

MEMORANDUM OF UNDERSTANDING

County: FAYETTE	Item No.	Parcel No.
Project No:	Project Name: Leestown West Pump Station Decommission	Property Address: 157 Venture Court

Property Owner(s): Switzer Family Ltd. Venture
 811 Corporate Drive, Suite 303
 Lexington, Kentucky 40503

This Memorandum of Understanding contains all the representations and agreements made between the parties hereto and upon which they relied in completing the proposed transaction. The deed conveys a permanent and a temporary construction easement as shown on the attached Exhibit A (15' proposed sanitary sewer easement), Exhibit B (40' temporary construction easement), and the legal description for the proposed sanitary sewer easement and the temporary construction easement. There shall be no compensation for the easements.

The temporary construction easement within this agreement is for the sole purpose of providing the LFUCG contractor and/or sub-contractor the necessary area to accomplish their work. The temporary construction easement does not include rights for utility relocations outside of the right-of-way limits. Any property that is disturbed will be restored to as good a condition or better than when the construction began. The temporary easement shall terminate at the completion of the project.

Access to the rear of the property shall be maintained at all times. The LFUCG shall be responsible for repairing any disturbed areas within the construction easement. The existing asphalt pavement shall be replaced as shown on Exhibit C. The existing pavement shall be saw-cut and removed and replaced with a pavement section of 9" dense graded aggregate, 2" of bituminous base, and 1" of bituminous surface. A longitudinal edge key shall be provided along the saw-cut pavement. The LFUCG shall be responsible for repairing any portions of the parking lot or sewer trench that settle within one year as a result of the project. The LFUCG shall be responsible for any damaged pavement as a result of future maintenance or repairs to the sewer line or manholes.

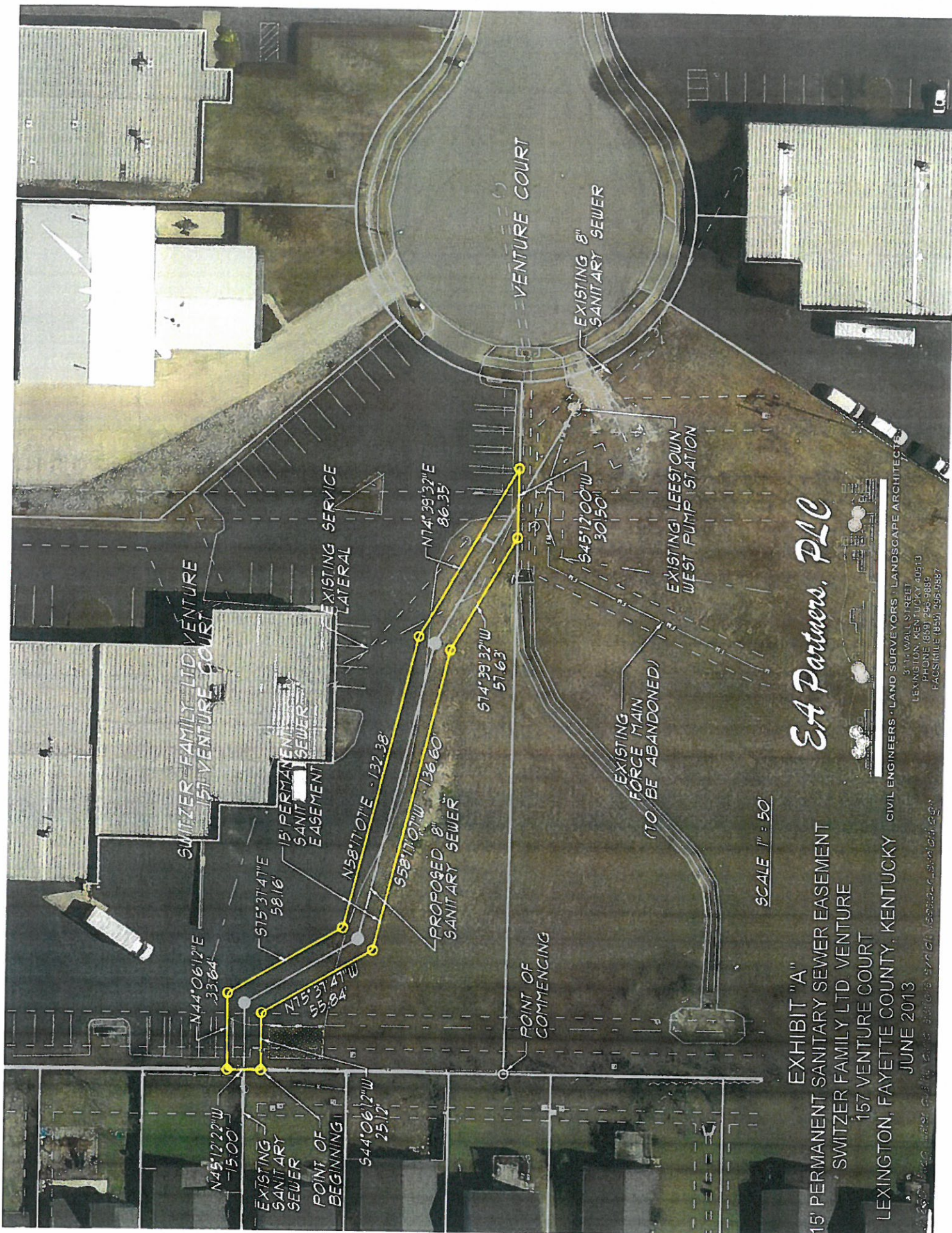
The LFUCG requests permission to access the property, within the temporary construction easement, for the purposes of performing rock soundings associated with a Geotechnical Investigation.

