

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 5TH day of JANUARY, 202~~3~~, by and between **DAVID A. NORMANT and SHEILA K. NORMANT, husband and wife**, 3431 Sutherland Drive, 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:

That for and in consideration of the sum of **FIVE HUNDRED DOLLARS AND 00/100 (\$500.00)**, 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, temporary right to excavate, grade, construct, alter, re-grade and perform

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

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:

Temporary Construction Easement (Phase I)
West Hickman Main Trunk E
Sewer Improvement Project
(a portion of 3431 Sutherland Drive)

All of that tract or parcel of land situated on the northwest side of Sutherland Drive, approximately 600 feet southwest of the intersection with Gainesway Drive in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

BEGINNING at the common corner of Sheila K. Normant and David A. Normant (3431 Sutherland Drive, Deed Book 2656, Page 320) and Margaret Faye Sither (3427 Sutherland Drive, Deed Book 2507, Page 497), said point being in the Sutherland Drive northwest right-of-way; thence leaving said Sither and Sutherland Drive for two (2) lines through the lands of said Normant:

- 1) North 68°04'35" West, 16.16 feet to a point at the northeast corner of a 15-foot wide sanitary sewer easement and a 12-foot wide sanitary sewer easement (Plat Cabinet A, Slide 28),
- 2) North 46°16'30" West, 104.69 feet to the **TRUE POINT OF BEGINNING**;

Thence for four (4) new lines through the lands of said Normant:

- 1) South 61°31'37" West, 61.97 feet to a point,
- 2) North 46°16'30" West, 1.36 feet to a point,
- 3) North 43°43'30" East, 59.00 feet to a point in said 12-foot sanitary easement,
- 4) With said 12-foot sanitary South 46°16'30" East, 20.31 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 639 sq. ft. more or less (gross and net) of temporary construction easement; and

Being a portion of the property conveyed to David A. Normant and Sheila K. Normant, husband and wife, by Deed dated June 30,

2006, of record in Deed Book 2656, Page 320, in the Fayette County Clerk's Office.

Temporary Construction Easement (Phase II)
Sutherland Trunk
Sewer Improvement Project
(a portion of 3431 Sutherland Drive)

All of that tract or parcel of land situated on the northwest side of Sutherland Drive, approximately 600 feet southwest of the intersection with Gainesway Drive in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

BEGINNING at the common corner of Sheila K. Normant and David A. Normant (3431 Sutherland Drive, Deed Book 2656, Page 320) and Margaret Faye Sither (3427 Sutherland Drive, Deed Book 2507, Page 497), said point being in the Sutherland Drive northwest right-of-way; thence leaving said Sither and Sutherland Drive, North 68°04'35" West, 16.16 feet to the **TRUE POINT OF BEGINNING** at the northeast corner of a 15 foot wide sanitary sewer easement and a 12 foot wide sanitary sewer easement (Plat Cabinet A, Slide 28); thence for four (4) new lines through the lands of said Normant:

- 1) South 43°43'30" West, 5.29 feet to a point,
- 2) North 46°16'30" West, 125.00 feet to a point,
- 3) North 43°43'30" East, 5.29 feet to a point in said 12 foot sanitary easement,
- 4) With said 12 foot sanitary, South 46°16'30" East, 125.00 feet to the **TRUE POINT OF BEGINNING;**
and,

The above described parcel contains 662 sq. ft. more or less (gross and net) of temporary construction easement; and

Being a portion of the property conveyed to David A. Normant and Sheila K. Normant, husband and wife, by Deed dated June 30, 2006, of record in Deed Book 2656, Page 320, in the Fayette County Clerk's Office.

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

The above-described temporary construction easement for the West Hickman Main Trunk E Sewer Improvement Project-(Phase I) runs with the land for the duration of the improvement project 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 the completion of the project.

Further, the Grantors reserve the above-described temporary construction easement for the Sutherland Trunk Sanitary Sewer Project-Phase II runs with the land for the duration of the future improvement project 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 the completion of the project.

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

The obtaining of this easement was authorized by Resolution 030-2022, passed by the Lexington-Fayette Urban County Council on January 27, 2022 and by Resolution 641-2022, passed by the Lexington-Fayette Urban County Council on December 1, 2022. Pursuant to KRS 382.135(2)(c), this temporary construction easement, which pertains to a public utility, need not contain a statement of consideration.

