

PRESENTED/LODGED: 10/20/2025 02:15:33 PM

EMILY GENTRY, DEPUTY CLERK

202510200210

BK: DB 4158

PG: 491-500

R-312-2025
Deed #8634**DEED OF EASEMENT**

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 17th day of October, 2025, by and between **WARREN E. LACEFIELD, a single person**, 3504 Tates Creek Road, Lexington, Kentucky 40517, 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 **EIGHT THOUSAND DOLLARS AND 00/100 CENTS (\$8,000.00)**, 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,

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

installation, repair, 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:

20' Permanent Sanitary Sewer Easement
Merrick Trunk
Sewer Improvement Project
(a portion of 3504 Bates Creek Road)

All that tract or parcel of land situated east of Bates Creek Road, north of Armstrong Mill Road and south of Gainesway Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at the common corner of Warren E. Lacefield and Sylvia Brown *Lacefield* (3504 Bates Creek Road, Deed Book 1337, Page 845) and M. Theodore Valentine (3502 Bates Creek Road, Deed Book 1029, Page 141), said point being in the Bates Creek Road east right-of-way having NAD 83 (2011) Kentucky State Plane North Zone Coordinates, U.S. Survey Feet, of North 177,377.29 and East 1,570,066.57;

Thence leaving said Valentine and with said Bates Creek Road South 07°32'33" East, 6.00 feet a point in the south line of an existing 12-foot-wide sanitary sewer easement (Plat Cabinet C, Slide 264);

Thence leaving said Bates Creek Road and with said sanitary sewer easement, North 82°27'27" East, 43.08 feet to the **TRUE POINT OF BEGINNING**, having NAD 83 (2011) Kentucky State Plane North Zone Coordinates, U.S. Survey Feet, of North 177,376.99 and East 1,570,110.06;
Thence continuing with said sanitary sewer easement, North 82°27'27" East, 20.00 feet to a point;

Thence leaving said sanitary sewer easement for a new line through the lands of said Lacefield, South 07°32'33" East, 94.00 feet to a point in the line with Paul R. Fouser (3506 Bates Creek Road, Deed Book 2319, Page 324); Thence with said Fouser, South 82°27'27" West, 20.00 feet to a point;

Thence leaving said Fouser for a new line through the lands of said Lacefield, North 07°32'33" West, 94.00 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 1,880 square feet (gross and net), more or less of permanent easement; and

Being a portion of the same property conveyed to Warren E. Lacefield and Sylvia Brown Lacefield, husband and wife, by Deed dated March 28, 1984, of record in Deed Book 1337, Page 845, in the Fayette County Clerk's Office. Said Sylvia Brown Lacefield (a/k/a Sylvia B. Lacefield) died intestate a resident of Lexington, Fayette County, Kentucky on September 6, 2018. Title to the property vests to her husband, Warren E. Lacefield, in fee simple, by right-of-survivorship clause in the above aforementioned deed of record 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
Merrick Trunk
Sewer Improvement Project
(a portion of 3504 Tates Creek Road)

All that tract or parcel of land situated east of Tates Creek Road, north of Armstrong Mill Road and south of Gainesway Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

Tract A

BEGINNING, at the common corner of Warren E. Lacefield and Sylvia Brown Lacefield (3504 Tate's Creek Road, Deed Book 1337, Page 845) and M. Theodore Valentine (3502 Tate's Creek Road, Deed Book 1029, Page 141), said point being in the Tate's Creek Road east right-of-way, having NAD 83 (2011) Kentucky State Plane North Zone Coordinates, U.S. Survey Feet, of North 177,377.29 and East 1,570,066.57;

Thence leaving said Valentine and with said Tate's Creek Road, South 07°32'33" 6.00 feet to the **TRUE POINT OF BEGINNING**, in the south line of an existing 12-foot-wide sanitary sewer easement (Plat Cabinet C, Slide 264), having NAD 83 (2011) Kentucky State Plane North Zone Coordinates, U.S. Survey Feet, of North 177,371.34 and East 1,570,067.35;

Thence leaving said Tate's Creek Road and with said sanitary sewer easement, North 82°27'27" East, 43.08 feet to a point;

Thence leaving said sanitary sewer easement for two (2) new lines through the lands of said Lacefield:

