

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this 9th day of December 2020, by and between **IRON WILL PROPERTIES, LLC, a Kentucky limited liability company**, which has a mailing address of 2096 Iron Works Pike, Lexington, Kentucky 40511, (collectively "Grantor"), which is also 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");

WITNESSETH:

That for and in consideration of the sum of **ONE HOUSAND SEVEN HUNDRED EIGHTY-NINE AND 75/100 DOLLARS (\$1,789.75)**, 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 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
Wolf Run Trunks D & E Sewer Replacement Project
(a portion of 1853 Normandy Road)

BEGINNING, at a point on the northwestern property corner shared with Henry Ullman, thence 88.51 feet at a bearing S 24°39'02" W along the western property line shared with Henry Ullman to a point, thence 58.66 feet at a bearing S

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

41°16'03" E to a point, thence 39.65 feet at a bearing S 88°30'28" E to the southern property line shared with John Coyle, thence 105.25 feet at a bearing N 81°15'53" E along the southern property line to the right of way of Normandy Rd, thence 1.32 feet at a bearing N 09°21'48" E along the right of way of Normandy Rd, thence 134.66 feet at a bearing N 88°30'28" W to a point, thence 39.80 feet at a bearing N 41°16'03" W to a point, thence 74.76 feet at a bearing N 23°36'19" E to the northern property line shared with John & Betty Jones, thence 16.04 feet at a bearing N 66°41'08" W along the northern property line back to the **POINT OF BEGINNING**; and,

The above-described tract contains a total area of 4,160.92 sq. ft. of permanent easement; and,

Being a portion of the same property conveyed to Iron Will Properties, LLC, a Kentucky limited liability company, by Deed dated October 23, 2018, of record in Deed Book 3626, Page 637, in the Fayette County Clerk's Office.

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, 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 within the confines of Lexington, Fayette County, Kentucky, depicted on Exhibit "A" attached hereto, and more particularly described as follows, to-wit:

Temporary Construction Easement
Wolf Run Trunks D & E Sewer Replacement Project
(a portion of 1853 Normandy Road)

Tract No.1

BEGINNING, at a point on the northern property line, said property line being shared with John & Betty Jones, approximately 16' from the northwestern property corner

shared with Henry Ullman, thence 10.00 feet at a bearing of S 66°41'08" E along the northern property line to a point, thence 68.46 feet at a bearing of S 23°36'19" W to a point, thence 29.07 feet at a bearing of S 41°16'03" E to a point, thence 68.46 feet at a bearing of S 88°30'28" E to a point shared with the southwestern corner of the existing building on the Grantor's property, thence 26.89 feet at a bearing of S 68°11'54" E along the existing building the southeastern corner, thence 9.95 feet at a bearing of N 21°48'06" E along the existing building to a point, thence 35.01 feet at a bearing of S 88°30'28" E to the right of way of Normandy Rd, thence 10.17 feet at a bearing of S 11°56'38" W along the right of way of Normandy Rd to a point, thence 134.66 feet at a bearing N 88°30'28" W to a point, thence 39.80 feet at a bearing N 41°16'03" W to a point, thence 74.76 feet at a bearing N 23°36'19" E to the northern property line shared with John & Betty Jones back to the **POINT OF BEGINNING**; and,

The above-described tract contains a total area of 2,260.64 sq. ft. of temporary construction easement; and,

Tract No. 2

BEGINNING, at a point on the western property line, said property line being shared with Henry Ullman and Patricia Brandenburg, approximately 34' from the southwestern property corner shared with Patricia Brandenburg, Tricia Platt, and Sean & Elizabeth Green, thence 11.00 feet at a bearing N 24°09'00" E along the western property line to a point, thence 58.66 feet at a bearing S 41°16'03" E to a point, thence 39.65 feet at a bearing S 88°30'28" E to the southern property line shared with John Coyle, thence 46.37 at a bearing S 81°14'02" W along the southern property line to a point, thence 56.09 feet at a bearing N 41°16'03" W to the western property line back to the **POINT OF BEGINNING**; and,

The above-described tract contains a total area of 737.42 sq. ft. of temporary construction easement; and,

All of the above-mentioned tracts being a portion of the same property conveyed to Iron Will Properties, LLC, a Kentucky limited liability company, by Deed dated October 23, 2018, of record in Deed Book 3626, Page 637, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described easements, which are also shown on Exhibit "A", attached hereto, 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 run with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantor. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

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.

Grantor does hereby release and relinquish unto the Grantee, 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 it is lawfully seized in fee simple of said property and have good right to sell and convey the easements herein, and that it will **WARRANT GENERALLY** said title.

PROVIDED, HOWEVER, this conveyance is made subject to any and all easements, restrictions, and/or conditions that may appear of record affecting said

property.

The obtaining of this easement was authorized by Resolution No. 256-2020, passed by the Lexington-Fayette Urban County Council on June 11, 2020. Pursuant to KRS 382.135(2)(a), this deed of easement, which pertain to a public utility, need not contain a statement of consideration. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

IN TESTIMONY WHEREOF, Grantor has signed this Easement, the day and year first above written.

GRANTOR:

IRON WILL PROPERTIES, LLC, a
Kentucky limited liability company

BY: 
SUSAN FARLEY,
MEMBER

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing Easement was subscribed, sworn to and acknowledged before me by Susan Farley, as a Member, for and on behalf of Iron Will Properties, LLC, a Kentucky limited liability company, on this the 9th day of December, 2020.



Notary Public, State-at-Large, Kentucky

My commission expires: 7 / 10 / 2023

Notary ID # 626440

PREPARED BY:



Evan P. Thompson,
Attorney
Lexington-Fayette Urban
County Government
Department of Law
200 East Main Street, 11th Floor
Lexington, Kentucky 40507
(859) 258-3500

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DEED BOOK 3805 PAGE 590

**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: PATTY DAVIS ,dc

202012210119

December 21, 2020 9:13:48 AM

Fees \$56.00 Tax \$.00

Total Paid \$56.00

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8 Pages

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