

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 17th day of June, 2019, by and between **EVAN SULLIVAN and CHRISTINA ABNEY, both single**, 636 Pebble Creek Drive, 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 **FIVE THOUSAND AND 00/100 DOLLARS (\$5,000.00)**, 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 636 Pebble Creek Drive)

All that tract or parcel of land being a permanent sewer easement situated south of Wilson Downing Road in

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

(CC-F)

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

Beginning at a point in the southwest corner of the property and being a common corner to the southeast corner of the 632 Pebble Creek Drive property (Deed Book 1402, Page 626), Belleau Wood Subdivision, Unit 1-A, Lot 3; thence N 00°15'35" W, a distance of 10.61 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED PERMANENT SANITARY SEWER EASEMENT**; thence N 00°08'33" W, a distance of 21.14 feet; thence S 71°14'33" E, a distance of 69.51 feet; thence S 32°28'23" W, a distance of 5.63 feet; thence S 70°40'01" E, a distance of 9.50 feet; thence S 18°24'49" E, a distance of 14.45 feet; thence S 18°24'49" E, a distance of 53.58 feet; thence N 27°20'44" W, a distance of 5.73 feet; thence N 57°22'17" W, a distance of 30.39 feet; thence N 18°24'49" W, a distance of 35.78 feet; thence N 71°14'33" W, a distance of 56.68 feet, more or less to the **POINT OF BEGINNING**; and,

The above described parcel contains 2,328.65 square feet of permanent easement; and

Included in the above described **PROPOSED PERMANENT SANITARY SEWER EASEMENT** area description is an existing sanitary sewer easement of 920.00 square feet, resulting in a net increase of 1,408.65 square feet of new easement area; and,

Being a portion of the property conveyed to Evan Sullivan and Christina Abney, both single, by deed dated January 28, 2019, of record in Deed Book 3644, Page 472, 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 Easement
Lansdowne South Trunk Sewer Replacement Project
(a portion of 636 Pebble Creek Drive)

Four tracts or parcels of land being a temporary construction easement situated south of Wilson Downing Road in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Tract No. 1

Beginning at a point in the southeast corner of the property and being a common corner to 3736 Forest Green Drive property (Deed Book 3009, Page 25) Belleau Wood Subdivision, Unit 1-D, Lot 21; said point being **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence N 28°27'41" W, a distance of 36.19 feet; thence N 43°13'06" W, a distance of 0.44 feet; thence N 18°24'49" W, a distance of 53.58 feet; thence S 71°05'19" E, a distance of 24.99 feet; thence S 19°33'16" W, a distance of 16.04 feet; thence S 18°24'49"E, a distance of 54.97 feet; thence S 00°22'29" E, a distance of 5.37 feet; thence S 27°57'50" W, a distance of 2.54 feet, more or less along the **PROPOSED PERMANENT SANITARY SEWER EASEMENT** to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 829.75 square feet of temporary construction easement;

Tract No. 2

Beginning at a point in the southwest corner of the property and being a common corner to 632 Pebble Creek Drive property (Deed Book 1402, Page 626) Belleau Wood Subdivision, Unit 1-A, Lot 3; thence S 57°24'31" E, a distance of 61.18 feet, more or less along the common property line with the 3732 and 3736 Forest Green Drive properties to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence N 18°24'49" W, a distance of 30.99 feet; thence S 71°14'33" E, a distance of 12.55 feet; thence S 18°24'49' E, a distance of 35.78 feet; thence N 57°22'23" W, a distance of

a distance of 35.78 feet; thence N 57°22'23" W, a distance of 15.90 feet, more or less along the **PROPOSED PERMANENT SANITARY SEWER EASEMENT** to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 333.83 square feet of temporary construction easement;

Tract No. 3

Beginning at a point in the southwest corner of the property and being a common corner to the southeast corner of the 632 Pebble Creek Drive property (Deed Book 1402, Page 626) Belleau Wood Subdivision, Unit 1-A, Lot 3; thence N 00°11'21" W, a distance of 26.68 feet, more or less along the common property line with the 632 Pebble Creek Drive property; thence S 70°40'10" E, a distance of 83.18 feet, more or less along the existing easement line to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence N 32°20'57" E, a distance of 10.30 feet; thence S 71°32'26" E, a distance of 24.45 feet; thence S 19°33'16" W, a distance of 10.00 feet; thence N 71°32'26" W, a distance of 26.73 feet, more or less along the **PROPOSED PERMANENT SANITARY SEWER EASEMENT** to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 255.94 square feet of temporary construction easement;