This Memorandum of Understanding, together with the Construction Plans, the Deed of Conveyance and any other documents referenced in these instruments, represent all the terms and conditions of the agreement between the Lexington-Fayette Urban County Government and the Property Owner(s), which was reached without coercion, threats or other promises by either party.

By their signature on this document, the agent representing the Lexington Fayette Urban County Government certifies that they have no direct, indirect, present or contemplated interest in this property and in no way will benefit from this acquisition.

This Memorandum of Understanding was signed this _____ day of _____, 2013

Signature of agent(s) for Lexington Fayette Urban County Gov.		Signature of Property Owner(s)



EA Partners, PLLC

EXHIBIT "A"
 15' PERMANENT SANITARY SEWER EASEMENT
 SWITZER FAMILY LTD. VENTURE
 157 VENTURE COURT
 LEXINGTON, FAYETTE COUNTY, KENTUCKY
 JUNE 2013

SCALE 1" = 50'

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
 311 WALL STREET
 LEXINGTON, KENTUCKY 40513
 PHONE (606) 253-9886
 FACSIMILE (606) 253-9887

EXISTING SANITARY SEWER
 POINT OF BEGINNING

544°06'12"W
 25.12'

N45°12'22"W
 15.00'

N44°06'12"E
 33.64'

S15°37'41"E
 58.16'

N75°37'41"W
 55.84'

N58°17'07"E
 132.38'

S58°17'07"W
 136.60'

S14°39'32"W
 57.63'

N74°39'32"E
 86.35'

EXISTING FORCE MAIN
 (TO BE ABANDONED)

EXISTING LEESTOWN
 WEST PUMP STATION

S45°17'00"W
 30.50'