1. South 07°32'33" East, 29.66 feet to a point,
2. South 82°27'27" West, 43.08 feet to a point in said Tate's Creek Road;

Thence with said Tate's Creek Road, North 07°32'33" West, 29.66 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 1,278 square feet (gross and net), more or less of temporary construction easement; and,

Tract B

BEGINNING, at the common corner of Warren E. Lacefield and Sylvia Brown Lacefield (3504 Tate's Creek Road, Deed Book 1337, Page 845) and M. Theodore Valentine (3502 Tate's Creek Road, Deed Book 1029, Page 141), said point being in the Tate's Creek Road east right-of-way, having NAD 83 (2011) Kentucky State Plane North Zone Coordinates, U.S. Survey Feet, of North 177,377.29 and East 1,570,066.57;

Thence leaving said Valentine and with said Bates Creek Road South 07°32'33" East, 6.00 feet to a point in the south line of an existing 12-foot-wide sanitary sewer easement (Plat Cabinet C, Slide 264);

Thence continuing with said sanitary sewer easement, North 82°27'27" East, 63.08 feet to the TRUE POINT OF BEGINNING, having NAD 83 (2011) Kentucky State Plane North Zone Coordinates, U.S. Survey Feet, of North 177,379.62 and East 1,570,129.89;

Thence continuing with said sanitary sewer easement, North 82°27'27" East, 10.00 feet to a point;

Thence leaving said sanitary sewer easement for a new line through the lands of said Lacefield, South 07°32'33" East, 94.00 feet to a point in the common line with Paul R. Fouser (3506 Bates Creek Road, Deed Book 2319, Page 324);

Thence with said Fouser, South 82°27'27" West, 10.00 feet to a point;

Thence leaving said Fouser for a new line through the lands of said Lacefield, North 07°32'33" West, 94.00 feet to the TRUE POINT OF BEGINNING; and,

The above-described parcel contains 940 square feet (gross and net), more or less of temporary construction easement; and

Tracts A and B, being a portion of the same property conveyed to Warren E. Lacefield and Sylvia Brown Lacefield, husband and wife, by Deed dated March 28, 1984, of record in Deed Book 1337, Page 845, in the Fayette County Clerk's Office. Said Sylvia Brown Lacefield (a/k/a Sylvia B. Lacefield) died intestate a resident of Lexington, Fayette County, Kentucky on September 6, 2018. Title to the property vests to her husband, Warren E. Lacefield, in fee simple, by right-of-survivorship clause in the above aforementioned deed of record 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, or maintenance thereof.

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 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 easements as herein done, and he will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 312-2023, passed by the Lexington-Fayette Urban County Council on June 15, 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:

BY: Warren E. Lacefield
WARREN E. LACEFIELD


COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Warren E. Lacefield, a single person, on this the 17 day of October, 2025.



S.E.A.
Notary Public, Kentucky, State-at-Large
My Commission Expires: 07 / 26 / 2027
Notary ID# KYNP76447

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

4914-5261-0645, v. 1

0' 40' 80' 120'



GRAPHIC SCALE: 1" = 40'

- NEW PERM. ESMT.
- TEMP. CONST. ESMT.
- SAN — SANITARY SEWER PROPOSED ALIGNMENT



TATES CREEK RD.

M. THEODORE VALENTINE
3502 TATES CREEK ROAD
DB 1029 PG 141
DB 1920 PG 530 (AFFIDAVIT)
WB 184 PG 467

TRUE P.O.B.
N:177376.99
E:1570110.06

P.O.B.
N:177377.29
E:1570066.57

BORE PIT
SAN. MANHOLE
PROP. LOCATION

12' SAN. E. CAB C SL 264

TEMP. CONST. B.
940 SQ.FT.
(GROSS & NET)

12' U.E. CAB C SL 110

BENJAMIN CHASE SMITH
1 1004 CASTLETON WY
DB 3732 PG 644

TEMP. CONST. A.
1,278 SQ.FT.
(GROSS & NET)

PERM. SAN. A.
1,880 SQ.FT.
(GROSS & NET)