IN TESTIMONY WHEREOF, the Grantors have signed this Temporary Construction Easement, this the day and year first above written.

GRANTORS:

David A. Normant
DAVID A. NORMANT

Sheila K. Normant
SHEILA K. NORMANT

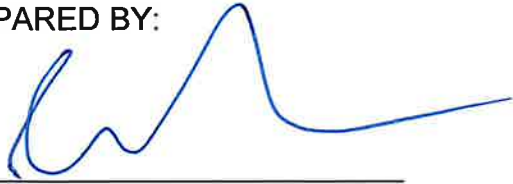
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by David A. Normant and Sheila K. Normant, husband and wife, on this the 5th day of JANUARY, 2023.



Harold Clifft
Notary Public, Kentucky, State-at-Large
My Commission Expires: 05 / 10 / 2025
Notary ID # KYNP 27704

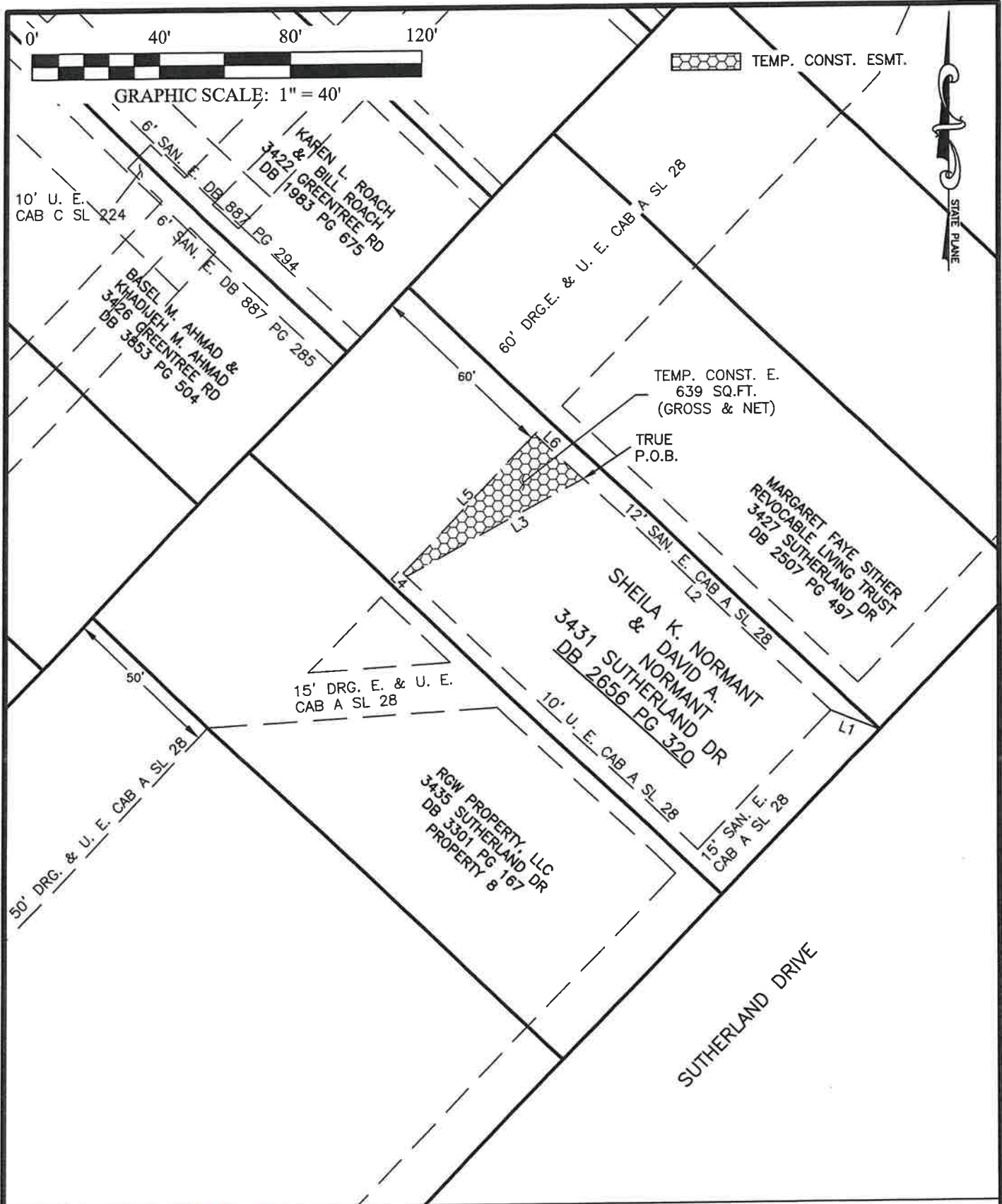
PREPARED BY:



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

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K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements - Kurt_SSM.dwg
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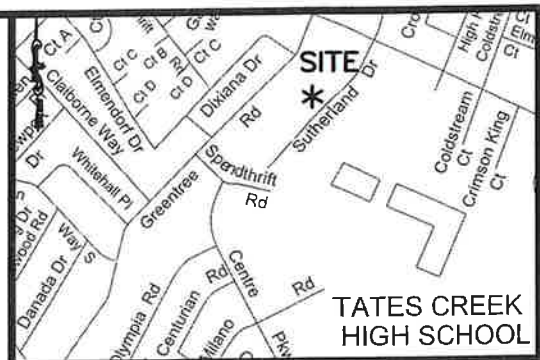


REV. DATE: 11/09/22
651 Perimeter Drive Suite 300
Lexington, KY 40517
Phone (859) 368-0145
www.primeeng.com

WEST HICKMAN TRUNK E SEWER PROJECT
TEMPORARY SANITARY SEWER EASEMENT
SHEILA K. NORMANT & DAVID A. NORMANT
3431 SUTHERLAND DRIVE
LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2

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LINE	BEARING	DISTANCE
L1	N 68°04'35" W	16.16'
L2	N 46°16'30" W	104.69'
L3	S 61°31'37" W	61.97'
L4	N 46°16'30" W	1.36'
L5	N 43°43'30" E	59.00'
L6	S 46°16'30" E	20.31'



VICINITY MAP N.T.S.

EX. PERM ESMT.=N/A

PROP. TEMP. ESMT.(GROSS)=639 SQ.FT.
 PROP. TEMP. ESMT.(NET)=639 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: 2022.11.09 15:11:21 -05'00'

