

GRANT OF EASEMENT

This **EASEMENT** is made and entered into this 13TH day of OCTOBER, 2013, by and between **MIDDLE GROUND PROPERTIES, LLC**, a Kentucky limited liability company, 1614 Harrodsburg Road, Lexington, Kentucky 40504 ("Grantor"), and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 ("Grantee"). The in-care of tax mailing address for the current tax year is Middle Ground, LLC, 1618 Harrodsburg Road, Lexington, Kentucky.

W I T N E S S E T H:

That for and in consideration of the sum of **Two Thousand Three Hundred Fifty-Five and 80/100 Cents (\$2,355.80)**, 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:

Permanent Sanitary Sewer Easement
1614 – 1616 Harrodsburg Road
Sanitary Sewer Improvement Project

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 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:

Temporary Construction Easement
1614 – 1616 Harrodsburg Road
Sanitary Sewer Improvement Project

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 it is lawfully seized in fee simple of said property and has good right to sell and convey the easements conveyed herein, and that 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.

The obtaining of this easement was authorized by Resolution No. ^{391-13 SP}~~721-13~~ 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 pursuant to KRS 142.050.

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

GRANTOR:

MIDDLE GROUND PROPERTIES, LLC, a Kentucky liability company

BY: Richard Scalf

ITS: sole member

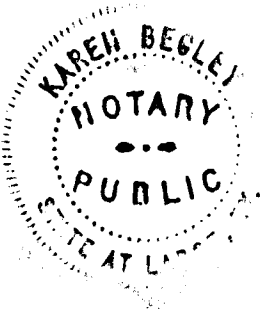
COMMONWEALTH OF KENTUCKY)

COUNTY OF FAYETTE)

The foregoing Easement was subscribed, sworn to and acknowledged before me by Richard Scalf, as owner of MIDDLE GROUND PROPERTIES, LLC, a Kentucky limited liability company, on this the 16th day of October, 2013.

My commission expires: 10.13.14

Karen Begley
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

Y:JPWLFUCG- SEWER EASEMENTS\MIDDLE GROUND, LLC - 1614 HARRODSBURG ROAD\EASEMENT 07-12-13 KEO.DOCX

EXHIBIT A

Permanent Sanitary Sewer Easement
1614 Harrodsburg Road
Lexington, Fayette County, Kentucky

All that tract of land between Bob-O-Link Drive, Harrodsburg Road, Lafayette Drive and Springhill Drive in Lexington, Fayette County, Kentucky and being more fully described as follows:

BEGINNING at a point in the line of Lot 1 & Lot 2 of South Grove Subdivision, said point being 10.79' from the rear corner of said lots; thence leaving the line of Lot 1, S 50°49'44" W a distance of 60.09' to a point in the line of Lot 3 of South Grove Subdivision; thence with the line of Lot 3, N 35°58'09" W a distance of 17.98' to a point near the corner of a garage on Lot 3; thence continuing with the line of Lot 3, N 35°58'09" W a distance of 1.79' to a point; thence leaving the line of Lot 3, N 50°37'03" E a distance of 60.11' to a point in the line of Lot 1; thence with the line of Lot 1, S 35°58'09" E a distance of 19.99' to the point of BEGINNING, having an area of 1,193 square feet, of which 721 square feet of said easement previously conveyed in Deed Book 898 Page 166, leaving 472 square feet of new easement area.

Being a part of the property conveyed to Middle Ground Properties, LLC of record in Deed Book 2904 Page 199 in the Fayette County Clerk's Office, Fayette County, Kentucky.

Permanent Sanitary Sewer Easement
1614 Harrodsburg Road

EXHIBIT B

TEMPORARY CONSTRUCTION EASEMENTS

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 Lot 1 & Lot 2 of South Grove Subdivision, said point being 30.78' from the rear corner of said lots; thence S 50°37'03" W a distance of 60.11'; thence N 35°58'09" W a distance of 9.99'; thence N 55°18'17" E a distance of 60.01'; thence S 35°58'09" E a distance of 5.07' to the point of BEGINNING having an area of 452 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 at the rear corner of Lot 1 and Lot 2 of South Grove Subdivision; thence S 53°42'47" W a distance of 13.91'; thence N 36°17'37" W a distance of 6.00'; thence S 53°39'52" W a distance of 46.06'; thence N 35°58'09" W a distance of 1.81'; thence N 50°49'44" E a distance of 60.09'; thence S 35°58'09" E a distance of 10.79' to the point of BEGINNING having an area of 281 square feet.

Being a part of the property conveyed to Middle Ground Properties, LLC of record in Deed Book 2904 Page 199 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

201311070178

November 7, 2013 13:14:06 PM

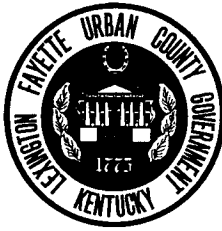
Fees	\$26.00	Tax	\$.00
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Total Paid	\$26.00
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7 Pages

265 - 271



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