

GRANT OF EASEMENT

This EASEMENT is made and entered into this 12th day of March, 2013, by and between **SOUTHLAND CHRISTIAN CHURCH OF LEXINGTON, KENTUCKY, INC.** a Non-profit Kentucky corporation, 5001 Harrodsburg Road, Nicholasville, Kentucky 40356 (“Grantor”), which is also the in-care of tax mailing address for the current tax year, and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 (“Grantee”);

WITNESSETH:

That for and in consideration of the sum of **TEN DOLLARS (\$10.00)**, and other good and valuable consideration, 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, the permanent right to lay, construct, operate, repair, reconstruct and remove a sanitary sewer line and appurtenances thereto, which sanitary sewer line and facilities shall be of such dimension, character, construction and use determined by Grantee, along, through, under and across a twenty (20) foot wide portion of the following tract of land located in the confines of Lexington-Fayette County, Kentucky (“Permanent Easement”), and more particularly described as follows:

Permanent Easement
(a “20’ wide portion of 2349 Richmond Road)
See 20’ Sanitary Sewer Easement ‘Granted’” on Exhibit “A” Attached
and Incorporated by Reference (“Exhibit “A”)

Being a portion of the same property conveyed to Southland Christian Church of Lexington, Kentucky, Inc., a Kentucky non-profit corporation, by Deed dated September 27, 2010, of record in Deed Book 2970, Page 462, in the Fayette County Clerk’s Office.

FURTHER, for and in consideration of the foregoing sum, 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, the temporary right to excavate, grade, construct, alter, regrade and perform related work for the purpose of sanitary sewer line construction, installation and relocation through and across a fifty (50) foot wide portion of the following tract of land located within the confines of Lexington-Fayette County, Kentucky ("Temporary Construction Easement"), to wit:

Temporary Construction Easement
(50' wide portion of 2349 Richmond Road)
See "Temporary Construction Easement" on Attached Exhibit "A"

Being a portion of the same property conveyed to Southland Christian Church of Lexington, Kentucky, Inc., a Kentucky non-profit corporation, by Deed dated September 27, 2010, of record in Deed Book 2970, Page 462, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described easements 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 Temporary Construction Easement will expire upon completion of the construction of the improvement project on the Permanent Easement land adjacent to this Temporary Construction Easement, runs with the land for the duration of the construction of the improvement project on the Permanent Easement adjacent land, and is binding upon the successors and assigns of the Grantor.

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 easements conveyed herein, and it will **WARRANT GENERALLY** said title.

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 the prior written consent of the Grantee.

Immediately following any construction operations on the Permanent Easement or Temporary Construction Easement, the Grantee will cause to be removed from the above-described property, all debris, surplus material, and construction equipment and leave such property in a neat and presentable condition. Surplus excavated earth will be mounded neatly over the trench to a depth not exceeding _____ inches, or used for filling and leveling on the property, or hauled away at the option of the Grantor. Following completion of any such construction, the Grantee will cause the prompt restoration to smooth surface contours and neat condition any portion of the above-mentioned trench that may have settled and will repair and restore any disturbed improvements on the above-described property to a condition fully equal to that existing before the construction operations were commenced.

The obtaining of these easements was authorized by Resolution No. _____ passed by the Lexington-Fayette Urban County Council on _____, 2013. 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.

This Grant of Easement is expressly conditioned upon Grantee's execution and delivery to Grantor of those Releases of Easement (of even date herewith) of portions of 1) the two sewer

line easements a) dated March 23, 1967, of record in Deed Book 896, Page 234, as shown on that Building Site Record Plat, Lakeview Shopping Center, Tract "A", of record in Plat Cabinet A, Slide 110 (formerly Plat Book 20, Page 58) and b) as shown on the Amended Final Plat of Lexington Mall, of record in Plat Cabinet B, Slide 562 (formerly Plat Book 36, Page 70), as more particularly described therein, and 2) the existing Drainage Easement adjacent to the northeasterly right-of-way line of Richmond Road on the Amended Final Plat of Lexington Mall, of record in Plat Cabinet B, Slide 562 (formerly Plat Book 36, Page 70), as more particularly described therein, on Grantor's property described in that Deed dated September 27, 2010, of record in Deed Book 2970, Page 462, all in the Fayette County Clerk's office.

