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FAYETTE CO, KY FEE \$71.00

PRESENTED / LODGED: 08-25-2023 01:31:18 PM

RECORDED: 08-25-2023

SUSAN LAMB

CLERK

BY: MELISSA STELTER

DEPUTY CLERK

BK: DB 4033

PG: 636-647

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 25th day of AUGUST, 2023, by and between **KAREN L. ROACH and BILL ROACH (a/k/a WILLIAM ROACH), wife and husband**, 3422 Greentree Road, 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 **TWO HUNDRED THIRTY DOLLARS AND 25/100 CENTS (\$230.25)**, 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

Return to:
Cynthia Cannon-Ferguson
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

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, repair, maintenance 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 "A"
West Hickman Trunk E
Sewer Improvement Project
(a portion of 3422 Greentree Road)

All that tract or parcel of land situated on the southeast side of Greentree Road, southwest of the intersection of Greentree Road and Dixiana Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner of Karen L. Roach and Bill Roach (3422 Greentree Road, Deed Book 1983, Page 675) and Yasir M. Ahmad (3426 Greentree Road, Deed Book 3853, Page 504), said point being in the Greentree Road southeast right-of-way; thence leaving said Ahmad and with said Greentree Road, North 43°43'30" East, 6.00 feet to the **TRUE POINT OF BEGINNING**, being in the southwest line of an existing 6-foot wide sanitary sewer easement (Deed Book 887, Page 294); thence continuing with said Greentree Road, North 43°43'30" East, 2.84 feet to a point; thence leaving said Greentree Road, South 46°10'11" East, 127.01 feet to a point in the northwest line of an existing 12-foot wide utility easement (Plat Cabinet C, Slide 224); thence with said utility easement, South 44°31'28" West, 2.60 feet to a point in the line with said sanitary easement; thence with said sanitary easement, North 46°16'30" West, 126.98 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 345 square feet (gross and net) of permanent easement; and

Permanent Sanitary Sewer Easement "B"
West Hickman Trunk E
Sewer Improvement Project
(a portion of 3422 Greentree Road)

BEGINNING, at the common corner of Karen L. Roach and Bill Roach (3422 Greentree Road, Deed Book 1983, Page 675) and Yasir M. Ahmad (3426 Greentree Road, Deed Book 3853, Page 504), said point being in the Greentree Road southeast right-of-way; thence leaving said Greentree Road and with said Ahmad, South 46°16'30" East, 138.89 feet to a point; thence leaving said Ahmad, North 44°31'28" East, 6.00 feet **TRUE POINT OF BEGINNING**, being the southwest line of an existing 6-foot wide sanitary sewer easement (Deed Book 887, Page 294); thence for four (4) new lines through the lands of said Roach:

1. Leaving said sanitary sewer easement, North 44°31'28" East, 2.58 feet to a point;
2. South 46°10'11" East, 10.79 feet to a point in the northwest line of a 50-foot wide bridle path, utility and sanitary sewer easement (Plat Cabinet C, Slide 224);
3. With said easement, South 43°43'30" West, 2.56 feet to a point in said 6-foot wide sanitary sewer easement;
4. With said sanitary sewer easement, North 46°16'30" East, 10.82 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 28 square feet (gross and net) of permanent easement; and

Both of the above tracts being a portion of the property conveyed to Karen L. Roach and Bill Roach (a/k/a William Roach), by Deed dated June 9, 1998, of record in Deed Book 1983, Page 675, 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, repair, maintenance 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 "A"
West Hickman Trunk E
Sewer Improvement Project
(a portion of 3422 Greentree Road)

BEGINNING, at a common corner of the common corner of Karen L. Roach and Bill Roach (3422 Greentree Road), Deed Book 1983, Page 675) and Yasir M. Ahmad (3426 Greentree Road, Deed Book 3853, Page 504), said point being in the Greentree Road southeast right-of-way; thence leaving said Ahmad and with said Greentree Road, North 43°43'30" East, 8.64 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Greentree Road, North 43°43'30" East, 10.00 feet to a point; thence leaving said Greentree Road for five (5) new lines through the lands of said Road:

