

TRANSMISSION LINE EASEMENT

This DEED OF EASEMENT made and entered into on this the ____ day of _____, 20____, by and between the undersigned, **LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT**, with a mailing address of 200 East Main Street, Lexington, Kentucky 40507, ("Grantor"), and **KENTUCKY UTILITIES COMPANY**, a Kentucky corporation, having its principal office and place of business at 220 West Main Street, Louisville, Jefferson County, Kentucky 40202, ("Grantee").

WITNESSETH:

That for and in consideration of Ten Dollars (\$10) and other cash consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey unto the Grantee, its successors, assigns, and lessees, the right, power and privilege to construct, inspect, maintain, operate, enlarge, rebuild and repair transmission and distribution lines for the transmission and distribution of electric energy, and all appurtenances thereto including down guys and anchors, along and upon the permanent easement and right-of-way hereinafter described together with the right of ingress and egress over the lands of the undersigned to and from said lines in the exercise of the rights and privileges herein granted; provided, however, that in exercising such rights of ingress and egress, the Grantee will, whenever practicable to do so, use regularly established highways or farm roads.

The Grantee is granted the further right to cut, trim and otherwise remove any and all trees located on the right-of-way described herein, and the branches of any and all other trees outside the easement which are of such height that, in falling directly to the ground, they would come in contact with said wires; also the right to remove brush and all other obstructions and obstacles from the right-of-way which would create a fire hazard to the subject lines.

It is further expressly understood and agreed that the Grantee will pay to the undersigned any and all damage that may be caused by the Grantee in going upon said lands and right-of-way, except that the Grantee will not be liable for any damage for cutting down trees in the manner and to the extent herein above specified.

The Grantor, its successors, heirs or assigns, retains the right to use and enjoy the lands crossed by this easement in its absolute discretion, except that it shall not cause or allow to be erected or maintained any structure upon the easement that would interfere with any of the rights and privileges herein granted or any building, sign, tower, antenna, or swimming pool; nor shall Grantor cause any changes in grade to be made to the lands crossed by this easement which shall interfere with the privileges and rights herein granted.

The specific easement upon which said electric transmission line is located as shown by the hatched area on the AGE Engineering Services, Inc. drawing labeled Exhibit A, attached hereto and made of part hereof containing 2.353 acres.

EASEMENT DESCRIPTION

These transmission line easements being across part of the property acquired by the Lexington Fayette Urban County Government by deed from Dean Walker and Bennett Walker dated the 20th day of October, 1969 and recorded in Deed Book 103, Pg. 345 in the Jessamine County Clerk's office and being more particularly described as follows:

EASEMENT 1

BEGINNING at point on the southern edge of an existing Kentucky Utilities 150' transmission line easement (D.B. 258, Pg. 350), said point being S25°06'29"E – 75.14 feet from a point on centerline of existing Kentucky Utilities STR# 019B located on the lands of the Parent Tract of the Lexington Fayette Urban County Government (D.B. 103, Pg. 345), said beginning point having Kentucky State Plane Coordinates (NORTH ZONE – NAD83) of: N=162508.20, E=1568311.43, and being the northern most corner of the easement being described **and being the POINT OF BEINNING for this description;**

Thence leaving said point and with the southern edge of an existing Kentucky Utilities 150' transmission line easement (D.B. 258, Pg. 350) S68°25'24"W – 41.61 feet to a point on the edge of said existing easement;

Thence leaving the existing easement and across the lands of the Parent Tract of the Lexington Fayette Urban County Government (D.B. 103, Pg. 345) the following two (2) courses:
S59°04'48"E – 467.62 feet to a point, and

S66°03'41"E – 179.14 feet to a point on the southern boundary of the proposed Kentucky Utilities Substation Expansion Easement;

Thence with the boundary of the proposed Kentucky Utilities Substation Expansion Easement the following two (2) courses:

N60°35'34"W – 152.32 feet to a point, and

N29°24'26"E – 28.00 feet to a point on the western boundary of the proposed Kentucky Utilities Substation Expansion Easement, said point also being a point of intersection between the western boundary of the proposed Kentucky Utilities Substation Expansion Easement and the southern edge of an existing Kentucky Utilities 150' transmission line easement (D.B. 258, Pg. 350);

Thence leaving the proposed Kentucky Utilities Substation Expansion Easement boundary and with the edge of an existing Kentucky Utilities 150' transmission line easement (D.B. 258, Pg. 350) the following two (2) courses:

N60°35'34"W – 42.04 feet to a point, and

N60°38'47"W – 425.23 feet to the Point of Beginning for this easement description and containing 0.457 acres by survey.