WARREN E. LACEFIELD
SYLVIA BROWN LACEFIELD
3504 TATES CREEK ROAD
DB 1337 PG 845

CAMERON & WHITTY REA GRANT
1006 CASTLETON WY
DB 3782 PG 483

PAUL R. FOUSER
3506 TATES CREEK ROAD
DB 2319 PG 324

10' U. E. CAB C SL 264

10' SAN. E. CAB C SL 110

P:\Projects\200126 - West Hickman Trunk Sewer\Survey Info\Working Drawings\Easements\200126 Easements - Kurt_SSW Tates Creek.dwg
Day & Time: Aug 07, 2025 - 1:30pm
Login Name: Kurt_SSW



REV. DATE: 8/07/25

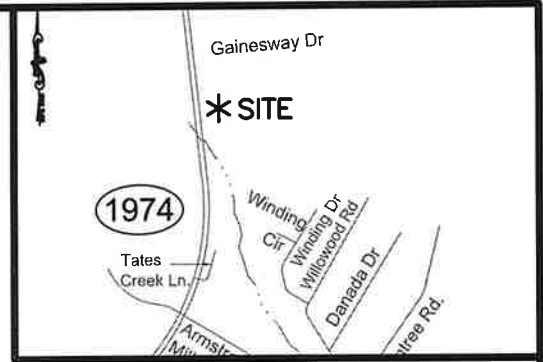
651 Perimeter Drive Suite 300
Lexington, KY 40517
Phone (859) 368-0145
www.primeeng.com

MERRICK TRUNK SEWER PROJECT
SANITARY SEWER EASEMENTS
WARREN E. LACEFIELD & SYLVIA BROWN LACEFIELD
3504 TATES CREEK ROAD
LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2

P:\Projects\VE\200126 - West Hickman Trunk Sewer\Survey Info\Working Drawings\Easements\200126 Easements - Kurl_SSM Tates Creek.dwg
Day & Time: Aug 07, 2025 - 1:30pm
Login Name: Kurlhessabach

| PERM. LINE TABLE | | |
|------------------|---------------|----------|
| LINE | BEARING | DISTANCE |
| L5 | N82° 27' 27"E | 20.00' |
| L6 | S07° 32' 33"E | 94.00' |
| L7 | S82° 27' 27"W | 20.00' |
| L8 | N07° 32' 33"W | 94.00' |

| TEMP. LINE TABLE | | |
|------------------|---------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | N82° 27' 27"E | 43.08' |
| L2 | S07° 32' 33"E | 29.66' |
| L3 | S82° 27' 27"W | 43.08' |
| L4 | N07° 32' 33"W | 29.66' |
| L9 | N82° 27' 27"E | 10.00' |
| L10 | S07° 32' 33"E | 94.00' |
| L11 | S82° 27' 27"W | 10.00' |
| L12 | S07° 32' 33"E | 6.00' |



VICINITY MAP N.T.S.

EX. PERM ESMT.=N/A

PROP. PERM. ESMT. (GROSS)=1,880 SQ.FT.
PROP. PERM. ESMT. (NET)=1,880 SQ. FT.

PROP. TEMP. ESMT. "A"(GROSS)=1,278 SQ.FT.
PROP. TEMP. ESMT. "A" (NET)=1,278 SQ. FT.

PROP. TEMP. ESMT. "B" (GROSS)=940 SQ.FT.
PROP. TEMP. ESMT. "B" (NET)=940 SQ.FT.

PROP. TEMP. ESMT. (TOTAL)=2,218 SQ.FT.

LAND SURVEYOR'S CERTIFICATE:

THE PROPERTY LINES SHOWN ON THIS EASEMENT EXHIBIT ARE BASED ON DEED AND/OR RECORD PLAT DATA FROM THE FAYETTE COUNTY CLERK'S OFFICE. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DESCRIBED IN 201 KAR 18:150 AND PRIME AE GROUP HAS NOT PERFORMED A BOUNDARY SURVEY FOR THE PURPOSES OF THIS EXHIBIT. THIS EXHIBIT IS NOT INTENDED TO BE USED FOR LAND TRANSFER.

James M. Chambliss, PLS

Digitally signed by James M.
Chambliss, PLS
Date: 2025.08.07 13:56:55 -04'00'

JAMES M. CHAMBLISS, PLS 3185

DATE



REV. DATE: 8/07/25

651 Perimeter Drive Suite 300
Lexington, KY 40517
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MERRICK TRUNK SEWER PROJECT
SANITARY SEWER EASEMENTS
WARREN E. LACEFIELD & SYLVIA BROWN LACEFIELD
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LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 2 OF 2