

FAYETTE CO, KY FEE \$59.00

SUSAN LAMB  
COUNTY CLERK

PRESENTED/LODGED: 04/03/2025 02:28:06 PM

BOBBIE MARSTELLA, DEPUTY CLERK 202504030127

BK: DB 4123

PG: 586-593



### **DEED OF EASEMENT**

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 31<sup>st</sup> day of MARCH, 2025 by and between **SADDLEBROOK RVF PROPERTY II, LLC**, a Delaware limited liability company, 7 E. Congress Street, Suite 900A, Savannah, GA 31401, 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 **THIRTY-FIVE THOUSAND DOLLARS AND 00/100 (\$35,000.00)**, 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,

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

alter, re-grade and perform related work for the purpose of sanitary sewer improvements 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 the attached Exhibit "A", and more particularly described as follows, to wit:

**Permanent Sanitary Sewer Easement**  
**Merrick Trunk**  
**Sewer Improvement Project**  
**(a portion of 3543 Bates Creel Road)**

All that tract or parcel of land situated on the west side of Bates Creek Road, approximately 250 feet south of Kirklevington Drive in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

**BEGINNING**, at the northeast corner of Saddlebrook RVF Property II, LLC (3543 Bates Creek Road, Deed Book 3973, Page 716), being a common corner to Kirklevington Lifestyle Communities, LLC (3050 Kirklevington Drive, Deed Book 3116, Page 130), said point being in the Bates Creek Road west right-of-way having NAD 83 (2011) Kentucky State Plane North Zone Coordinates of North 177,941.00 and East 1,569,869.50;

Thence leaving said Bates Creek Road and with said Kirklevington Lifestyle Communities, LLC, South 77°32'24" West, 52.13 feet to the **TRUE POINT OF BEGINNING**;

Thence leaving said Kirklevington Lifestyle Communities, LLC for nine (9) new lines through the lands of said Saddlebrook RVF Property II, LLC:

1. South 12°22'05" East, 3.70 feet to a point,
2. South 23°38'14" East, 182.52 feet to a point in said Bates Creek Road,
3. With said Bates Creek Road, South 12°00'15" East, 19.20 feet to a point,
4. With said Bates Creek Road, South 07°34'35" East, 40.86 feet to a point,
5. With said Bates Creek Road, South 13°17'53" East, 53.53 feet to a point,
6. Leaving said Bates Creek Road, North 36°10'50" West,

44.08 feet to a point,

7. North 12°00'15" West, 71.20 feet to a point,

8. North 23°38'14" West, 182.46 feet to a point,

9. North 16°39'22" West, 5.65 feet to a point in the line with  
said Kirklevington Lifestyle Communities, LLC;

Thence with said Kirklevington Lifestyle Communities, LLC, North  
77°32'24" East, 20.42 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 5,429 square feet (gross and net),  
more or less of permanent easement; and,

Being a portion of the property conveyed to Saddlebrook RVF Property II,  
LLC, a Delaware limited liability company, by Deed dated July 26, 2022, of  
record in Deed Book 3973, Page 716, 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 3543 Bates Creek Road)**

All that tract or parcel of land situated on the west side of Bates Creek  
Road, approximately 250 feet south of Kirklevington Drive in Lexington,  
Fayette County, Kentucky, and being more fully described and bounded  
as follows, to wit:

Tract A

**BEGINNING**, at the northeast corner of Saddlebrook RVF Property II, LLC (3543 Bates Creek Road, Deed Book 3973, Page 716), being a common corner to Kirklevington Lifestyle Communities, LLC (3050 Kirklevington Drive, Deed Book 3116, Page 130), said point being in the Bates Creek Road west right-of-way having NAD 83 (2011) Kentucky State Plane North Zone Coordinates of North 177,941.00 and East 1,569,86.50;

Thence leaving said Kirklevington Lifestyle Communities, LLC and with said Bates Creek Road for two (2) new lines:

1. South 07°45'30" East, 130.77 feet to a point,
2. South 07°31'07" East, 71.89 feet to a point;

Thence leaving said Bates Creek Road for three (3) new lines through the lands of said Saddlebrook RVF Property II, LLC:

1. North 12°00'15" West, 19.20 feet to a point,
2. North 23°38'14" West, 182.52 feet to a point,
3. North 12°22'05" West, 3.70 feet to a point in the line with said Kirklevington Lifestyle Communities, LLC;

Thence with said Kirklevington Lifestyle Communities, LLC, North 77°32'24" East, 52.13 feet to the **TRUE POINT OF BEGINNING**, and,

The above-described parcel contains 4,997 square feet (gross and net), more or less of temporary construction easement; and,

