

FAYETTE CO, KY FEE \$53.00

SUSAN LAMB  
COUNTY CLERK

PRESENTED/LODGED: 05/13/2024 09:06:30 AM

EMILY GENTRY, DEPUTY CLERK

202405130030

BK: DB 4072

PG: 51-56



**CORRECTED DEED OF EASEMENT**

This **CORRECTED DEED OF EASEMENT** is made and entered into this the 2nd day of May, 2024, by and between **CENTRAL BAPTIST CHURCH OF LEXINGTON, KENTUCKY, a Kentucky non-profit corporation**, 110 Wilson Downing Road, Lexington, Kentucky 40517, 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:**

**WHEREAS**, the deed of easement dated the 19<sup>th</sup> day of June, 2020, of record in **Deed Book 3767, Page 510**, in the Office of the Fayette County Clerk, was erroneously recorded as a temporary construction easement; and,

**WHEREAS**, it is the desire of all parties thereto to correct the error contained in the original Deed of Easement and to enter into this Corrected Deed of Easement, so as

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

to correct the easement type from a temporary construction easement to a permanent sidewalk easement.

**NOW THEREFORE**, for and in consideration of the sum stated in the original deed of easement, said Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, the permanent right and easement for public ingress and egress, and to excavate, grade, construct, alter, re-grade, maintain, repair, reconstruct, remove, and perform related work for the purpose of sidewalk improvements and construction, installation and relocation, which said sidewalk and appurtenances shall be of such dimension, character, construction and use as determined by Grantee, through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows, to wit:

**Permanent Sidewalk Easement**  
**Wilson Downing Road Sidewalk Improvement Project**  
**(a portion of 110 Wilson Downing Road)**  
**Parcel No. 1**

Being a certain tract of land lying in Fayette County, Lexington, Kentucky, approximately 3.94 miles southwest of Lexington, Kentucky, lying on the east side of US 27 and on the south side of Wilson Downing Road and being more particularly described as follows:

**BEGINNING**, at a point 1.89 feet right of Wilson Downing Segment 1 centerline Station 9+80.00, said point being in the existing east right-of-way line of Nicholasville Road (US 27); thence with the existing east right-of-way line of Nicholasville Road (US 27) along an arc 73.31 feet to the right having a radius of 11,414.16 feet, the chord of which is North 18 Degrees 32 Minutes 16 Seconds East, a distance of 73.31 feet to a point 15.34 feet left of Wilson Downing Segment 1 centerline Station 10+47.05, said point being in the existing south right-of-way line of Wilson Downing Road; thence leaving the existing east right-of-way line of Nicholasville

Road (US 27) and with the existing south right-of-way line of Wilson Downing Road, South 66 Degrees 14 Minutes 21 Seconds East a distance of 52.63 feet to a point 19.58 feet right of Wilson Downing Segment 1 centerline Station 10+90.00; thence leaving the existing south right-of-way line of Wilson Downing Road, South 55 Degrees 57 Minutes 01 Seconds West, a distance of 86.26 feet to the **POINT OF BEGINNING**; and

The above-described parcel contains 1,924 sq. ft. of permanent easement; and

Being a portion of the property conveyed to Central Baptist Church of Lexington, Kentucky, a Kentucky non-profit corporation by deed dated July 15, 2002, of record in Deed Book 2296, Page 395, in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** said easement together with all rights, privileges, appurtenances, and improvements thereunto belonging unto Grantee, its successors and assigns forever, for the purposes and uses herein designated.

The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantor.

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. Grantee shall not be responsible for maintenance of the easement area.

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 interest conveyed herein, including all exemptions allowed by law, and does 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 same as herein done, and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 54-2020, passed by the Lexington-Fayette Urban County Council on February 6, 2020. Pursuant to KRS 382.135(2)(c), this permanent sidewalk easement, which pertains to a public right-of-way, need not contain a statement of consideration.

**IN TESTIMONY WHEREOF**, the parties have signed this Corrected Deed of Easement, this the day and year first above written.

GRANTOR:

CENTRAL BAPTIST CHURCH OF LEXINGTON,  
KENTUCKY, a Kentucky non-profit corporation

BY:   
MARK THOMAS, TREASURER

GRANTEE:

LEXINGTON-FAYETTE URBAN COUNTY  
GOVERNMENT

BY:   
LINDA GORTON, MAYOR

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This instrument was acknowledged, subscribed and sworn to before me by Mark Thomas, as Treasurer, for and on behalf of Central Baptist Church of Lexington, Kentucky, a Kentucky non-profit corporation, on this the 2ND day of May, 2024.

  
Notary Public, Kentucky, State-at-Large

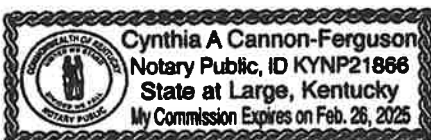
My Commission Expires: 05/16/2028

Notary ID # KYNP26547

COMMONWEALTH OF KENTUCKY

COUNTY OF FAYETTE

The foregoing Corrected Deed of Easement was subscribed, sworn to and acknowledged before me by Linda Gorton, as Mayor, for and on behalf of the Lexington-Fayette Urban County Government, an urban county government of the Commonwealth of Kentucky, for and on behalf of the Lexington-Fayette Urban County Government, on this the 3rd day of May, 2024.



Cynthia A. Cannon-Jorgensen  
Notary Public, Kentucky, State-at-Large

My Commission Expires: 2/26/25

Notary ID # KVNP 218604

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

4862-4367-3782, v. 2