

GRANT OF EASEMENT

This **EASEMENT** is made and entered into this 10 day of February, 2014, by and between **JOHN WILLIAM FOLEY and DEBORAH SUE FOLEY**, husband and wife, 647 Delong Road, Lexington, Kentucky 40515 ("Grantors"), 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");

W I T N E S S E I T H:

That for and in consideration of the sum of **FOUR THOUSAND FIFTY DOLLARS AND 00/100 CENTS (\$4,050.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantors have **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 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 Force Main Easement
(A Portion of 647 Delong Road)
Blue Sky Force Main
Sanitary Sewer Improvement Project

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, Grantors have **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:

Temporary Construction Easement-CE1
(A Portion of 647 Delong Road)
Blue Sky Force Main
Sanitary Sewer Improvement Project

All temporary construction easements, if any, are described on Exhibit B attached hereto and incorporated herein by reference.

Temporary Construction Easement-CE2
(A Portion of 647 Delong Road)
Blue Sky Force Main
Sanitary Sewer Improvement Project

All temporary construction easements, if any, are described on Exhibit C attached hereto and incorporated herein by reference.

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

Grantors do hereby covenant to and with said Grantee, its successors and assigns forever, that they are lawfully seized in fee simple of said property and has good right to sell and convey the easements conveyed herein, and that they will **WARRANT GENERALLY** said title.

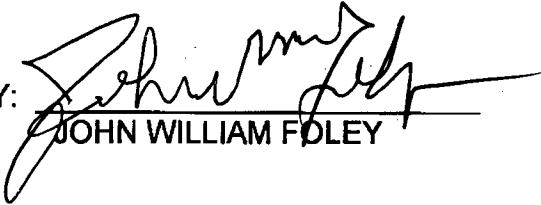
Grantors shall have the full right to use the surface of the land lying over said

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 the prior written consent of the Grantee.

The obtaining of this easement was authorized by Resolution No. 408-2013 passed by the Lexington-Fayette Urban County Council on July 9, 2013. 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 Grantors have signed this Easement, the day and year first above written.

GRANTORS:

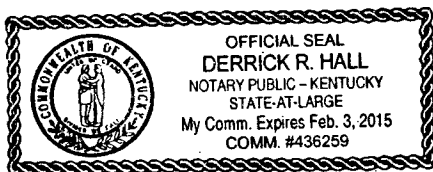
BY: 
JOHN WILLIAM FOLEY

BY: 
DEBORAH SUE FOLEY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

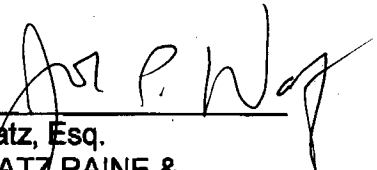
The foregoing Easement was subscribed, sworn to and acknowledged before me by JOHN WILLIAM FOLEY and DEBORAH SUE FOLEY, husband and wife, on this the 10 day of February, 2014.

My commission expires: 2/3/15




Notary Public, State-At-Large, Kentucky

PREPARED BY:



John P. Watz, Esq.
HENRY WATZ RAINE &
MARINO, PLLC
401 West Main Street, Suite 316
Lexington, Kentucky 40507
(859) 258-3500

X:\Cases\WATER-AIR\13-RE0641\REV00422154.DOC

EXHIBIT A

PERMANENT FORCE MAIN EASEMENT

(a portion of 647 Delong Road)

Blue Sky Force Main

Sanitary Sewer Improvement Project

Beginning in the Grantors' north property line, S73°35'03"E, 6.72 feet from the Grantor's northwest property corner;

Thence, with said property line, S73°35'03"E, 15.29 feet;

Thence, leaving said property line, S05°09'20"W, 513.86 feet;

Thence, S87°23'21"W, 18.68 feet to the Grantors' west property line;

Thence, with said property line, N04°48'46"E, 15.13 feet;

Thence, leaving said property line, N87°23'21"E, 3.63 feet;

Thence, N05°09'20"E, 503.75 feet to the Point of Beginning

and containing 7,799 square feet, 0.179 acres.