Tract No. 4

Beginning at a point in the southwest corner of the property and being a common corner to the southeast corner of the 632 Pebble Creek Drive property (Deed Book 1402, Page 626) Belleau Wood Subdivision, Unit 1-A, Lot 3; thence N 00°11'21" W, a distance of 26.68 feet, more or less along the common property line with the 632 Pebble Creek Drive property; thence S 70°40'10" E, a distance of 66.54 feet, more or less along the existing easement line; thence N 32°28'23" E, a distance of 5.63, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence N 71°14'07" W, a distance of 16.13 feet; thence N 18°45'27" E, a distance of 10.00 feet; thence S 71°14'33" E, a distance of 18.57 feet; thence S 32°28'23" W, a distance of 10.29 feet, more or less

along the **PROPOSED PERMANENT SANITARY SEWER EASEMENT** to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 173.50 square feet of temporary construction easement;

The above tracts or parcels being a portion of the property conveyed to Evan Sullivan and Christina Abney, both single, by deed dated January 28, 2019, of record in Deed Book 3644, Page 472, in the Fayette County Clerk's Office.

Temporary Construction Access Easement
Lansdowne South Trunk Sewer Replacement Project
(a portion of 636 Pebble Creek Drive)

A tract or parcel of land being a temporary construction access easement situated south of Wilson Downing Road in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Beginning at a point in the northwest corner of the property, said point being a common point with the curblineline of the Pebble Creek Cul-de-Sac and **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence N 68°08'35" E, a distance of 6.16 feet; thence N 56°25'26" E, a distance of 4.72 feet; thence N 49°13'57" E, a distance of 3.99 feet; thence N 43°28'53" E, a distance of 3.09 feet; thence S 06°16'41" W, a distance of 14.32 feet; thence S 12°05'52" E, a distance of 51.72 feet; thence S 30°53'05" E, a distance of 60.68 feet; thence S 18°45'27" W, a distance of 10.00 feet; thence N 71°15'34" W, a distance of 6.76 feet; thence N 30°53'05" W, a distance of 63.98 feet; thence N 12°05'52" W, a distance of 60.86 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; and,

The above described parcel contains 1,540.62 square feet of temporary construction access easement; and,

Being a portion of the property conveyed to Evan Sullivan and Christina Abney, both single, by deed dated January 28, 2019, of record in Deed Book 3644, Page 472, 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 easements run with the land for the duration of the improvement project and are 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 easements 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.

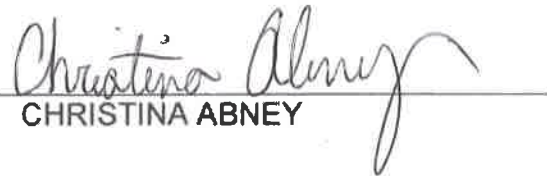
The obtaining of this easement was authorized by Resolution 58-2019, passed by the Lexington-Fayette Urban County Council on February 7, 2019. Pursuant to KRS

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.

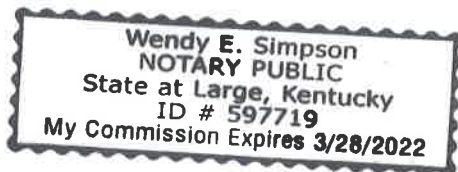
GRANTORS:



EVAN SULLIVAN


CHRISTINA ABNEY

COMMONWEALTH OF KENTUCKY)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Evan Sullivan and Christina Abney, both single, on this the 17 day of June, 2019.




Notary Public, Kentucky, State-at-Large
My Commission Expires: 03/28/22
Notary ID # 597719

