

GRANT OF EASEMENT

This **EASEMENT** is made and entered into this 15th day of October 2014, by and between **COMMONWEALTH OF KENTUCKY, for the use and benefit of the UNIVERSITY OF KENTUCKY**, an instrumentality of the Commonwealth of Kentucky, 301 Main Building, Lexington, Kentucky 40505 ("Grantor"). The in-care of tax mailing address for the current year is c/o University of Kentucky Real Estate Services, 219 Peterson Service Building, Lexington, Kentucky 40506-0005, and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, ("Grantee");

W I T N E S S E T H:

That for and in consideration of the sum of **Ten Dollars and 00/100 Cents (\$10.00)**, and other good and valuable consideration, 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, the permanent right to lay, construct, operate, repair, reconstruct and remove a storm sewer line and appurtenances thereto, which storm sewer line and facilities shall be of such dimension, character, construction and use determined by Grantee along, through, under and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows:

Permanent Easement
(a portion of 242 Bolivar Street)
Bolivar Street Stormwater
Improvement Project

All that tract of land south side of Bolivar Street in Lexington, Fayette County, Kentucky and being more particularly described as follows:

Hon. Keith Horn
 LFUCG Dept. of Law
 200 E. Main Street, 11th Floor
 Lexington, KY 40507

BEGINNING at a point on the south right-of-way of Bolivar Street and being S 41°58'04" E a distance of 59.82' from the northwest corner of the property conveyed to the Commonwealth of Kentucky of record in Deed Book 2594 Page 135; thence with the right-of-way of Bolivar Street, S 41°58'04" E a distance of 15.00' to a point; thence leaving said right-of-way and through the Commonwealth of Kentucky property for two calls:

- 1) S 49°26'39" W a distance of 38.83' to a point;
- 2) S 13°32'35" W a distance of 91.04' to a point in the line of the property conveyed to Milling Properties, LLC of record in Deed Book 2980 Page 514; thence with the line of Milling Properties, LLC for three calls:

- 1) With a curve turning to the left with an arc length of 66.59', with a radius of 522.72', with a chord bearing of N 01°26'39" E, with a chord length of 66.54', to a point;
- 2) N 43°41'01" E a distance of 17.91' to a point;
- 3) N 04°39'28" W a distance of 21.16' to a point; thence leaving said line and through the Commonwealth of Kentucky property, N 49°26'39" E a distance of 37.46' to the point of BEGINNING, having an area of 1,236 square feet or 0.028 acres; and,

Being a portion of the same property conveyed to the Commonwealth of Kentucky, for the use and benefit of the University of Kentucky, an instrumentality of the University of Kentucky, by Quitclaim Deed dated September 20, 2005, of record in Deed Book 2594, Page 135, in the Fayette County Clerk's Office.

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

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 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 the written consent of the Grantee.

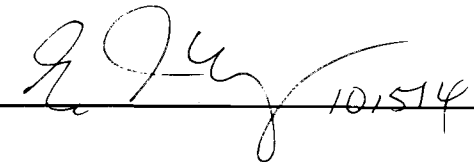
Grantor does hereby covenant to and with said Grantee, its successors and assigns forever, that it is lawfully seized in fee simple of said property and has good right to sell and convey the easement herein, and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution No. 478-2014 passed by the Lexington-Fayette Urban County Council on August 28, 2014. Pursuant to KRS 382.135 (2)(a), this public utility easement is exempt from the requirements related to certificate of consideration. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

IN TESTIMONY WHEREOF, the Grantor has signed this Easement, this the day and year first above written.

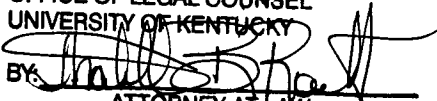
GRANTOR:

COMMONWEALTH OF KENTUCKY,
for the use and benefit of the
UNIVERSITY OF KENTUCKY, an
Independent and instrumentality of the
UNIVERSITY OF KENTUCKY

BY:  10/15/14

ITS: EUPFA

EXAMINED FOR FORM & LEGALITY
OFFICE OF LEGAL COUNSEL
UNIVERSITY OF KENTUCKY

BY: 
ATTORNEY AT LAW

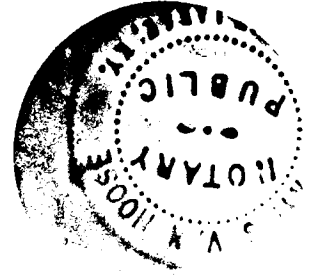
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing Deed of Easement was subscribed, sworn to and acknowledged before me by ERIC MONDAY, as EVPFA, for and on behalf of the Commonwealth of Kentucky, for the use and benefit of the University of Kentucky, an instrumentality of the Commonwealth of Kentucky, on this the 15 day of OCT, 2014.

