

DEED OF EASEMENT

This **DEED OF EASEMENT** is made and entered into this 13th day of August, 2018, by and between **GEARY PROPERTIES, LLC**, a Kentucky limited liability company, 2018 Weybridge Court, Lexington, Kentucky 40504 ("Grantor"), which is also the in-care of tax mailing address for the current tax year, and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 ("Grantee");

WITNESSETH:

That for and in consideration of the sum of **ONE THOUSAND FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$1,500.00)**, 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 as 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
(a Portion of 1325 Fenwick Road)
East Hickman Wet Weather
Pump Station Project

All that tract or parcel of land situated on the south side of Fenwick Road cul-de-sac approximately 600 feet southeast of the intersection with Buckhorn Drive in Lexington, Fayette

Return to:
Charles E. Edwards, III
LFUCG, Dept. of Law, 11th Floor
200 E. Main Street
Lexington, Kentucky 40507
(CC-F)

10

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

BEGINNING at the common corner of Geary Properties, LLC (1325 Fenwick Road, DB 3458, PG 449) and Mary Hallis (1328 Fenwick Road, DB 2762, PG 73), said point being in the Fenwick Road cul-de-sac south right-of-way; thence leaving said Fenwick Road cul-de-sac south right-of-way and with said Hallis, South 00°04'48" West, 153.34 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Hallis, South 00°04'48" West, 20.01 feet to a point; thence leaving said Hallis for three (3) new lines through the lands of said Geary Properties, LLC: 1) North 88°24'47" West, 52.40 feet to a point, 2) North 01°35'13" East, 20.00 feet to a point, 3) South 88°24'47" East, 51.88 feet to the **TRUE POINT OF BEGINNING**, having an area of 1,043 square feet or 0.02 Acres, more or less; and,

Being a portion of the property conveyed to Geary Properties, LLC, a Kentucky limited liability company, by deed dated December 30, 2016, of record in Deed Book 3458, Page 449, in the Fayette County Clerk's Office.

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:

10' Temporary Construction Easement "A"
(a Portion of 1325 Fenwick Road)
East Hickman Wet Weather
Pump Station Project

BEGINNING at the common corner of Geary Properties, LLC (1325 Fenwick Road, DB 3458, PG 449) and Mary Hallis (1328 Fenwick Road, DB 2762, PG 73), said point being in the Fenwick Road cul-de-sac south right-of-way; thence leaving said Fenwick Road cul-de-sac south right-of-

way and with said Hallis, South 00°04'48" West, 143.34 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Hallis, South 00°04'48" West, 10.00 feet to a point; thence leaving said Hallis for three (3) new lines through the lands of said Geary Properties, LLC: 1) North 88°24'47" West, 51.88 feet to a point, 2) North 01°35'13" East, 10.00 feet to a point, 3) South 88°24'47" East, 51.61 feet to the **TRUE POINT OF BEGINNING**, having an area of 517 square feet or 0.01 Acres, more or less; and,

Being a portion of the property conveyed to Geary Properties, LLC, a Kentucky limited liability company, by deed dated December 30, 2016, of record in Deed Book 3458, Page 449, in the Fayette County Clerk's Office.

Described on Exhibit "A" attached hereto and incorporated herein by reference.

10' Temporary Construction Easement "B"
(a Portion of 1325 Fenwick Road)
East Hickman Wet Weather
Pump Station Project

BEGINNING at the common corner to Geary Properties, LLC (1325 Fenwick Road, DB 3458, PG 449) and Mary Hallis (1328 Fenwick Road, DB 2762, PG 73), said point being in the Fenwick Road cul-de-sac south right-of-way; thence leaving said Fenwick Road cul-de-sac south right-of-way and with said Hallis, South 00°04'48" West, 173.35 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Hallis, South 00°04'48" West, 10.00 feet to a point; thence leaving said Hallis for three (3) new lines through the lands of said Geary Properties, LLC: 1) North 88°24'47" West, 52.66 feet to a point, 2) North 01°35'13" East, 10.00 feet to a point, 3) South 88°24'47" East, 52.40 feet to the **TRUE POINT OF BEGINNING**, having an area of 525 square feet or 0.01 Acres, more or less; and,

Being a portion of the property conveyed to Geary Properties, LLC, a Kentucky limited liability company, by deed dated December 30, 2016, of record in Deed Book 3458, Page 449, in the Fayette County Clerk's Office.

Described on Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the above-described easements 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 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. The temporary construction easement will expire upon completion of the construction of the improvement project on the land adjacent to this easement.

Grantor does hereby covenant to and with 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. 226-2018 passed by the Lexington-Fayette Urban County Council on April 26, 2018. 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, the day and year first above written.

GRANTOR:

GEARY PROPERTIES, LLC, a
Kentucky limited liability company

BY: 
ERIC L. GEARY, MANAGER

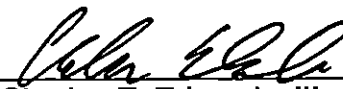
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing Easement was subscribed, sworn to and acknowledged before me
by Eric L. Geary, as Manager on behalf of Geary Properties, LLC, a Kentucky limited
liability company , on this the 13th day of August, 2018.