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

GRANTOR:

SOUTHLAND CHRISTIAN CHURCH OF
LEXINGTON, KENTUCKY, INC., a
Kentucky Non-profit Corporation

BY: W. Evan Mossbarger
W. Evan Mossbarger,
CHAIRMAN OF ELDERS/PRESIDENT

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing Grant of Easement was acknowledged before me by W. Evan Mossbarger, as Chairman of Elders/President of Southland Christian Church of Lexington, Kentucky, Inc., a

Kentucky Non-profit corporation, on behalf of said corporation, on this the 12th day of
March, 2013.

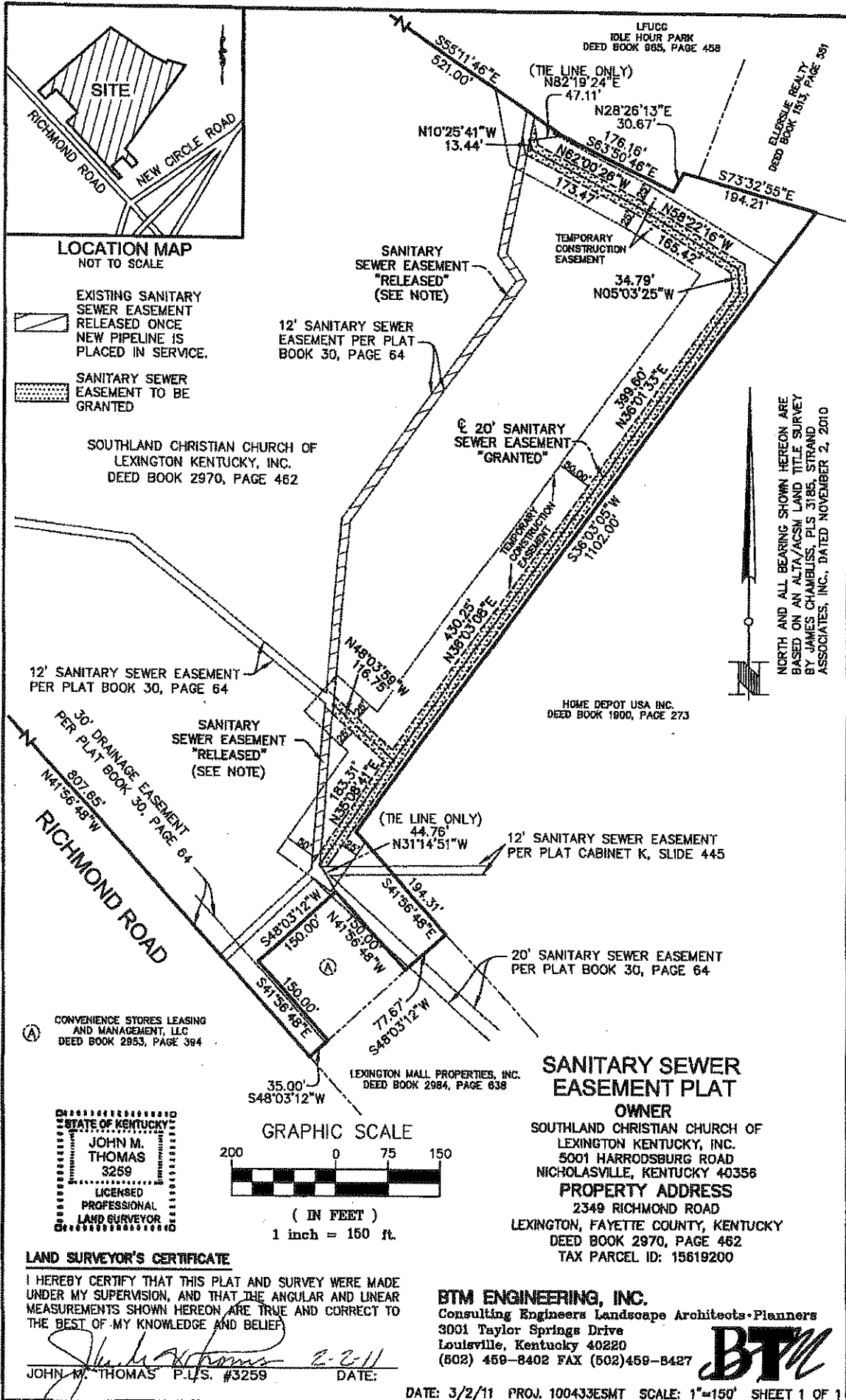
My commission expires: Oct. 12, 2013
ID # 406547