Being a part of that property conveyed to John W. Foley and Deborah S. Foley, husband and wife, by deed dated December 28, 1989 in Deed Book 1534, Page 190, in the Fayette County Clerk's office.

EXHIBIT B

TEMPORARY CONSTRUCTION EASEMENT CE-1

(a portion of 647 DeLong Road)

Blue Sky Force Main

Sanitary Sewer Improvement Project

A fifteen foot wide Temporary Construction Easement east and south of and adjoining the Permanent Force Main Easement along its east and south sides and described as follows: Beginning at the northeast corner of the permanent force main sewer in the Grantors' north property line;

Thence, with said property line, S73°35'03"E, 15.29 feet;

Thence, leaving said property line, S05°09'20"W, 523.97 feet;

Thence, S87°23'21"W, 33.73 feet to the Grantors' west property line;

Thence, with said property line, N04°48'46"E, 15.13 feet;

Thence, leaving said property line N87°23'21"E, 18.68 feet;

Thence, N05°09'20"E, 513.86 feet to the Point of Beginning and containing 8,177 square feet, 0.188 acres.

Being a part of that property conveyed to John W. Foley and Deborah S. Foley, husband and wife, by deed dated December 28, 1989 in Deed Book 1534, Page 190, in the Fayette County Clerk's Office.

EXHIBIT C

TEMPORARY CONSTRUCTION EASEMENT CE-2

(a portion of 647 Delong Road)

Blue Sky Force Main

Sanitary Sewer Improvement Project

A variable width Temporary Construction Easement west of and adjoining the Permanent Force Main Easement along its west side and described as follows:

Beginning at the northwest corner of the permanent force main easement in the Grantor's north property line;

Thence, leaving said property line, S05°09'20"W, 503.75 feet;

Thence, S87°23'21"W, 3.63 feet to the Grantor's west property line;

Thence, with said property line, N04°48'46"E, 505.57 feet to the northwest corner of the Grantors' property;

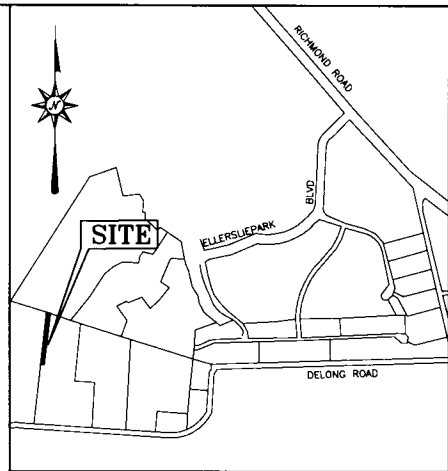
Thence, with the Grantors' north property line, S73°35'03"E, 6.72 feet to the Point of Beginning and containing 2,570 square feet, 0.059 acres.

Being a part of that property conveyed to John W. Foley and Deborah S. Foley, husband and wife, by deed dated December 28, 1989 in Deed Book 1534, Page 190, in the Fayette County Clerk's Office.



PERMANENT FORCE MAIN EASEMENT		
LINE	BEARING	DISTANCE
L1	S73°35'03"E	15.29'
L2	S05°09'20"W	513.86'
L3	S87°23'21"W	18.68'
L4	N04°48'46"E	15.13'
L5	N87°23'21"E	3.63'
L6	N05°09'20"E	503.75'

TEMPORARY CONSTRUCTION EASEMENT		
LINE	BEARING	DISTANCE
L7	N04°48'46"E	505.57'
L8	S73°35'03"E	6.72'
L9	S73°35'03"E	15.29'
L10	S05°09'20"W	523.97'
L11	S87°23'21"W	33.73'
L12	N04°48'46"E	15.13'



VICINITY MAP
SCALE: 1" = 1500'

PERMANENT FORCE MAIN EASEMENT: 7799 SQ.FT.
TEMPORARY CONSTRUCTION EASEMENT: 10747 SQ.FT.