EXISTING 8" SANITARY SEWER

VENTURE COURT

SWITZER FAMILY LTD. VENTURE
 157 VENTURE COURT

EXISTING SERVICE LATERAL

15' PERMANENT SANITARY SEWER EASEMENT

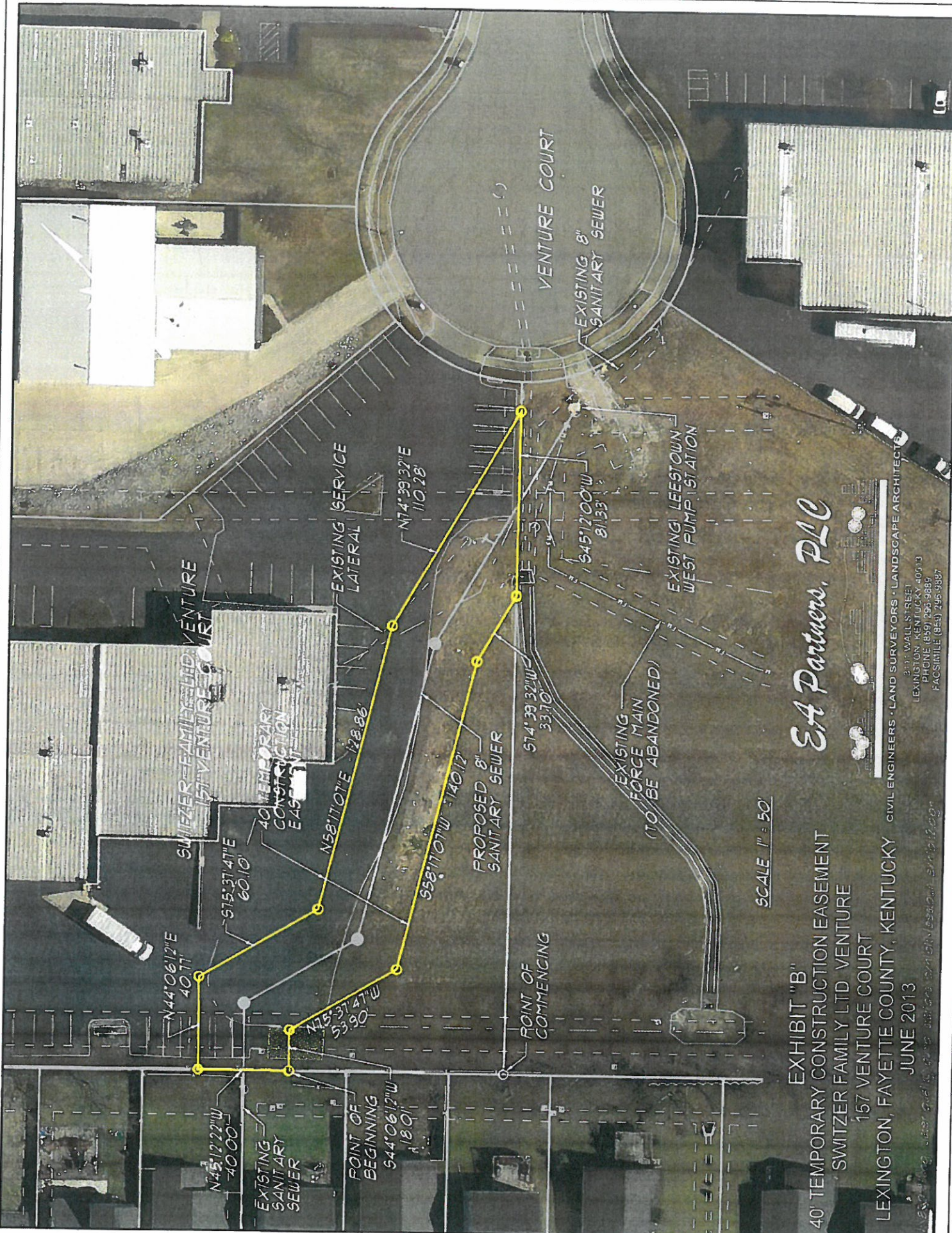
POINT OF COMMENCING

PROPOSED 8" SANITARY SEWER

June 13, 2013

15' Permanent Sanitary Sewer Easement
Switzer Family LTD. Venture
157 Venture Court
Lexington, Fayette County, Kentucky