My commission expires: 1-23-2015

Thys VanHooze
Notary Public, Kentucky, State-at-Large

433 467

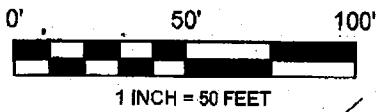


PREPARED BY:

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

X:\Cases\WATER-AIR\14-RE0623\RE\00454297.DOC

EXHIBIT "A"



| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 41°58'04" E | 59.82' |
| L2 | S 41°58'04" E | 15.00' |
| L3 | S 49°26'39" W | 38.83' |
| L4 | N 43°41'01" E | 17.91' |
| L5 | N 04°39'28" W | 21.16' |
| L6 | N 49°26'39" E | 37.46' |

S. BROADWAY

PLUNKETT STREET

BOLIVAR STREET

659 PLUNKETT STREET
KENNETH V. LITRELL
MARGARET J. LITRELL
DEED BOOK 2120 PAGE 134

245 BOLIVAR STREET
COMMONWEALTH OF KENTUCKY
UNIVERSITY OF KENTUCKY - TRACT 1
DEED BOOK 3018 PAGE 380

PROPOSED STORM SEWER
EASEMENT-1,236 SQ. FEET
OR 0.028 ACRES

612 S. BROADWAY
BURLEY TOBACCO GROWERS
CO-OPERATIVE ASSOCIATION
DEED BOOK 541 PAGE 422

620 S. BROADWAY
BURLEY TOBACCO GROWERS
CO-OPERATIVE ASSOCIATION
DEED BOOK 210 PAGE 621
DEED BOOK 221 PAGE 563
FFE: 946.21'

236 BOLIVAR STREET
COMMONWEALTH OF KENTUCKY
UNIVERSITY OF KENTUCKY - TRACT 2
DEED BOOK 3016 PAGE 380
FFE: 953.98'

242 BOLIVAR STREET
COMMONWEALTH OF KENTUCKY
UNIVERSITY OF KENTUCKY
DEED BOOK 2584 PAGE 135/

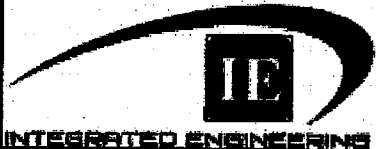


LEGEND

- BOUNDARY LINE
- PROPOSED 15' PERMANENT STORM SEWER EASEMENT

| CURVE | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|------------|---------|-------------|---------------|--------------|
| C1 | 66.59' | 522.72' | 7°17'54" | N 01°26'39" E | 66.54' |

1 OF 1



PROJECT NO:
130067
DATE
JUNE 2, 2014
DRAWN BY:
MKE
CHECKED BY:
MKE

STORM SEWER EASEMENT EXHIBIT
242 BOLIVAR STREET
LEXINGTON, FAYETTE COUNTY, KENTUCKY

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: SHEA BROWN ,dc

201410270048

October 27, 2014 9:20:17 AM

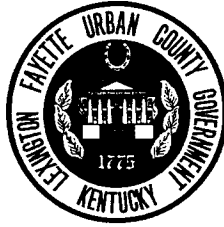
| | | | |
|------|---------|-----|--------|
| Fees | \$23.00 | Tax | \$.00 |
|------|---------|-----|--------|

| | |
|------------|---------|
| Total Paid | \$23.00 |
|------------|---------|

THIS IS THE LAST PAGE OF THE DOCUMENT

6 Pages

105 - 110



R 478-2014

P 8/28/14

D 7689

Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

To: Meredith Nelson, Council Clerk
Council Clerk's Office

From: Department of Law

Date: November 18, 2014

Re: Easement and Asset Acquisition Form
606 South Broadway, 242 Bolivar Street and 612 South Broadway
Bolivar Street Stormwater Improvement Project
Log No. 14-RE0167

Enclosed are the original recorded easements conveying permanent easements across the above-referenced properties to the Urban County Government for the Bolivar Street Stormwater Improvement Project. Please file the easements with the authorizing legislation, Resolution No. 478-2014.

Also enclosed are the completed Asset Acquisition forms for the properties. After you have signed and dated the forms, please forward them to Kim Bryan in the Department of Finance.

If you have any questions, please let me know.

Keith Horn
Managing Attorney

Enclosures

cc: Kim Bryan, Department of Finance
Beth Florence, Department of Finance

X:\Cases\WATER-AIR\14-RE0615\MEMO\00462124.DOC