deed Book 1532, Page 221, in the Fayette County Clerk's Office. Martha H. Ballard having died testate on December 30, 2008, said property was devised to Daniel L. Holman in Will Book 283, Page 199, in the Fayette County Clerk's Office; and

Temporary Construction Easement
(a portion of 200 Lackawanna Road)

WGPL Stormwater Improvement Project
(Lackawanna Road)
Parcel No. 3D

BEGINNING at a point on the common line of 202 Lackawanna Road, said point being located S 24°45'25" W – 6.35' from the existing southerly right-of-way of Lackawanna Road, thence leaving the common line of 204 Lackawanna Road and continuing with the southerly line of the above described PARCEL C, along a curve to the right having a radius of 126.44' for an arc distance of 69.17', and having a chord bearing S 39°26'29" E – 68.31' to a point in the common line of 142 Lackawanna Road, thence with the common line of 142 Lackawanna Road, S 24°45'26" W – 12.35' to a point, thence leaving the common line of 142 Lackawanna Road and traversing through the

lands of 200 Lackawanna Road, N 29°17'43" W – 7.74' to a point, thence along a curve to the left having a radius of 116.44' for an arc distance of 62.38', and having a chord bearing N 38°53'07" W – 61.64' to a point in the common line of 202 Lackawanna Road, thence with said common line N 24°45'25" E – 10.17' to the POINT OF BEGINNING;
The above described parcel contains 0.016 acres (696.5 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Daniel L. Holman by deed dated May 30, 2009, of record in Deed Book 2882, Page 157, 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 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 does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of his 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 he is lawfully seized in fee simple of said property and has good right to sell and convey the same as herein done, and that he 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 Grantor 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 Three Hundred Thirteen and 16/100 Dollars (\$313.16). 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, Grantor and Grantee have hereunto set their hands on this the day and year first above written.

GRANTOR:



DANIEL L. HOLMAN

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 Daniel L. Holman on this the 24th day of JANUARY, 2019.

 #579097
Notary Public, Kentucky, State at Large

My Commission Expires: 05 / 16 / 2021


COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

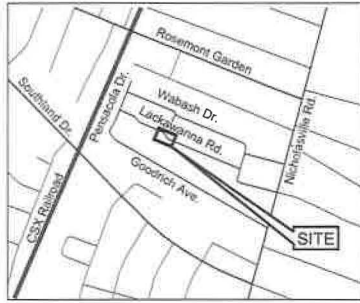
This instrument was acknowledged, subscribed and sworn to before me by Linda Gorton, in her capacity as mayor of the Lexington-Fayette Urban County Government, on this the 29th day of January, 2019.

 #545656
Notary Public, State at Large

My Commission Expires: 11/29/2019

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



VICINITY MAP
SCALE: 1"=150'

SITE STATISTICS:

202 LACKAWANNA ROAD

| | |
|--|--|
| PARCEL "A" ZONED R-1C 0.007 ACRES STREET FRONTAGE ON LACKAWANNA-54.56' | PARCEL "B" (REMAINDER) ZONED R-1C 0.155 ACRES STREET FRONTAGE ON LACKAWANNA-54.56' |
|--|--|