Tract B

**BEGINNING**, at the northeast corner of Saddlebrook RVF Property II, LLC (3543 Bates Creek Road, Deed Book 3973, Page 716), being a common corner to Kirklevington Lifestyle Communities, LLC (3050 Kirklevington Drive, Deed Book 3116, Page 130), said point being in the Bates Creek Road west right-of-way having NAD 83 (2011) Kentucky State Plane North Zone Coordinates of North 177,941.00 and East 1,569,869.50;

Thence leaving said Bates Creek Road and with said Kirklevington Lifestyle Communities, LLC, South 77°32'24" West, 72.56 feet to the **TRUE POINT OF BEGINNING**;

Thence leaving said Kirklevington Lifestyle Communities, LLC for nine (9) new lines through the lands of said Saddlebrook RVF Property II, LLC:

1. South 16°39'22" East, 5.65 feet to a point,

2. South 23°38'14" East, 182.46 feet to a point,
3. South 12°00'15" East, 71.20 feet to a point,
4. South 36°10'50" East, 44.08 feet to a point,
5. South 13°17'53" East, 25.72 feet to a point,
6. North 36°10'50" West, 69.92 feet to a point,
7. North 12°00'15" West, 72.32 feet to a point,
8. North 23°38'14" West, 182.43 feet to a point,
9. North 14°01'55" West, 6.61 feet to a point in the line with said Kirklevington Lifestyle Communities, LLC;

Thence with said Kirklevington Lifestyle Communities, LLC, North 77°32'24" East, 9.77 feet to the **TRUE POINT OF BEGINNING**, and,

The above-described parcel contains 3,173 square feet (gross and net), more or less of temporary construction easement; and,

Tract A and Tract B, being a portion of the property convey to Saddlebrook RVF Property II, LLC, a Delaware limited liability company, by Deed dated July 26, 2022, of record in Deed Book 3973, Page 716, 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.

Grantee shall reasonably restore the property to its original or near original condition after the construction project is completed. Grantee shall be responsible for any damages to the easement area caused by its operations throughout the existence of the permanent sanitary sewer easement.

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 interests 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 easements as herein done, and that it will **WARRANT SPECIALLY** 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, and by Amended Resolution 584-2024, passed by the Lexington-Fayette Urban County Council on November 21, 2024. Pursuant to KRS 382.135(2)(a), this deed of easement, which pertains to a public utility, need not contain a statement of consideration.



PREPARED BY:



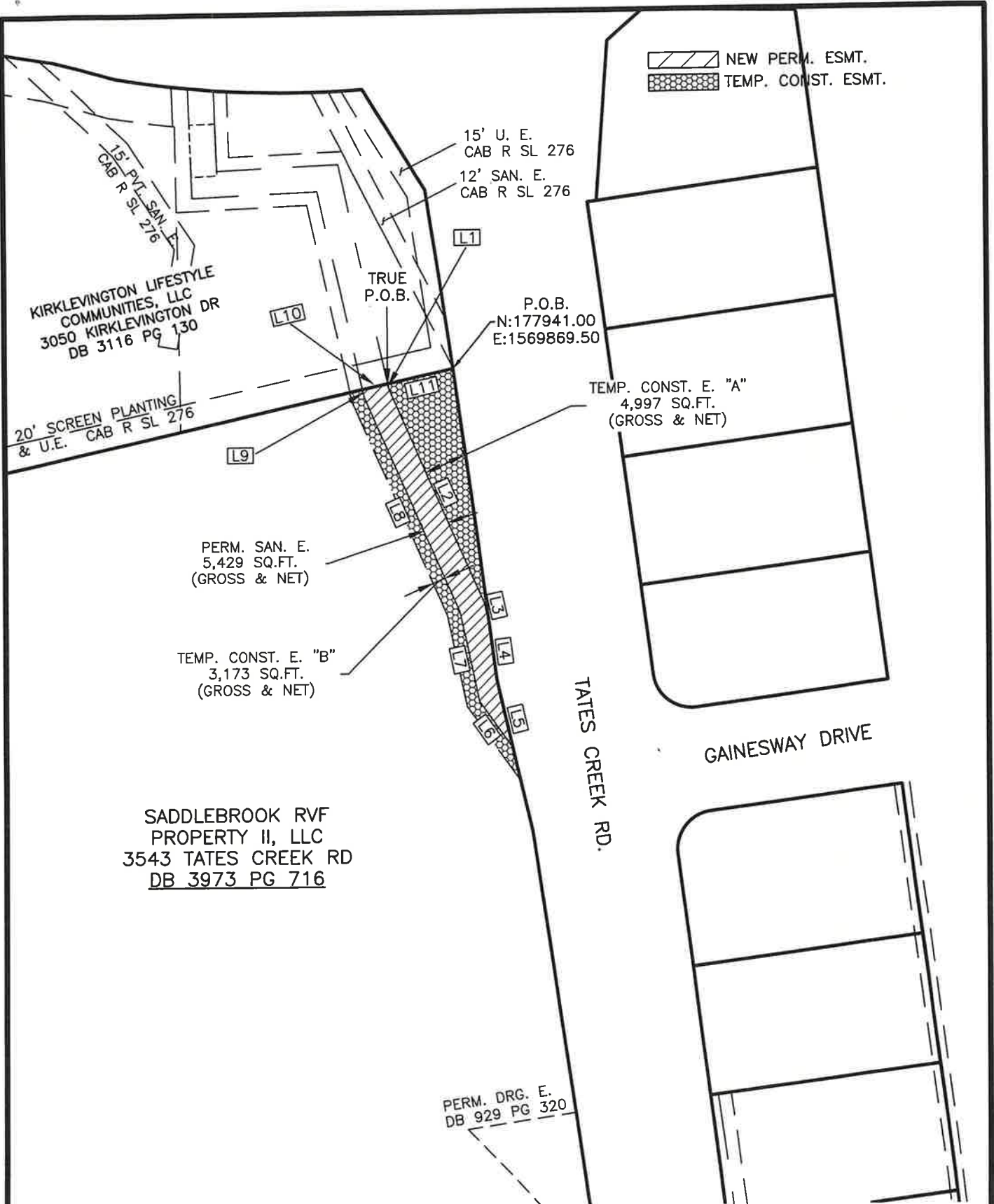
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EVAN P. THOMPSON,  
Attorney Sr.  
Lexington-Fayette Urban  
County Government  
Department of Law, 11th Floor  
200 East Main Street  
Lexington, Kentucky 40507  
(859) 258-3500