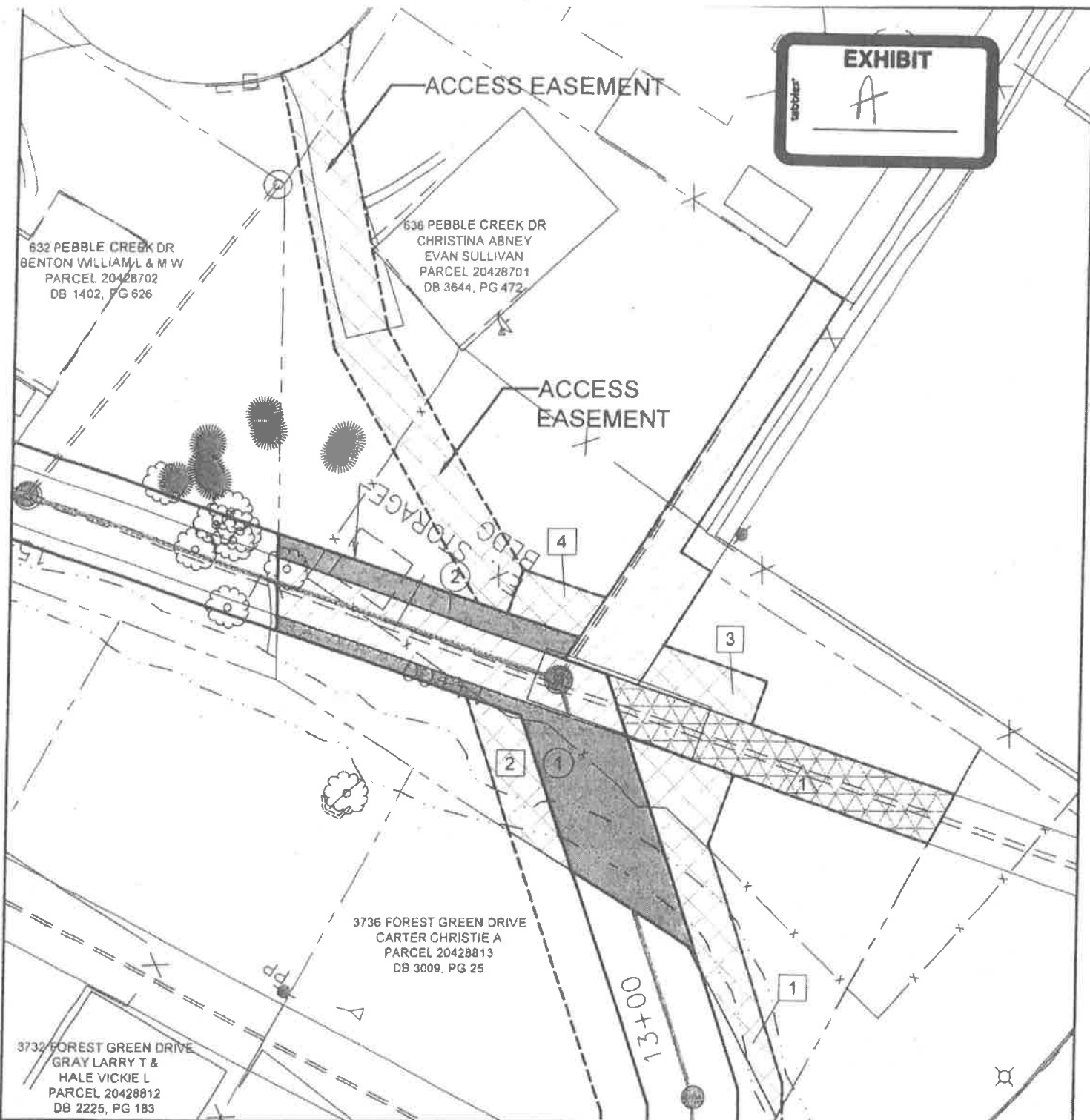
PREPARED BY:



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

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EXHIBIT
 number A



BASIS OF BEARINGS:
 NAD 83 KY NORTH

GRAPHIC SCALE: 1" = 30'

0 30 60

① PERMANENT EASEMENT TRACT NO.	EXISTING EASEMENT AREA
1 TEMPORARY CONSTRUCTION EASEMENT TRACT NO.	TEMPORARY CONSTRUCTION EASEMENT
⚠ EXISTING EASEMENT TO BE RELEASED TRACT NO.	NEW PERMANENT EASEMENT AREA
	EX. EASEMENT AREA TO BE RELEASED

SANITARY SEWER EASEMENT 636 PEBBLE CREEK DRIVE



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

DATE - 3/7/2019	PROJECT NO. 1016-001
DRAWN - kmf	
PROJECT NAME - LANSDOWNE 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: SHEA BROWN ,dc

201906270074

June 27, 2019 9:48:53 AM

Fees	\$35.00	Tax	\$.00
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Total Paid	\$35.00
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10 Pages

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