

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 10th day of August, 2020, by and between **JOHN M. SKILLMAN and SUSAN M. SKILLMAN, husband and wife**, 985 Holly Springs Drive, Lexington, Kentucky 40504, which is the in-care of tax mailing address for the current year (hereinafter "Grantors"), 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 **SEVEN HUNDRED THIRTY-TWO DOLLARS AND 19/100 DOLLARS (\$732.19)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantors have **BARGAINED** and **SOLD** and do 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, 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:

Permanent Sanitary Sewer Easement
Wolf Run Trunks D & E Sewer Replacement Project
(a portion of 985 Holly Springs Drive)

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

BEGINNING, at a point on the western property line shared with Kathryn & Matthew Demers, approximately 5 feet from the northwest property corner, thence along the western property line 21.58 feet at a bearing of S 32°18'40" W to a point, thence 68.94 feet at a bearing of S 49°00'38" E to the eastern property line shared with Charles & Dona Renfro, thence along the eastern property line 24.05 feet at a bearing of N 31°06'12" E to a point, thence 68.11 feet at a bearing of N 51°00'00" W back to the **POINT OF BEGINNING**; and,

The above described parcel contains 1,546.70 square feet of permanent easement; and

Being a portion of the property conveyed to John M. Skillman and Susan M. Skillman, husband and wife, by Deed dated August 8, 1979, of record in Deed Book 1233, Page 409, 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, Grantors have **BARGAINED** and **SOLD** and do 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
Wolf Run D & E Trunk Sewer Replacement Project
(a portion of 985 Holly Springs Drive)

BEGINNING, at a point on the western property line shared with Kathryn & Matthew Demers, approximately 27' feet from the northwest property corner, thence 68.94 feet at a bearing S 49°00'38" E to the eastern property line shared with Charles & Dona Renfro, thence 15.23 feet at a bearing of S 31°06'12" W along the eastern property line, thence 69.26 feet at a bearing N 49°00'38" W to the western property line,

thence 15.17 feet at a bearing N 32°18'40" E along the western property line back to the **POINT OF BEGINNING**; and,

The above described parcel contains a total area of 1,036.53 square feet of temporary construction easement;

Being a portion of the property conveyed to John M. Skillman and Susan M. Skillman, husband and wife, by Deed dated August 8, 1979, of record in Deed Book 1233, Page 409, 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 Grantors. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantors. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

Grantors 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.

Grantors do hereby release and relinquish unto the Grantee, its successors and assigns forever, all of their 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 they are lawfully seized in fee simple of said property and have good right to sell and convey the easements as herein done, and that they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 256-2020, passed by the Lexington-Fayette Urban County Council on June 11, 2020. 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 Grantors have signed this Deed of Easement, this the day and year first above written.

GRANTORS:

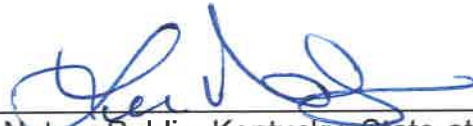
BY:  _____
JOHN M. SKILLMAN

BY:  _____
SUSAN M. SKILLMAN

[Intentionally Left Blank]

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by John M. Skillman and Susan M. Skillman, husband and wife, on this the 10th day of August, 2020.



Notary Public, Kentucky, State-at-Large

My Commission Expires: 7/10/2023

Notary ID # 626440

PREPARED BY:

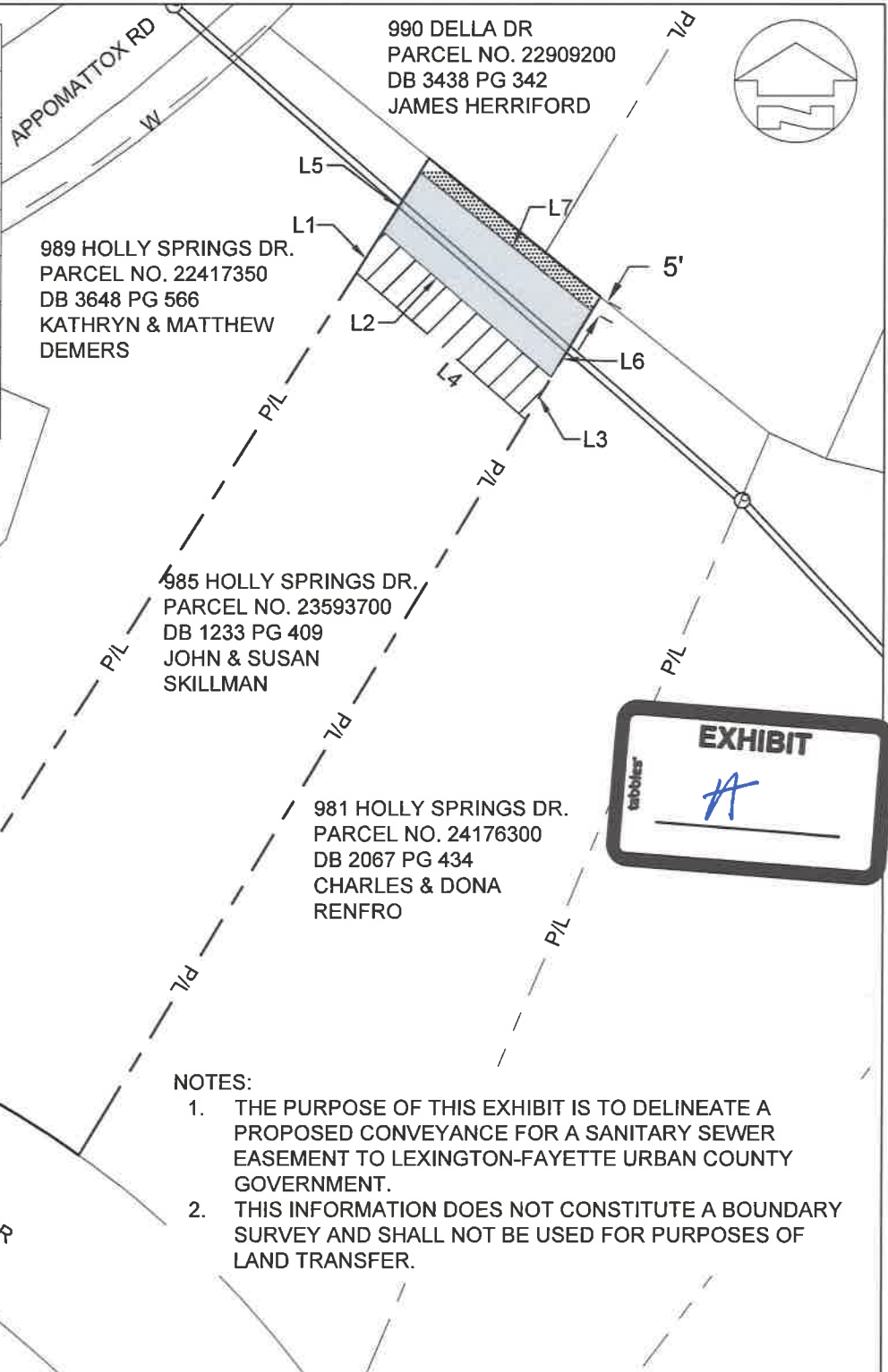


CHARLES E. EDWARDS III

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

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PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L1	N32°18'40"E	15.17'
L2	S49°00'38"E	68.94'
L3	S31°06'12"W	15.23'
L4	N49°00'38"W	69.26'
L5	S32°18'40"W	21.58'
L6	N31°06'12"E	24.05'
L7	N51°00'00"W	68.11'



993 HOLLY SPRINGS DR.
 PARCEL NO. 26943200
 DB 3452 PG 544
 DAVID F JAMES LIVING TRUST

989 HOLLY SPRINGS DR.
 PARCEL NO. 22417350
 DB 3648 PG 566
 KATHRYN & MATTHEW
 DEMERS

990 DELLA DR
 PARCEL NO. 22909200
 DB 3438 PG 342
 JAMES HERRIFORD

985 HOLLY SPRINGS DR.
 PARCEL NO. 23593700
 DB 1233 PG 409
 JOHN & SUSAN
 SKILLMAN

981 HOLLY SPRINGS DR.
 PARCEL NO. 24176300
 DB 2067 PG 434
 CHARLES & DONA
 RENFRO



- NOTES:
1. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A PROPOSED CONVEYANCE FOR A SANITARY SEWER EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
 2. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.

LEGEND:

- EXISTING PERMANENT UTILITY EASEMENT (340.2678 SQ FT)
- TEMPORARY CONSTRUCTION EASEMENT (1036.5303 SQ FT)
- NEW 20' PERMANENT UTILITY EASEMENT (1546.7007 SQ FT)
- PROPOSED SEWER LINE

EXHIBIT "A"
 UTILITY EASEMENT EXHIBIT
 MARCH 10, 2020
 JOHN & SUSAN SKILLMAN
 PROPERTY
 985 HOLLY SPRINGS DR
 LEXINGTON, KY 40504

SCALE: 1" = 50'

LFUCG
 DIVISION OF WATER QUALITY
 WOLF RUN TRUNK SEWER LINES D & E

200 E MAIN STREET
 LEXINGTON, KY 40507

engineering | architecture | geospatial
 www.grwinc.com

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: PATTY DAVIS ,dc

202008180091

August 18, 2020 10:07:00 AM

Fees	\$53.00	Tax	\$.00
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Total Paid	\$53.00
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THIS IS THE LAST PAGE OF THE DOCUMENT

7 Pages

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MAYOR LINDA GORTON



LEXINGTON

SUSAN B. SPECKERT
COMMISSIONER
DEPARTMENT OF LAW

To: Abigail Allan, Council Clerk
Council Clerk's Office

From: Department of Law

Date: August 21, 2020

Re: Permanent and Temporary Construction Easement
985 Holly Springs Drive

Our File No. 20-RE0185
Wolf Run Trunks D & E Sewer
Replacement Project

Enclosed is the original recorded Permanent and Temporary Construction Easement for the above-referenced property to the Urban County Government for the Wolf Run Trunks D & E Sewer Replacement Project. Please file the easement with the authorizing legislation, Resolution No. 256-2020.

Please note that the attached asset acquisition form is for the permanent easement only.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Keith Horn".

Keith Horn
Managing Attorney

Enclosure

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