Kimberly A. Pascual
Notary Public, State-at-Large, Kentucky

PREPARED BY:

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

EXHIBIT "A"



LOCATION MAP
NOT TO SCALE

- EXISTING SANITARY SEWER EASEMENT RELEASED ONCE NEW PIPELINE IS PLACED IN SERVICE.
- SANITARY SEWER EASEMENT TO BE GRANTED

SOUTHLAND CHRISTIAN CHURCH OF LEXINGTON KENTUCKY, INC.
DEED BOOK 2970, PAGE 462

12' SANITARY SEWER EASEMENT PER PLAT BOOK 30, PAGE 64

30' DRAINAGE EASEMENT PER PLAT BOOK 30, PAGE 64
RICHMOND ROAD

SANITARY SEWER EASEMENT "RELEASED" (SEE NOTE)

SANITARY SEWER EASEMENT "RELEASED" (SEE NOTE)

12' SANITARY SEWER EASEMENT PER PLAT BOOK 30, PAGE 64

20' SANITARY SEWER EASEMENT "GRANTED"

HOME DEPOT USA INC.
DEED BOOK 1900, PAGE 273

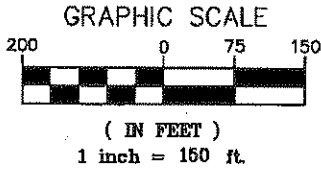
12' SANITARY SEWER EASEMENT PER PLAT CABINET K, SLIDE 445

20' SANITARY SEWER EASEMENT PER PLAT BOOK 30, PAGE 64

CONVENIENCE STORES LEASING AND MANAGEMENT, LLC
DEED BOOK 2853, PAGE 394

LEXINGTON MALL PROPERTIES, INC.
DEED BOOK 2984, PAGE 638

STATE OF KENTUCKY
JOHN M. THOMAS
3259
LICENSED PROFESSIONAL LAND SURVEYOR



SANITARY SEWER EASEMENT PLAT

OWNER
SOUTHLAND CHRISTIAN CHURCH OF LEXINGTON KENTUCKY, INC.
5001 HARRODSBURG ROAD
NICHOLASVILLE, KENTUCKY 40356
PROPERTY ADDRESS
2349 RICHMOND ROAD
LEXINGTON, FAYETTE COUNTY, KENTUCKY
DEED BOOK 2970, PAGE 462
TAX PARCEL ID: 15619200

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT AND SURVEY WERE MADE UNDER MY SUPERVISION, AND THAT THE ANGULAR AND LINEAR MEASUREMENTS SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

John M. Thomas 2-2-11
JOHN M. THOMAS P.U.S. #3259 DATE:

BTM ENGINEERING, INC.
Consulting Engineers Landscape Architects-Planners
3001 Taylor Springs Drive
Louisville, Kentucky 40220
(502) 459-8402 FAX (502) 459-8427