4880-4484-2233, v. 1



K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements - Kurt\_SSM TC West BNY Rev 110624.dwg  
 Day & Time: Nov 15, 2024 - 10:46am  
 Login Name: jchambless



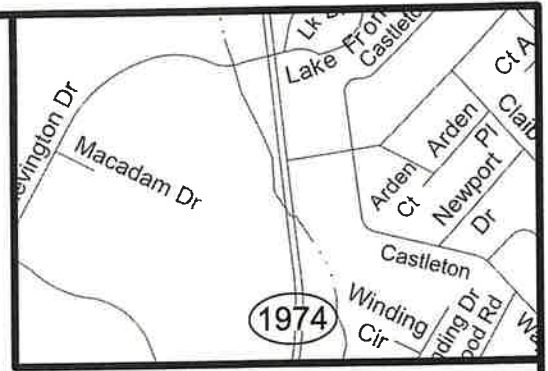
REV. DATE: 11/15/24

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

MERRICK TRUNK SEWER PROJECT  
 SANITARY SEWER EASEMENTS  
 SADDLEBROOK RVF PROPERTY II, LLC  
 3543 TATES CREEK ROAD

LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2

LINE	BEARING	DISTANCE
L1	S 12°22'05" E	3.70'
L2	S 23°38'14" E	182.52'
L3	S 12°00'15" E	19.20'
L4	S 07°34'35" E	40.86'
L5	S 13°17'53" E	53.53'
L6	N 36°10'50" W	44.08'
L7	N 12°00'15" W	71.20'
L8	N 23°38'14" W	182.46'
L9	N 16°39'22" W	5.65'
L10	N 77°32'24" E	20.42'
L11	N 77°32'24" E	52.13'



VICINITY MAP N.T.S.

EX. PERM ESMT.=N/A

PROP. PERM. ESMT.(GROSS)=5,429 SQ.FT.  
PROP. PERM. ESMT. (NET)=5,429 SQ. FT.

PROP. TEMP. ESMT.(GROSS)=8,170 SQ.FT.  
PROP. TEMP. ESMT.(NET)=8,170 SQ.FT.

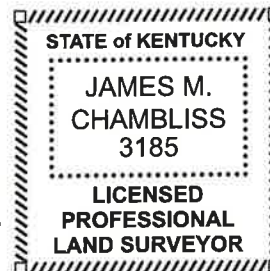
**LAND SURVEYOR'S CERTIFICATE:**

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: 2024.11.15 10:51:40 -05'00'

JAMES M. CHAMBLISS, PLS 3185

DATE



REV. DATE: 11/15/24  
651 Perimeter Drive Suite 300  
Lexington, KY 40517  
Phone (859) 368-0145  
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MERRICK TRUNK SEWER PROJECT  
SANITARY SEWER EASEMENTS  
SADDLEBROOK RVF PROPERTY II, LLC  
3543 TATES CREEK ROAD  
LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 2 OF 2