COMMENCING AT A POINT in the grantor's southwestern property corner; thence with the grantor's western property line North 45 degrees 12 minutes 22 seconds West, 106.74 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said property line North 45 degrees 12 minutes 22 seconds West, 15.00 feet to a point; thence leaving said property line with the proposed sanitary sewer easement North 44 degrees 06 minutes 12 seconds East, 33.64 feet to a point; thence South 75 degrees 37 minutes 47 seconds East, 58.16 feet to a point; thence North 58 degrees 17 minutes 07 seconds East, 132.38 feet to a point; thence North 74 degrees 39 minutes 32 seconds East, 86.35 feet to a point in the grantor's southern property line; thence with said property line South 45 degrees 12 minutes 00 seconds West, 30.50 feet to a point; thence leaving said property line with the proposed sanitary sewer easement South 74 degrees 39 minutes 32 seconds West, 57.63 feet to a point; thence South 58 degrees 17 minutes 07 seconds West, 136.60 feet to a point; thence North 75 degrees 37 minutes 47 seconds West, 55.84 feet to a point; South 44 degrees 06 minutes 12 seconds West, 25.12 feet to the **POINT OF BEGINNING** and containing 0.10 acres.



EA Partners, PLLC

SCALE 1" = 50'

EXHIBIT "B"
 40' TEMPORARY CONSTRUCTION EASEMENT
 SWITZER FAMILY LTD VENTURE
 157 VENTURE COURT
 LEXINGTON, FAYETTE COUNTY, KENTUCKY
 JUNE 2013

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
 311 WALL STREET
 LEXINGTON, KY 40502-1013
 PHONE (606) 994-9885
 FACSIMILE (606) 994-9887

Prepared under and to the order of SWITZER FAMILY LTD VENTURE

June 13, 2013

40' Temporary Construction Easement
Switzer Family LTD. Venture
157 Venture Court
Lexington, Fayette County, Kentucky

COMMENCING AT A POINT in the grantor's southwestern property corner; thence with the grantor's western property line North 45 degrees 12 minutes 22 seconds West, 94.24 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said property line North 45 degrees 12 minutes 22 seconds West, 40.00 feet to a point; leaving said property line with the proposed construction easement North 44 degrees 06 minutes 12 seconds East, 40.77 feet to a point; thence South 75 degrees 37 minutes 47 seconds East, 60.10 feet to a point; thence North 58 degrees 17 minutes 07 seconds East, 128.86 feet to a point; thence North 74 degrees 39 minutes 32 seconds East, 110.28 feet to a point in the grantor's southern property line; thence with said property line South 45 degrees 12 minutes 00 seconds West, 81.33 feet to a point; thence leaving said property line with the proposed construction easement South 74 degrees 39 minutes 32 seconds West, 33.70 feet to a point; thence South 58 degrees 17 minutes 07 seconds West, 140.12 feet to a point; thence North 75 degrees 37 minutes 47 seconds West, 53.90 feet to a point; South 44 degrees 06 minutes 12 seconds West, 18.01 feet to the **POINT OF BEGINNING** and containing 0.27 acres.



PAVEMENT TO BE REPLACED (IF NECESSARY)

VENTURE COURT

PAVEMENT TO BE REPLACED

SCALE 1" = 50'

EA Partners, PLLC



CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
311 WALL STREET
LEXINGTON, KENTUCKY 40513
PHONE (859) 265-3883
FACSIMILE (859) 265-9387

EXHIBIT "C"
PAVEMENT REPLACEMENT EXHIBIT
SWITZER FAMILY LTD. VENTURE
157 VENTURE COURT
LEXINGTON, FAYETTE COUNTY, KENTUCKY
SEPTEMBER, 2013

157 Venture Court, Lexington, KY 40513
www.eapartners.com