

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 29th day of July, 2019, by and between **DAVID M. WRIGHT, JR. and ANGIE LEWIS WRIGHT, husband and wife**, 3600 Creel, Lexington, Kentucky 40517, which is the in-care of tax mailing address for the current year (hereinafter "Grantors"), 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 **EIGHTY-SIX AND 98/100 DOLLARS (\$86.98)**, 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, 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
Lansdowne South Trunk Sewer Replacement Project
(a portion of 3600 Creel Court)

All that tract or parcel of land being a permanent sewer easement situated east of Creel Court in Lexington, Fayette

Return to:
Charles E. Edwards III
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

(CC-F)

County, Kentucky and being more particularly described as follows, to wit:

Beginning at a point in the southeast corner of the property and being a common corner to 3604 Creel Court property (Deed Book 2967, Page 237), Downing Place Subdivision, Unit 2, Phase 1, Lot 10; said point being **THE POINT OF BEGINNING OF THE PROPOSED PERMANENT SANITARY SEWER EASEMENT**; thence S 85°27'45" W, a distance of 11.49 feet; thence N 20°14'17" W, a distance of 27.20 feet; thence S 40°43'01" E, a distance of 32.35 feet, more or less to the **POINT OF BEGINNING**; and,

The above described parcel contains 149.99 square feet of permanent easement; and

Being a portion of the property conveyed to David M. Wright, Jr. and Angie Lewis Wright, husband and wife, by deed dated March 21, 2005, of record in Deed Book 7486, Page 85, 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, 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 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:

Temporary Construction Access Easement
Lansdowne South Trunk Sewer Replacement Project
(a portion of 3600 Creel Court)

All of that tract or parcel of land being a temporary construction access easement situated east of Creel Court in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Beginning at a point in the southeast corner of the property and being a common corner to 3604 Creel Court property (Deed Book 2967, Page 237) Downing Place Subdivision, Unit 2, Phase 1, Lot 10; thence S 85°31'56" W, a distance of 11.49 feet, more or less along the common property line with the 3604 Creel Court property to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence S 85°31'56" W, a distance of 10.42 feet; thence N 20°47'17" W, a distance of 51.97 feet; thence S 40°38'20" E, a distance of 29.45 feet; thence; S 20°47'17" E, a distance of 27.20 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; and,

The above described parcel contains 395.87 square feet of temporary construction access easement;

Being a portion of the property conveyed to David M. Wright, Jr. and Angie Lewis Wright, husband and wife, by deed dated March 21, 2005, of record in Deed Book 7486, Page 85, 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 Grantors. The above-described permanent easement runs with the land in perpetuity 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 completion of the project.

Grantors 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

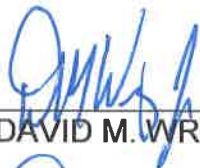
building or structure shall be erected upon, across, over or through said permanent easement without prior written consent of the Grantee.

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 interests conveyed herein, including all exemptions allowed by law, and do 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 easements as herein done, and that they will **WARRANT GENERALLY** said title.

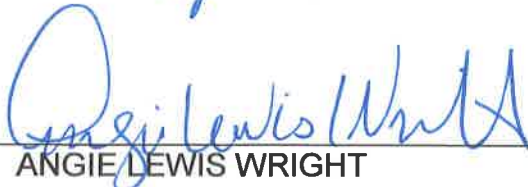
The obtaining of this easement was authorized by Resolution 58-2019, passed by the Lexington-Fayette Urban County Council on February 7, 2019. Pursuant to KRS 382.135(2)(a), this deed of easement, which pertains to a public utility, need not contain a statement of consideration.

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

GRANTORS:



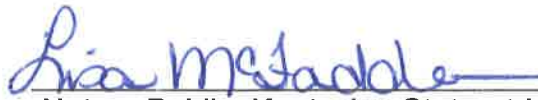
DAVID M. WRIGHT, JR.



ANGIE LEWIS WRIGHT

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

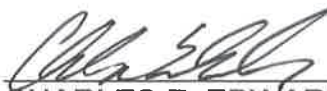
This instrument was acknowledged, subscribed and sworn to before me by David M. Wright, Jr. and Angie Lewis Wright, husband and wife, on this the 29 day of July, 2019.


Notary Public, Kentucky, State-at-Large

My Commission Expires: 6 / 20 / 2020

Notary ID # 558448

PREPARED BY:


CHARLES E. EDWARDS III
Attorney
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

X:\Cases\WATER-AIR\19-RE0104\RE\00659138.DOC

EXHIBIT
A

3395 SPANGLER DR
LRC DOWNING PLACE LP
PARCEL 21725400
DB 3480, PG 96

3600 CREEL CT
WRIGHT ANGIE LEWIS &
DAVID M JR
PARCEL 10038910
DB 2537, PG 227

3604 CREEL CT
BOATWRIGHT LESLIE A
PARCEL 10038920
DB 2967, PG 237

BASIS OF BEARINGS:
NAD 83 KY NORTH

GRAPHIC SCALE: 1" = 30'



- ① PERMANENT EASEMENT TRACT NO.
- 1 TEMPORARY CONSTRUCTION EASEMENT TRACT NO.
- ⚠ EXISTING EASEMENT TO BE RELEASED TRACT NO.

- EXISTING EASEMENT AREA
- TEMPORARY CONSTRUCTION EASEMENT
- NEW PERMANENT EASEMENT AREA
- EX. EASEMENT AREA TO BE RELEASED



SANITARY SEWER EASEMENT 3600 CREEL COURT



340 S BROADWAY LEXINGTON, KY 40517 (859) 233-2103 fax (859) 259-3394

DATE - 3/6/2019	PROJECT NO. 1016-001
DRAWN - kmf	
PROJECT NAME - LANSOWNE SOUTH TRUNK SEWER REPLACEMENT	
PROJECT LOCATION - LEXINGTON, 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: MELISSA STELTER ,dc

201907310319

July 31, 2019

11:34:54 AM

Fees	\$26.00	Tax	\$0.00
------	---------	-----	--------

Total Paid	\$26.00
------------	---------

THIS IS THE LAST PAGE OF THE DOCUMENT

7 Pages

41 - 47