

**GRANT OF EASEMENT**

This **EASEMENT** is made and entered into this 2nd day of October 2014, by and between **MILLING PROPERTIES, LLC**, a Kentucky limited liability company, 101 Sagart Lane, Nicholasville, Kentucky 40356 ("Grantor"), which is the in-care of tax mailing address for the current year, and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, ("Grantee");

**W I T N E S S E T H:**

That for and in consideration of the sum of **Ten Dollars and 00/100 Cents (\$10.00)**, and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, said 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 a storm sewer line and appurtenances thereto, which storm sewer line and facilities 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 Easement**  
**(a portion of 606 South Broadway)**  
**Bolivar Street Stormwater**  
**Improvement Project**

All that tract of land south of the intersection of South Broadway and Bolivar Street in Lexington, Fayette County, Kentucky and being more particularly described as follows:

**BEGINNING** at a point in the line of the property conveyed to Burley Tobacco Growers Cooperative Association of record in Deed Book 541 Page 422, said point also being S 40°25'41" E a

Hon. Keith Horn  
 LFUCG Dept. of Law  
 200 E. Main Street, 11<sup>th</sup> Floor  
 Lexington, KY 40507

distance of 198.59' from the southeast right-of-way of South Broadway; thence through the property conveyed to Milling Properties, LLC of record in Deed Book 2980 Page 514 for two calls:

- 1) N 13°32'35" E a distance of 94.19' to a point;
- 2) N 49°26'39" E a distance of 5.86' to a point in the line of the property conveyed to the Commonwealth of Kentucky of record in Deed Book 2594 Page 135; thence with the line of the Commonwealth of Kentucky for three calls:

- 1) S 04°39'28" E a distance of 21.16' to a point;
- 2) S 43°41'01" W a distance of 17.91' to a point;
- 3) With a curve turning to the right with an arc length of 66.59', with a radius of 522.72', with a chord bearing of S 01°26'39" W, with a chord length of 66.54' to a point; thence leaving the Commonwealth of Kentucky property and through the Milling Properties, LLC property, S 13°32'35" W a distance of 9.20' to a point in the line of Burley Tobacco Growers Cooperative Association; thence with said line, N 40°25'41" W a distance of 18.55' to the point of BEGINNING, having an area of 839 square feet or 0.019 acres; and,

Being a portion of the same property conveyed to Milling Properties, LLC, a Kentucky limited liability company, by Special Warranty Deed dated November 30, 2010, of record in Deed Book 2980, Page 514, in the Fayette County Clerk's Office.

**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, for the purposes and uses herein designated.

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 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 written consent of the Grantee.

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 easement herein, and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution No. 478-2014 passed by the Lexington-Fayette Urban County Council on August 28, 2014. 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 Grantor has signed this Easement, this the day and year first above written.

GRANTOR:

MILLING PROPERTIES, LLC, a  
Kentucky limited liability company

BY:


  
\_\_\_\_\_  
ROY MILLING, MANAGER

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF ~~JESSAMINE~~ )  
Fayette )

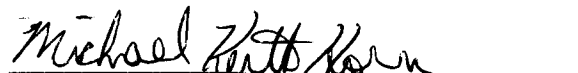
The foregoing Deed of Easement was subscribed, sworn to and acknowledged before me by Roy Milling, as Manager, for and on behalf of Milling Properties, LLC, a Kentucky limited liability company, on this the 2<sup>nd</sup> day of October, 2014.

My commission expires: 6/5/18

512887 JUSTIN WELCH  
Notary Public  
State at Large  
Kentucky  
My Commission Expires June 5, 2018

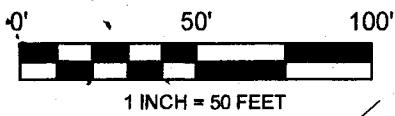
  
Notary Public, Kentucky, State-at-Large

PREPARED BY:

  
Michael Keith Horn,  
Managing Attorney  
Lexington-Fayette Urban  
County Government  
Department of Law, 11<sup>th</sup> Floor  
200 East Main Street  
Lexington, Kentucky 40507  
(859) 258-3500

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EXHIBIT "A"



LINE	BEARING	DISTANCE
L1	S 40°25'41" E	198.59'
L2	N 13°32'35" E	94.19'
L3	N 49°26'39" E	5.86'
L4	S 04°39'28" E	21.16'
L5	S 43°41'01" W	17.91'
L6	S 13°32'35" W	9.20'
L7	N 40°25'41" W	18.55'

S. BROADWAY

PLUNKETT STREET

659 PLUNKETT STREET  
KENNETH V. LITRELL  
MARGARET J. LITRELL  
DEED BOOK 2120 PAGE 134

BOLIVAR STREET

245 BOLIVAR STREET  
COMMONWEALTH OF KENTUCKY  
UNIVERSITY OF KENTUCKY - TRACT 1  
DEED BOOK 3016 PAGE 380

606 S. BROADWAY  
MILLING PROPERTIES, LLC  
"TOLLY HO"  
DEED BOOK 2980 PAGE 514  
FFE: 948.89'

612 S. BROADWAY  
BURLEY TOBACCO GROWERS  
CO-OPERATIVE ASSOCIATION  
DEED BOOK 541 PAGE 422

PROPOSED STORM SEWER  
EASEMENT-839 SQ. FEET  
OR 0.019 ACRES  
POINT OF BEGINNING

620 S. BROADWAY  
BURLEY TOBACCO GROWERS  
CO-OPERATIVE ASSOCIATION  
DEED BOOK 210 PAGE 621  
DEED BOOK 221 PAGE 563  
FFE: 946.21'

236 BOLIVAR STREET  
COMMONWEALTH OF KENTUCKY  
UNIVERSITY OF KENTUCKY - TRACT 2  
DEED BOOK 3016 PAGE 380  
FFE: 953.98'

242 BOLIVAR STREET  
COMMONWEALTH OF KENTUCKY  
UNIVERSITY OF KENTUCKY  
DEED BOOK 2594 PAGE 135/



LEGEND

- BOUNDARY LINE
- PROPOSED 15' PERMANENT STORM SEWER EASEMENT

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	66.59'	522.72'	7°17'54"	S 01°26'39" W	66.54'

1 OF 1

SHEET NO.



INTEGRATED ENGINEERING

PROJECT NO.

130067

DATE

JUNE 2, 2014

DRAWN BY:

MKE

CHECKED BY:

MKE

STORM SEWER EASEMENT EXHIBIT  
606 S. BROADWAY  
LEXINGTON, 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.



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By: SHEA BROWN ,dc

201410270047

October 27, 2014                      9:20:06      AM

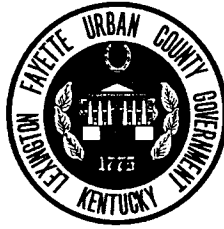
Fees	\$23.00	Tax	\$0.00
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Total Paid	\$23.00
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6 Pages

99 - 104



R 478-2014

P 8/28/14

D 7688

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 18, 2014

Re: Easement and Asset Acquisition Form  
606 South Broadway, 242 Bolivar Street and 612 South Broadway  
Bolivar Street Stormwater Improvement Project  
Log No. 14-RE0167

Enclosed are the original recorded easements conveying permanent easements across the above-referenced properties to the Urban County Government for the Bolivar Street Stormwater Improvement Project. Please file the easements with the authorizing legislation, Resolution No. 478-2014.

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

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