1. South 46°10'11" East, 30.25 feet to a point;
2. South 46°36'48" West, 8.85 feet to a point;
3. South 46°25'58" East, 32.14 feet to a point;
4. North 46°36'48" East, 8.71 feet to a point;
5. South 46°10'11" East, 64.77 feet to a point in the northwest line of an existing 12-foot wide utility easement (Plat Cabinet C, Slide 224);

Thence with said utility easement, South 44°31'28" West, 10.00 feet to a point; thence leaving said utility easement for a new line through the lands of said Roach, North 46°10'11" West, 127.01 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 989 square feet (gross and net) of temporary construction easement; and

Temporary Construction Easement "B"
West Hickman Trunk E
Sewer Improvement Project
(a portion of 3422 Greentree Road)

BEGINNING, at a common corner of Karen L. Roach and Bill Roach (3422 Greentree Road, Deed Book 1983, Page 675) and Yasir M. Ahmad (3426 Greentree Road, Deed Book 3853, Page 504), said point being in the Greentree Road southeast right-of-way; thence leaving said Greentree Road and with said Ahmad, South 46°16'30" East, 138.89 feet to a point; thence leaving said Ahmad, North 44°31'28" East, 8.58 feet to the **TRUE POINT OF BEGINNING**; thence for four (4) new lines through the lands of said Roach:

1. North 44°31'28" East, 10.00 feet to a point;
2. South 46°10'11" East, 10.65 feet to a point in the northwest line of a 50-foot wide bridle path, utility and sanitary sewer easement (Plat Cabinet C, Slide 224);
3. With said easement, South 43°43'30" West, 10.00 feet to a point;
4. North 46°10'11" East, 10.79 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 107 square feet (gross and net) of temporary construction easement; and

Both of the above tracts being a portion of the property conveyed to Karen L. Roach and Bill Roach (a/k/a William Roach), by Deed dated June 9, 1998, of record in Deed Book 1983, Page 675, 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.

TOGETHER with the right to use the above described easement during the time the sanitary sewer is being constructed, repaired or reconstructed, with the right of

ingress and egress upon said easement as may be reasonably necessary for the construction and maintenance of said project.

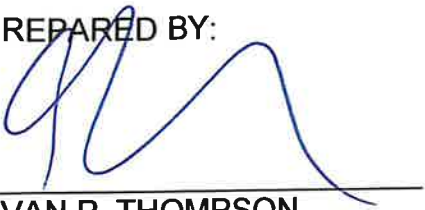
The above-described temporary construction easement runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantors. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of 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 030-2022, passed by the Lexington-Fayette Urban County Council on January 27, 2022. Pursuant to KRS 382.135(2)(a), this deed of easement, which pertains to a public utility, need not contain a statement of consideration.



PREPARED BY:



EVAN P. THOMPSON,
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\22-RE0011\RE\00784058.DOC



 NEW PERM. ESMT.
 TEMP. CONST. ESMT.



GREENTREE ROAD

10' TEMP. CONST. E. "A"
989 SQ.FT.
(GROSS & NET)

DONALD P. CROSS
ROSALIE CROSS
3418 GREENTREE RD
DB 967 PG 255

PERM. SAN. SEW. E. "A"
345 SQ.FT.
(GROSS & NET)

KAREN L. ROACH
& BILL ROACH
3422 GREENTREE RD
DB 1983 PG 675

10' TEMP. CONST. E. "B"
107 SQ.FT.
(GROSS & NET)

YASIR M. AHMAD
3426 GREENTREE RD
DB 3853 PG 504

PERM. SAN. SEW. E. "B"
28 SQ.FT.
(GROSS & NET)

