

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 13th day of JUNE, 2022, by and between **TREETOP INVESTMENTS, LLC**, a Kentucky limited liability company, 1113 Winchester Road, Lexington, Kentucky 40505, 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 **TWO THOUSAND FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$2,500.00)**, 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**

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

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
West Hickman Trunk E
Sewer Improvement Project
(a portion of 3378 Greentree Circle)

All that strip or parcel of land situated on the east side of Greentree Circle and south of New Circle Road in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner of Treetop Investments, LLC (3378 Greentree Circle, Deed Book 3782, Page 414) and Leslie Joe McInturff and Barbara D. McInturff (3374 Greentree Circle, Deed Book 1171, Page 89), being in the Greentree Circle cul-de-sac right-of-way; thence leaving said Greentree Circle and with said McInturff, North 50°09'37" East, 66.15 feet to a point; thence leaving said McInturff for three (3) new lines through the lands of said Treetop Investments:

1. South 05°47'14" East, 12.07 feet to a point,
2. South 50°09'37" West, 47.30 feet to a point,
3. South 89°44'24" West, 15.69 feet to the **POINT OF BEGINNING**; and,

The above-described parcel contains 567 square feet (gross and net) of permanent easement; and

Being a portion of the property conveyed to Treetop Investments, LLC, a Kentucky limited liability company, its successors and assigns, forever, by General Warranty deed, dated September 3, 2020, of record in Deed Book 3782, Page 414, 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 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:

10' Temporary Construction Easement
West Hickman Trunk E
Sewer Improvement Project
(a portion of 3378 Greentree Circle)

BEGINNING, at a common corner of Treetop Investments, LLC (3378 Greentree Circle, Deed Book 3782, Page 414) and Leslie Joe McInturff and Barbara D. McInturff (3374 Greentree Circle, Deed Book 1171, Page 89), being in the Greentree Circle cul-de-sac right-of-way; thence leaving said Greentree Circle for a new line through the lands of said Treetop Investments, LLC, North 89°44'24" East, 15.69 feet to the **TRUE POINT OF BEGINNING**; thence continuing for two (2) new lines through the lands of said Treetop Investments, LLC:

1. North 50°09'37" East, 47.30 feet to a point,
2. North 05°47'14" West, 12.07 feet to a point in the line with said McInturff;

Thence with said McInturff, North 50°09'37" East, 14.71 feet to a point; thence leaving said McInturff for two (2) new lines through the lands of said Treetop Investments, LLC:

1. South 20°45'05" East, 55.00 feet to a point,
2. South 89°44'24" West, 65.88 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 1,534 square feet (gross and net) of temporary construction easement; and

Being a portion of the property conveyed to Treetop Investments, LLC, a Kentucky limited liability company, its successors and assigns, forever, by General Warranty deed,

dated September 3, 2020, of record in Deed Book 3782,
Page 414, 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.

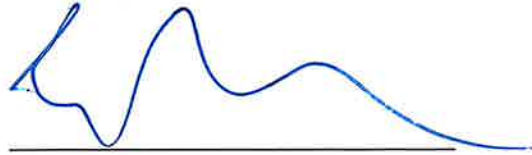
The above-described temporary construction easement runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantor. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

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.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of her 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 she is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that she 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. Pursuant to KRS

PREPARED BY:






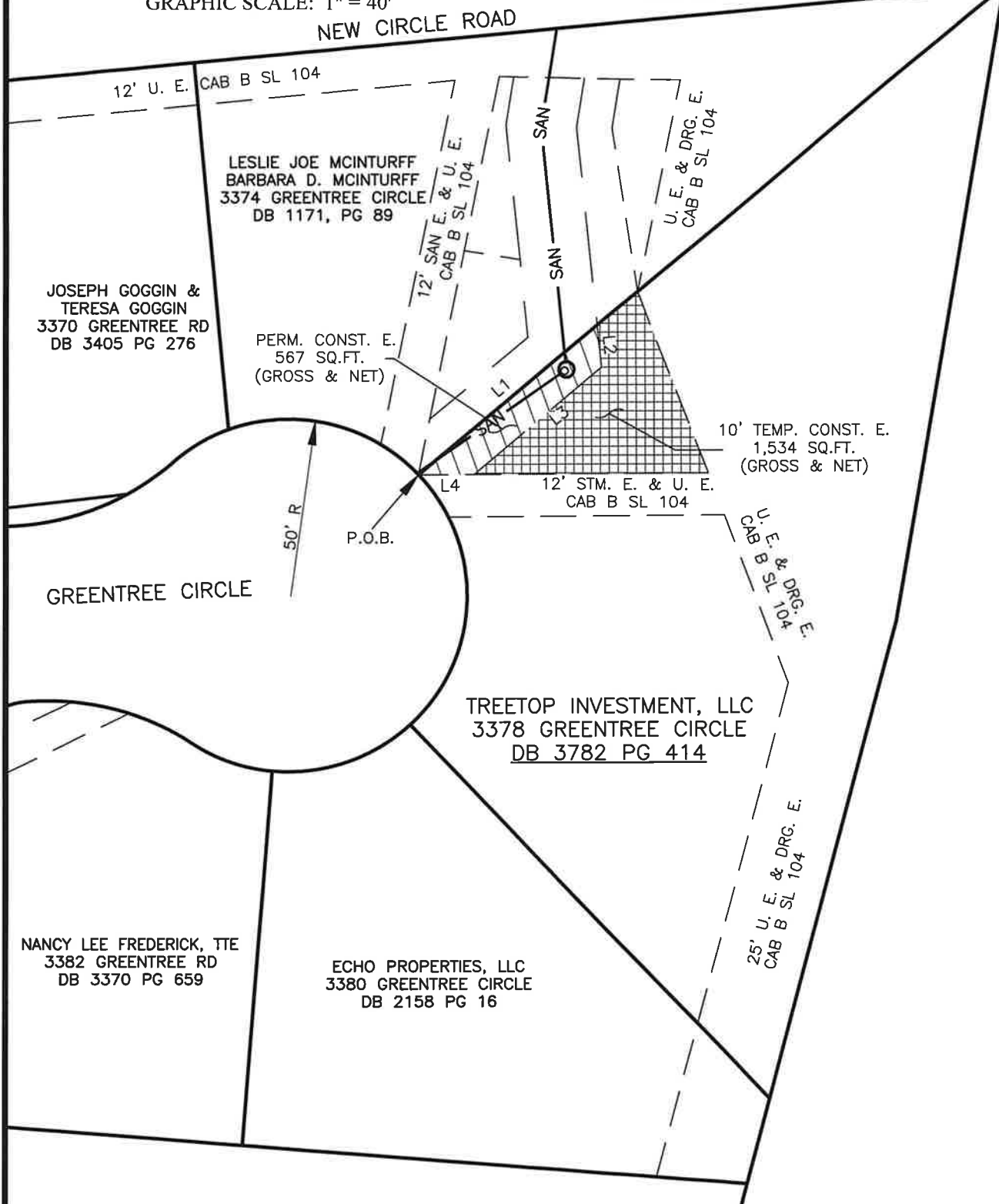
EVAN P. THOMPSON,
Attorney Sr.
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

X:\Cases\WATER-AIR\22-RE0011\RE\00755203.DOC



GRAPHIC SCALE: 1" = 40'

-  NEW PERM. ESMT.
-  TEMP. CONST. ESMT.
-  SANITARY SEWER PROPOSED ALIGNMENT

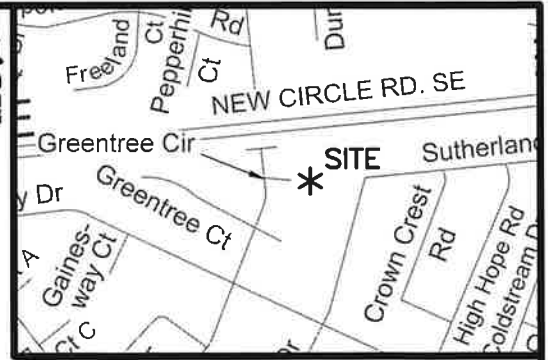


K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements - Kurt_SSM.dwg
 Day & Time: Jan 28, 2022 - 11:18am Login Name: kurt.hesselbach



WEST HICKMAN TRUNK E SEWER PROJECT
VARIABLE PERMANENT SANITARY SEWER EASEMENT
TREETOP INVESTMENT, LLC
3378 GREENTREE CIRCLE
LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2

K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements - Kurt_SSM.dwg
 Day & Time: Jan 28, 2022 - 11:19am Login Name: kurt.hesselbach



VICINITY MAP N.T.S.

LINE	BEARING	DISTANCE
L1	N 50°09'37" E	66.15'
L2	S 05°47'14" E	12.07'
L3	S 50°09'37" W	47.30'
L4	S 89°44'24" W	15.69'

EX. PERM ESMT.=N/A

PROP. PERM. ESMT.(GROSS)=567 SQ.FT.
 PROP. PERM. ESMT. (NET)=567 SQ. FT.

PROP. TEMP. ESMT.(GROSS)=1,534 SQ.FT.
PROP. TEMP. ESMT.(NET)=1,534 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 INTEGRATED ENGINEERING 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 3185 DATE



WEST HICKMAN TRUNK E SEWER PROJECT
 VARIABLE PERMANENT SANITARY SEWER EASEMENT
 TREETOP INVESTMENT, LLC
 3378 GREENTREE CIRCLE
 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: MELISSA STELTER ,dc

202206150032

June 15, 2022 9:07:57 AM

Fees	\$59.00	Tax	\$.00
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Total Paid	\$59.00
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9 Pages

682 - 690