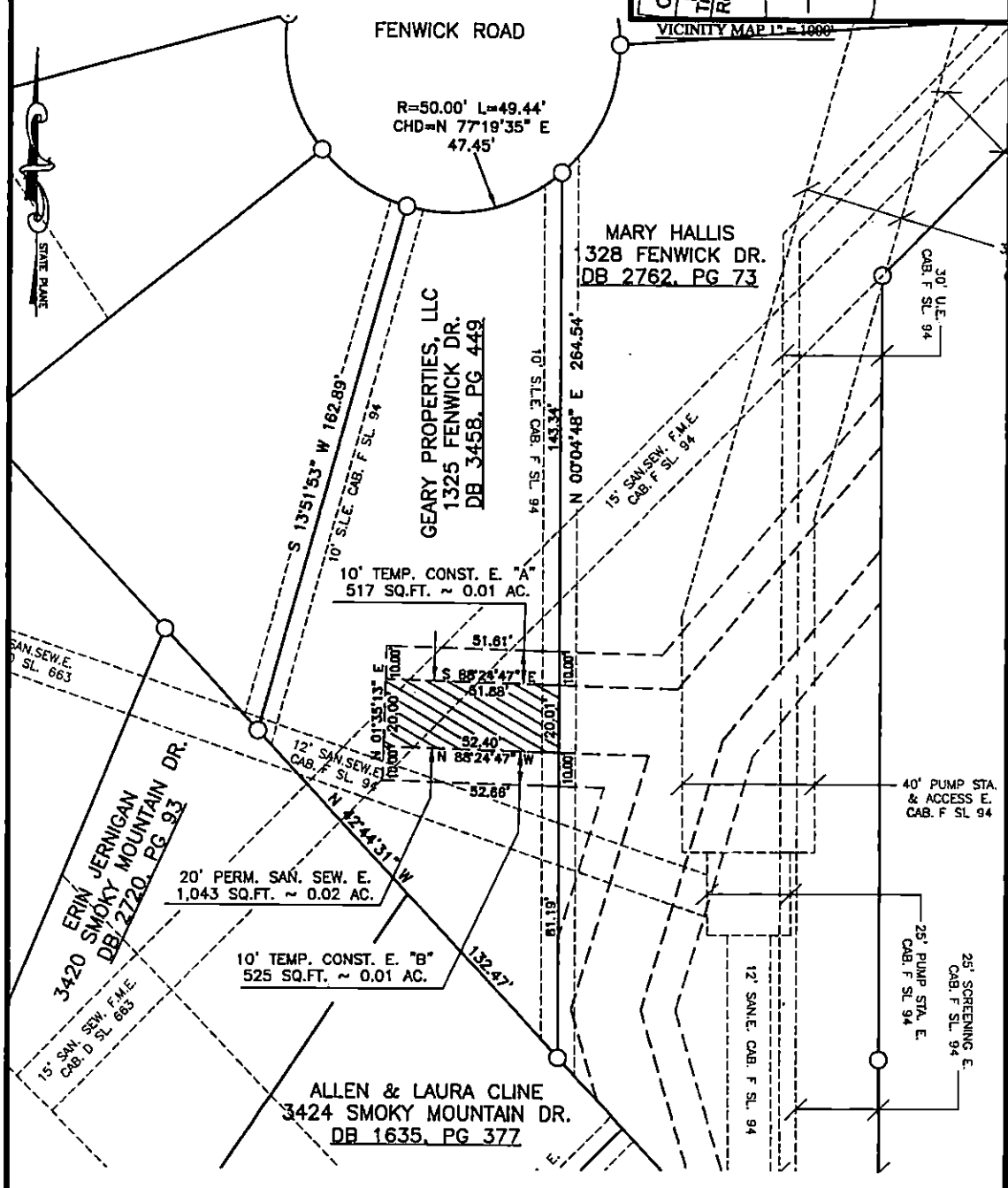
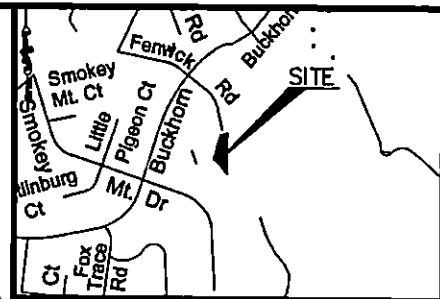
My commission expires: 8-5-2020

 #E61256
Notary Public, State-At-Large, Kentucky

PREPARED BY:


Charles E. Edwards, III
Attorney
Lexington-Fayette Urban County
Government
200 West Main Street, 11th Floor
Lexington, Kentucky 40507
(859) 258-3500

20' PERMANENT SANITARY SEWER EASEMENT
 EXHIBIT FOR LFUCG
 GEARY PROPERTIES, LLC PROPERTY
 1325 FENWICK ROAD
 LEXINGTON, FAYETTE COUNTY, KENTUCKY



LAND SURVEYOR'S CERTIFICATE:
 THE PROPERTY LINES SHOWN ON THIS EASEMENT EXHIBIT ARE BASED ON DEED AND/OR RECORD PLAT DATA FROM THE FAYETTE COUNTY CLERK'S OFFICE AND HAVE NOT BEEN FIELD VERIFIED BY INTEGRATED ENGINEERING. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DESCRIBED IN 201 KAR 18:150 AND INTEGRATED ENGINEERING HAS NOT PERFORMED A BOUNDARY SURVEY FOR THE PURPOSES OF THIS EXHIBIT. THIS EXHIBIT IS NOT INTENDED TO BE USED FOR LAND TRANSFER.



STATE OF KENTUCKY
 JAMES M. CHAMBLISS
 3185
 LICENSED PROFESSIONAL LAND SURVEYOR



James M. Chambliss JWS 6/23/17
 JAMES M. CHAMBLISS, PLS 3185 DATE

INTEGRATED ENGINEERING, PLLC
 166 Prosperous Place, Suite 220
 Lexington, KY. 40509

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

201811010087

November 1, 2018 13:31:02 PM

Fees	\$26.00	Tax	\$.00
------	---------	-----	--------

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

THIS IS THE LAST PAGE OF THE DOCUMENT

7 Pages

335 - 341