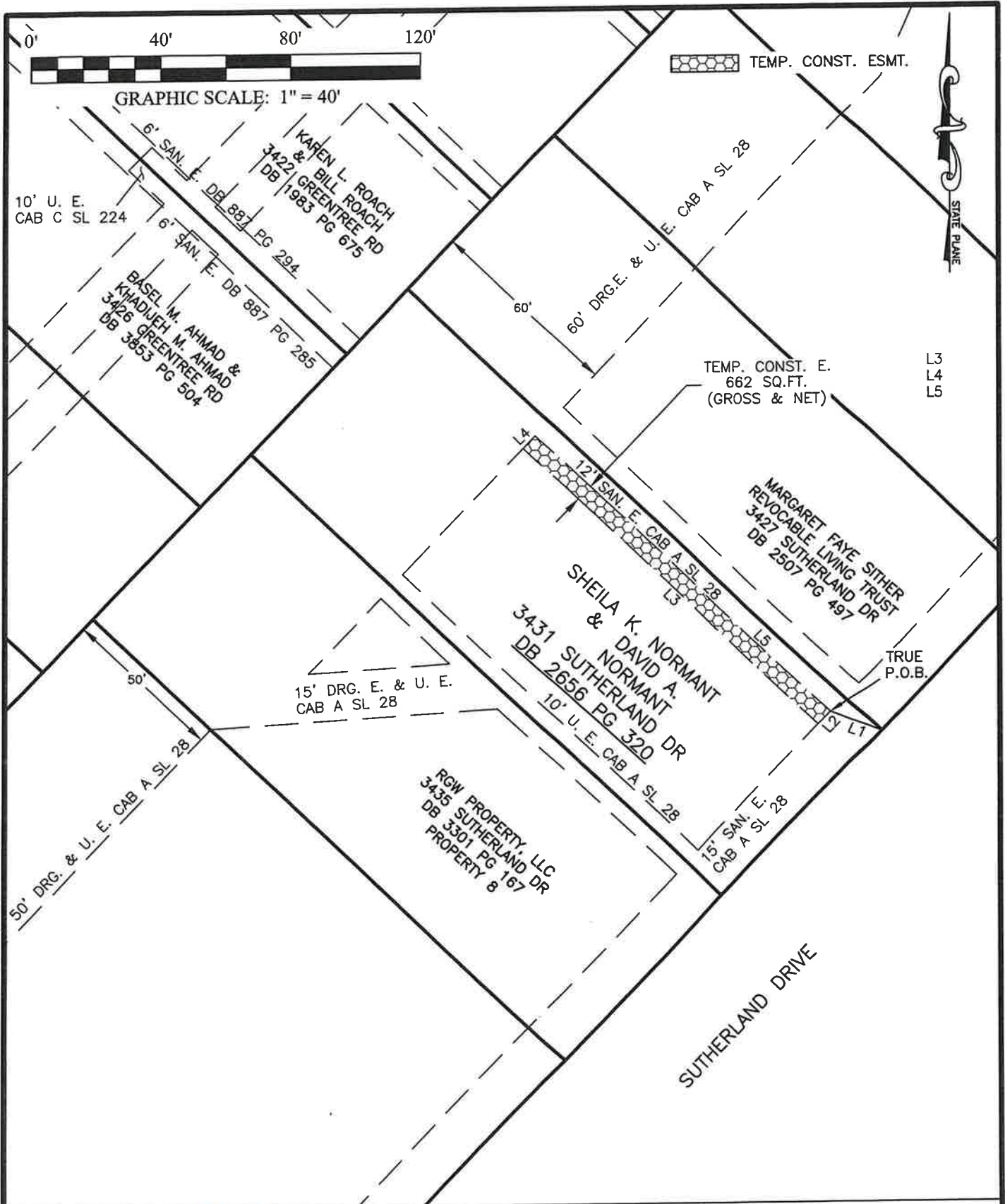
JAMES M. CHAMBLISS, PLS 3185 _____ DATE



REV. DATE: 11/09/22
 651 Perimeter Drive Suite 300
 Lexington, KY 40517
 Phone (859) 368-0145
 www.primeeng.com

WEST HICKMAN TRUNK E SEWER PROJECT
 TEMPORARY SANITARY SEWER EASEMENT
 SHEILA K. NORMANT & DAVID A. NORMANT
 3431 SUTHERLAND DRIVE
 LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 2 OF 2

K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements - Kurt_SSM.dwg
Nov 09, 2022 - 3:16pm Login Name: jchambliss



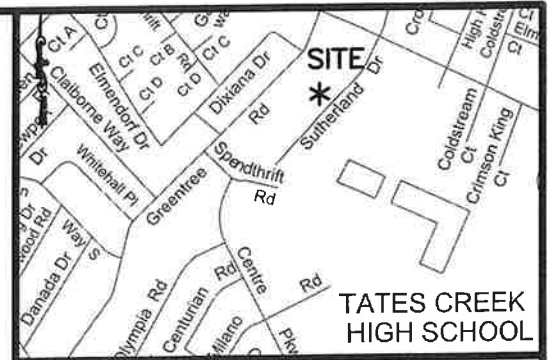
REV. DATE: 11/09/22

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

SUTHERLAND TRUNK SEWER
TEMPORARY SANITARY SEWER EASEMENT
SHEILA K. NORMANT & DAVID A. NORMANT
3431 SUTHERLAND DRIVE
LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2

K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements - Kurt_SSM.dwg
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LINE	BEARING	DISTANCE
L1	N 68°04'35" W	16.16'
L2	S 43°43'30" W	5.29'
L3	N 46°16'30" W	125.00'
L4	N 43°43'30" E	5.29'
L5	S 46°16'30" E	125.00'



VICINITY MAP N.T.S.

EX. PERM ESMT.=N/A

PROP. TEMP. ESMT.(GROSS)=662 SQ.FT.
 PROP. TEMP. ESMT.(NET)=662 SQ.FT.

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Digitally signed by James M. Chambliss, PLS
 Date: 2022.11.09 15:27:18 -05'00'

James M. Chambliss, PLS DATE



REV. DATE: 11/09/22

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

SUTHERLAND TRUNK SEWER
 TEMPORARY SANITARY SEWER EASEMENT
 SHEILA K. NORMANT & DAVID A. NORMANT
 3431 SUTHERLAND DRIVE
 LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 2 OF 2

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: EMILY GENTRY ,dc

202301110129

January 11, 2023 12:02:05 PM

Fees	\$65.00	Tax	\$.00
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Total Paid	\$65.00
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11 Pages

235 - 245