200 LACKAWANNA ROAD

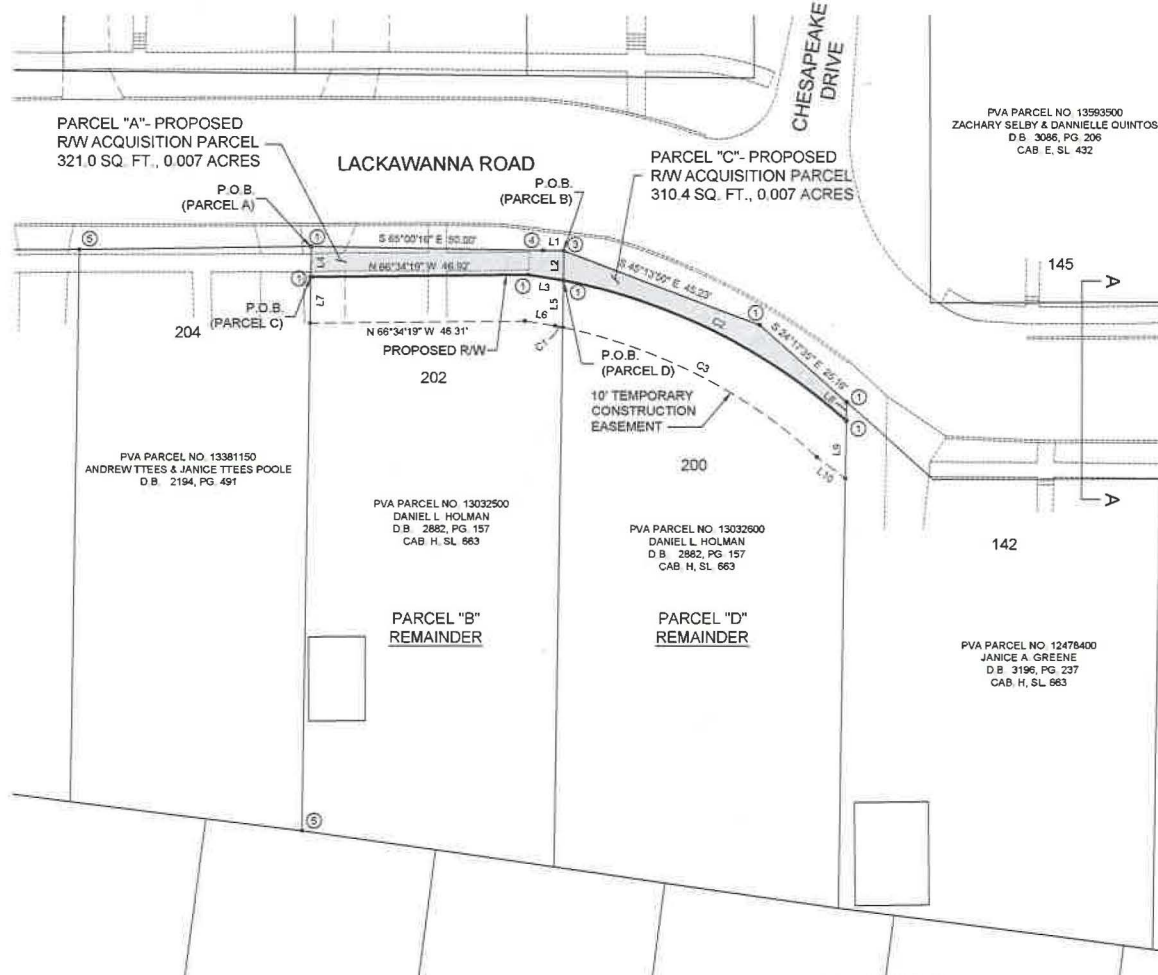
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|--|---|
| PARCEL "C" ZONED R-1C 0.007 ACRES STREET FRONTAGE ON LACKAWANNA-70.39' | PARCEL "D" (REMAINDER) ZONED R-1C 0.168 ACRE STREET FRONTAGE ON LACKAWANNA-69.17' |
|--|---|

TEMPORARY CONSTRUCTION EASEMENTS

| | |
|---|---|
| 202 LACKAWANNA ROAD 546.0 SQ. FT. 0.013 ACRES | 200 LACKAWANNA ROAD 696.5 SQ. FT. 0.016 ACRES |
|---|---|

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING |
|-------|---------|------------|--------------|---------------|
| C1 | 110.04' | 1.85' | 1.85' | N 54°30'24" W |
| C2 | 138.44' | 68.17' | 68.31' | N 30°25'23" W |
| C3 | 118.24' | 23.35' | 21.64' | N 38°53'07" W |

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 55°26'11" E | 4.59' |
| L2 | S 24°45'55" W | 8.35' |
| L3 | N 50°23'35" W | 7.67' |
| L4 | N 11°42'42" E | 6.52' |
| L5 | S 24°45'55" W | 10.17' |
| L6 | N 50°23'35" W | 8.35' |
| L7 | N 11°42'42" E | 10.10' |
| L8 | S 24°45'55" W | 4.10' |
| L9 | S 24°45'55" W | 12.35' |
| L10 | N 29°17'43" W | 7.74' |



- LEGEND**
- ① IRON PIN SET (5/8" DIA., 18" LONG) WITH CAP #3848
 - ② MAG NAIL SET WITH WASHER STAMPED "3848"
 - ③ FOUND PIPE
 - ④ FOUND CRIMPED PIPE
 - ⑤ FOUND IRON PIN

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: DANIEL L. HOLMAN DATE: _____
 ADDRESS: _____
 WITNESS: _____ DATE: _____
 ADDRESS: _____
 * DB 2882, PG. 157, CAB. H. SL. 663

PUBLIC ACQUISITION PLANS CERTIFICATION

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

MAPOR: _____ 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 RB-3 DUAL FREQUENCY RECEIVER WAS USED FOR THE NETWORK ADJUSTED REAL TIME KINEMATIC SURVEY. THE SURVEY AS SHOWN IS AN URBAN SURVEY. THE RELATIVE POSITIONAL ACCURACY IS LESS THAN 40 (60-100) 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 (1/2" 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 H; SLIDE 663 IN THE FAYETTE COUNTY CLERK'S OFFICE.

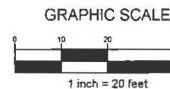
LAND SURVEYORS CERTIFICATION

"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."

SIGNED: JASON D. BANKS #3846 DATE: _____
 ADDRESS: _____

PURPOSE OF PLAT

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



PROJECT
WGPL STORM SEWER PROJECT
LACKAWANNA ROAD
LEXINGTON, KY.

Property Owner of Record:
Daniel L. Holman
202 Lackawanna Road
Lexington, KY. 40503

PUBLIC ACQUISITION
MINOR SUBDIVISION PLAT
Daniel L. Holman Properties
200 & 202 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



DEED BOOK 3644 PAGE 185

**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

201901290106

January 29, 2019 15:14:30 PM

Fees \$32.00 Tax \$.50

Total Paid \$32.50

THIS IS THE LAST PAGE OF THE DOCUMENT

9 Pages

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