

Book 3197 Page 208

GRANT OF EASEMENT 208

This **EASEMENT** is made and entered into this 7th day of OCTOBER, 2013, by and between **BEVERLY L. JAMES**, a single person, 364 Bob-O-Link Drive, Lexington, Kentucky 40503 ("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 **Two Thousand Four Hundred Seventy-Seven and 75/100 Cents (\$2,477.75)**, 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 sanitary sewer improvements and appurtenances thereto, which sanitary sewer improvements and appurtenances 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:

Bob-O-Link Sanitary Sewer Improvement Project
Permanent Sanitary Sewer Easement
(a portion of 364 Bob-O-Link Drive)

Described on Exhibit A attached hereto and incorporated herein by reference.

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

Michael Keith Horn
 LFUCG Department of Law
 200 East Main Street, 11th Floor
 Lexington, Kentucky 40507

for the purpose of sanitary sewer construction, repair, installation and relocation through and across the following tract of land located within the confines of Lexington-Fayette County, Kentucky, to-wit:

Bob-O-Link Sanitary Sewer Improvement Project
Temporary Construction Easement
(a portion of 364 Bob-O-Link Drive)

All temporary construction easements, if any, are described on Exhibit B attached hereto and incorporated herein by reference.

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 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 land adjacent to this easement, runs with the land for the duration of the improvement project on the adjacent land, and is binding upon the heirs and assigns of the Grantor.

Grantor does hereby covenant to and with said Grantee, its successors and assigns forever, that she is lawfully seized in fee simple of said property and has good right to sell and convey the easements conveyed herein, and that she 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.

The obtaining of this easement was authorized by Resolution No. ~~721-13~~^{391-13 SP} passed by the Lexington-Fayette Urban County Council on July 9, 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

EXHIBIT A

Permanent Sanitary Sewer Easement
A portion of 364 Bob-O-Link Drive
Lexington, Fayette County, Kentucky

All that tract of land near the southeast end of Bob-O-Link Drive and east of Vaughn's Branch in Lexington, Fayette County, Kentucky and being more fully described as follows:

BEGINNING at a point in the line of Jay P. Swacker & Ruth A. Koehler (Deed Book 2935 Page 296), said point being approximately 10' northeast from the rear corner of Jay P. Swacker & Ruth A. Koehler; thence with said line, N 53°58'16" E a distance of 20.05' to a point; thence S 40°00'11" E a distance of 50.12' to a point in the line of William & Garnetta Underwood (Deed Book 848 Page 154); thence with the line of Underwood, S 53°58'16" W a distance of 20.05' to a point; thence N 40°00'11" W a distance of 50.12' to the point of BEGINNING, having an area of 1,002 square feet, of which 257 square feet of said easement previously conveyed in Deed Book 745 Page 425, leaving 745 square feet of new easement area.

Being a part of the property conveyed to Beverly L. James, a single person, of record in Deed Book 2899, Page 193 in the Fayette County Clerk's Office, Fayette County, Kentucky.

EXHIBIT B

Temporary Construction Easements
A portion of 364 Bob-O-Link Drive
Lexington, Fayette County, Kentucky

TRACT 1:

All that tract of land adjacent to and north of the permanent sanitary sewer easement described above and being more fully described as follows:

BEGINNING at a point in the line of Jay P. Swacker & Ruth A. Koehler (Deed Book 2935 Page 296), said point being 30.09' northeast from the rear corner of Jay P. Swacker & Ruth A. Koehler; thence N 53°58'16" E a distance of 15.04'; thence S 40°00'11" E a distance of 50.12'; thence S 53°58'16" W a distance of 15.04'; thence N 40°00'11" W a distance of 50.12' to the point of BEGINNING, having an area of 752 square feet.

TRACT 2:

All that tract of land adjacent to and south of the permanent sanitary sewer easement described above and being more fully described as follows:

BEGINNING at a point in the line of Jay P. Swacker & Ruth A. Koehler (Deed Book 2935 Page 296), said point being 10.04' northeast from the rear corner of Jay P. Swacker & Ruth A. Koehler; thence S 40°00'12" E a distance of 50.12'; thence S 53°58'16" W a distance of 14.36'; thence N 35°04'00" W a distance of 50.01'; thence N 53°58'16" E a distance of 10.04' to the point of BEGINNING, having an area of 610 square feet.

Being a part of the property conveyed to Beverly L. James, a single person, of record in Deed Book 2899, Page 193 in the Fayette County Clerk's Office, 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: DOUG BRADLEY ,dc

201311070169

November 7, 2013

13:11:09 PM

Fees	\$23.00	Tax	\$.00
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Total Paid	\$23.00
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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 19, 2013

Re: Easements and Asset Acquisition Forms
(500, 586, 366, 345 372, 370, 364, 380, 362, 374, and 368 Bob-O-Link Drive;
1451, 1608, 1604, 1610, 1618, 1600, and 1614-1616 Harrodsburg Road;
431, and 427 Springhill Drive; and 420 Lafayette Parkway)
Log No. 13-RE0190

Enclosed are the original recorded easements conveying permanent easements across the above-referenced properties to the Urban County Government for the Bob-O-Link Sanitary Sewer Improvement Project. Please file the easements with the authorizing legislation, Resolution No. ~~721-2013~~.

391-2013 SP

Also enclosed are the completed Asset Acquisition forms for the properties. After you have signed and dated the form, 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

VariousProperties(Memo to Nelson)/00416306