EASEMENT 2

Beginning at a point on the edge of an existing Kentucky Utilities 150' transmission line easement (D.B. 264, Pg. 78), said point being S52°28'14"E – 914.06 feet from a 5/8" rebar with orange cap stamped "KYTC D7", said rebar being the southeast corner of Marathon Pipe Line, LLC (D.B. 124, Pg. 197) and being a northern corner of the Parent Tract of the Lexington Fayette Urban County Government (D.B. 103, Pg. 345), said beginning point also having Kentucky State Plane Coordinates (NORTH ZONE – NAD83) of: N=161606.65, E=1569853.27 **and being the POINT OF BEGINNING for this description;**

Thence leaving said point and with the western edge of an existing Kentucky Utilities 150' transmission line easement (D.B. 264, Pg. 78) S47°56'53"W – 32.60 feet to a point on the edge of said existing easement, said point being a point of intersection between the proposed transmission line centerline and the boundary of the easement being described and having Kentucky State Plane Coordinates (NORTH ZONE – NAD83) of: N=161584.81, E=1569829.06;

Thence leaving said point of intersection and continuing with the western edge of said existing Kentucky Utilities 150' transmission line easement (D.B. 264, Pg. 78) S47°56'53"W – 77.70 feet to a point;

Thence leaving the edge of said existing Kentucky Utilities 150' transmission line easement (D.B. 264, Pg. 78) and across the lands of the Parent Tract of the Lexington Fayette Urban County Government (D.B. 103, Pg. 345) the following three (3) courses:

N57°12'45"W – 1000.08 feet to a point,

N58°18'11"W – 124.91 feet to a point, and

N31°41'49"E – 41.37 feet to a point on the boundary of a proposed Kentucky Utilities Substation Expansion Easement;

Thence with the boundary of the proposed Kentucky Utilities Substation Expansion Easement, S60°35'34"E – 67.99 feet to a point on the boundary of the proposed Kentucky Utilities Substation Expansion Easement, said point also being a point of intersection between the boundary of the proposed Kentucky Utilities Substation Expansion Easement and the southern edge of an existing Kentucky Utilities 150' transmission line easement (D.B. 264, Pg. 78);

Thence leaving the proposed Kentucky Utilities Substation Expansion Easement boundary and with the southern edge of an existing Kentucky Utilities 150' transmission line easement (D.B. 264, Pg. 78) S60°33'18"E – 548.90 feet to a point, said point being a point of intersection between the proposed transmission line centerline and the boundary of the easement being described and having Kentucky State Plane Coordinates (NORTH ZONE – NAD83) of: N=161871.95, E=1569383.30;

Thence leaving said point of intersection and with the southern edge of said existing Kentucky Utilities 150' transmission line easement (D.B. 264, Pg. 78), S60°33'18"E – 539.68 feet to the point of beginning for this easement description and containing 1.896 acres by survey.

The lands over which this easement is granted are situated in the County of Jessamine, State of Kentucky, and were conveyed to Lexington Fayette Urban County Government, by Deed dated the 20th

day of October 1969 and recorded in Deed Book 103, Page 345 in the Office of the Clerk of the County Court of Jessamine, Kentucky.

The Grantor does hereby release and relinquish unto the Grantee, its successors, lessees and assigns, all of its interest in and to the easement herein granted, for the uses and purposes aforesaid, and it does hereby covenant to and with the Grantee that it is seized in fee simple of the property upon which said easement lies and has good and perfect right to convey the easement as herein done and it does WARRANT GENERALLY its title for the uses and purposes of this Deed of Easement.

IN TESTIMONY WHEREOF, the Grantor has caused this easement to be executed this _____ day of _____, 20____.

LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT

BY: _____

TITLE: _____

STATE OF KENTUCKY)
COUNTY OF JESSAMINE)

I, _____, a Notary Public in and for the State and County aforesaid, certify that the foregoing instrument was acknowledged before me by _____, as _____, of Lexington Fayette Urban County Government, to be his/her free act and deed in said capacity.

Witness my hand this _____ day of _____, 20____.

My Commission Expires: _____

NOTARY PUBLIC

Prepared by:

James Dimas
Senior Corporate Attorney
Kentucky Utilities Company
220 West Main Street
Louisville, Kentucky 40202
Phone (502) 627-3712