ADAM JOSHUA CRAMER
KELLI MARIE CRAMER
3430 GREENTREE RD
DB 3261 PG 720

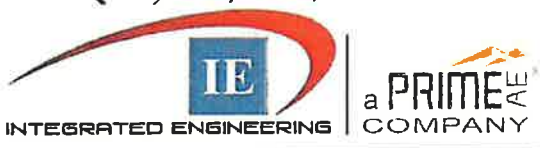
MARGARET FAYE SITHER
REVOCABLE LIVING TRUST
3427 SUTHERLAND DR
DB 2507 PG 497

SHEILA K. NORMANT
& DAVID A. NORMANT
3431 SUTHERLAND DR
DB 2656 PG 320

50' BRIDLE PATH, U.E.
& SAN. SEW. E.
CAB C SL 224

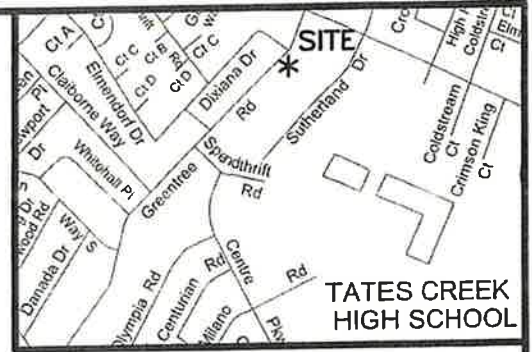
RGW PROPERTY, LLC
3435 SUTHERLAND DR
DB 3301 PG 167
PROPERTY 8

WEST HICKMAN TRUNK E SEWER PROJECT
 20' PERMANENT SANITARY SEWER EASEMENT
 KAREN L. ROACH & BILL ROACH
 3422 GREENTREE ROAD
 LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2



K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements - Kurt_SSM.dwg
 Day & Time: Nov 11, 2021 - 9:45am Login Name: kurt.hesselbach

K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements - Kurt_SSM.dwg
 Day & Time: Nov 11, 2021 - 9:45am Login Name: kurt.hessebocht



VICINITY MAP N.T.S.

LINE	BEARING	DISTANCE
L1	N 43°43'30" E	2.84'
L2	S 46°10'11" E	127.01'
L3	S 44°31'28" W	2.60'
L4	N 46°16'30" W	126.98'
L5	S 46°10'11" E	10.79'
L6	S 43°43'30" W	2.56'
L7	N 46°16'30" W	10.82'
L8	N 44°31'28" E	2.58'

EX. PERM ESMT.= N/A

PROP. PERM. ESMT. =373 SQ. FT. (GROSS & NET)

EX. PERM. ESMT.=N/A

PROP. TEMP. ESMT. =1,096 SQ.FT. (GROSS & NET)

LAND SURVEYOR'S CERTIFICATE:

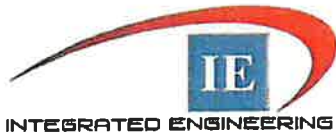
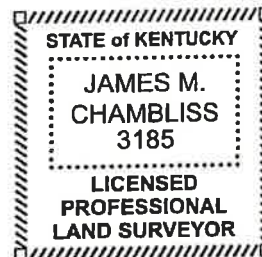
THE PROPERTY LINES SHOWN ON THIS EASEMENT EXHIBIT ARE BASED ON DEED AND/OR RECORD PLAT DATA FROM THE FAYETTE COUNTY CLERK'S OFFICE. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DESCRIBED IN 201 KAR 18:150 AND INTEGRATED ENGINEERING HAS NOT PERFORMED A BOUNDARY SURVEY FOR THE PURPOSES OF THIS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

James M. Chambliss, PLS

Digitally signed by James M. Chambliss,
 PLS
 Date: 2023.06.07 15:13:54 -04'00'



JAMES M. CHAMBLISS, PLS 3185

DATE



WEST HICKMAN TRUNK E SEWER PROJECT
 20' PERMANENT SANITARY SEWER EASEMENT
 KAREN L. ROACH & BILL ROACH
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STATE PLANE

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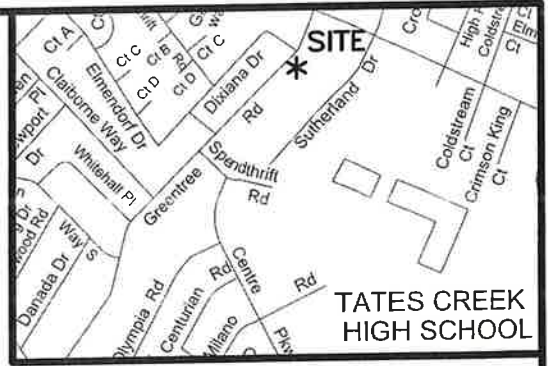
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LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2

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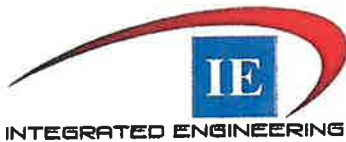
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