DELONG ESTATES DEVELOPMENT, LLC
D.B. 2631, PG. 210
PC 'N', SLD 573
PARCEL # 38158170
3785 BRANHAM PARK

DELONG ESTATES DEVELOPMENT, LLC
D.B. 2631, PG. 210
PC 'N', SLD 573
PARCEL # 38234630
3805 BRANHAM PARK

ALLEN E. GRIMES, JR.
NANCY H. GRIMES
D.B. 2378, PG. 255
PARCEL # 22167900
697 DELONG ROAD

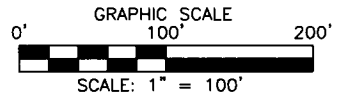
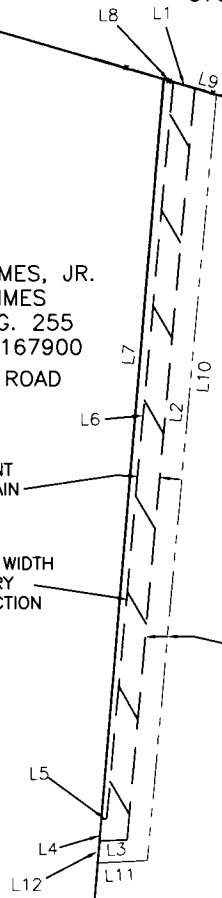
JOHN W. FOLEY
DEBORAH S. FOLEY
D.B. 1534, PG. 190
PC 'H', SLD 607
PARCEL # 25942800
647 DELONG ROAD

HUGH F. BLOOMFIELD
KIMBERLY P. BLOOMFIELD
D.B. 2124, PG. 283
PC 'L', SLD 267
PARCEL # 20089700
601 DELONG ROAD

15' WIDE PERMANENT FORCE MAIN EASEMENT

VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT

15' WIDE TEMPORARY CONSTRUCTION EASEMENT



VE VISION ENGINEERING
Environmental, Civil Engineering Consultants, Land Surveying
3399 Yates Creek Road Suite 250
Lexington, KY 40502
Ph: (859)333-8015
Fax: (859)559-0523
www.visionengr.com

**EXHIBIT SHOWING
FORCE MAIN EASEMENT
TO BE ACQUIRED FROM
JOHN W. FOLEY &
DEBORAH S. FOLEY
647 DELONG ROAD
LEXINGTON, KENTUCKY**

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: EMILY GENTRY ,dc

201402270213

February 27, 2014 14:22:42 PM

Fees	\$32.00	Tax	\$.00
------	---------	-----	--------

Total Paid	\$32.00
------------	---------

THIS IS THE LAST PAGE OF THE DOCUMENT

9 Pages

46 - 54



Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

To: Meredith Nelson, Council Clerk
Council Clerk's Office

From: Department of Law

Date: April 08, 2014

Re: Easements and Asset Acquisition Forms
(300 Canebrake Drive; 5085, 5191, and 5301 Athens Boonesboro Road;
647, and 697 Delong Road; 3720 Richmond Road; and 331, and 351 United
Court)
Log No. 13-RE0641

Enclosed are the original recorded easements conveying permanent easements across the above-referenced properties to the Urban County Government for the Blue Sky Force Main Sanitary Sewer Improvement Project. Please file the easements with the authorizing legislation, Resolution No. 408-2013.

Also enclosed are the completed Asset Acquisition forms for the properties. After you have signed and dated the forms, please forward them to Kim Bryan in the Department of Finance.

If you have any questions, please let me know.

Keith Horn
Managing Attorney

Enclosures

cc: Kim Bryan, Department of Finance
Beth Florence, Department of Finance

VariousProperties(Memo to Nelson)/00435368