

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 28th day of August, 2020, by and between **LORI L. LAUFENBURGER, a married person**, 132 Quarter Mill Way, Nicholasville, Kentucky 40356, which is the in-care of tax mailing address for the current year and **KARL BRADLEY BLACK, a married person**, 452 Glendale Road, Wyckoff, New Jersey 07481 and **STEPHAN R. BLACK, a married person**, 3004 Glenn Dale Drive, Colleyville, Texas 76034, **AS CO-TRUSTEES OF THE TRUST U/W OF GRETCHEN Z. BLACK** (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 **FIVE HUNDRED TWENTY-FOUR DOLLARS AND 28/100 DOLLARS (\$524.28)**, 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 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 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:

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

Permanent Sanitary Sewer Easement
Wolf Run Trunks D & E Sewer Replacement Project
(a portion of 965 Holly Springs Drive)

BEGINNING, at a point on the western property line shared with David Powell, approximately 91' from the northwest property corner, thence 20 feet at a bearing S 53°15'00" W along the western property line to a point; thence 58.20 feet at a bearing, S 33°13'01" E to a point; thence 23.73 feet at a bearing , N 24°12'32" E to a point; thence 46.66 feet at a bearing N 33°13'01" W to the western property line back to the **POINT OF BEGINNING**; and,

The above described parcel contains 1,048.59 square feet of permanent easement; and

Being a portion of the property conveyed to Lori L. Laufenburger, Karl Bradley Black and Stephan R. Black as Co-Trustees of the Trust U/W of Gretchen Z. Black by Special Warranty Deed dated January 18, 2019, of record in Deed Book 3646, Page 65, 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 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
Wolf Run D & E Trunk Sewer Replacement Project
(a portion of 965 Holly Springs Drive)

Tract No. 1

BEGINNING, at a point on the western property line shared with David Powell, approximately 81' from the northwest property corner; thence 40.88 feet at a bearing S 33°13'01"E to a point; thence 11.87 feet at a bearing S 24°10'35" W to a point; thence 46.66 feet at a bearing N 33°13'01" W to the western property line; thence 10.02 feet at a bearing N 53°15'00" E along the western property line the back to the **POINT OF BEGINNING**; and,

The above described parcel contains a total area of 437.68 square feet of temporary construction easement;

Tract No. 2

BEGINNING, at a point on the western property line shared with David Powell, approximately 111' from the northwest property corner; thence 58.20 feet at a bearing S 33°13'01" E to a point; thence 11.86 feet at a bearing S 24°13'49" W to a point; thence 63.97 feet at a bearing N 33°13'01" W to the western property line; thence 10.02 feet at a bearing N 53°15'00" E along the western property line back to the **POINT OF BEGINNING**; and,

The above described parcel contains a total area of 610.84 square feet of temporary construction easement;

Being a portion of the property conveyed to Lori L. Laufenger, Karl Bradley Black and Stephan R. Black as Co-Trustees of the Trust U/W of Gretchen Z. Black by Special Warranty Deed dated January 18, 2019, of record in Deed Book 3646, Page 65, 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.

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 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 pertains to a public utility, need not contain a statement of consideration.

IN TESTIMONY WHEREOF, the Grantors have signed this Deed of Easement, this the day and year first above written.

GRANTORS:

TRUST U/W OF GRETCHEN Z. BLACK

BY: [Signature]
STEPHAN R. BLACK, CO-TRUSTEE

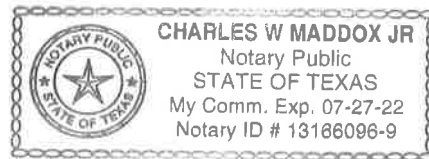
STATE OF TEXAS)
)
COUNTY OF TARRANT)

This instrument was acknowledged, subscribed and sworn to before me by
Stephan R. Black, as Co-Trustee, for and on behalf of the Trust U/W of Gretchen Z.
Black, on this the 1 day of SEPTEMBER, 2020.

[Signature]
Notary Public, Texas, State-at-Large

7/27/2022 (AMM)

My Commission Expires: 9/1/2020



PREPARED BY:



CHARLES E. EDWARDS III

Attorney

Lexington-Fayette Urban

County Government

Department of Law, 11th Floor

200 East Main Street

Lexington, Kentucky 40507

(859) 258-3500

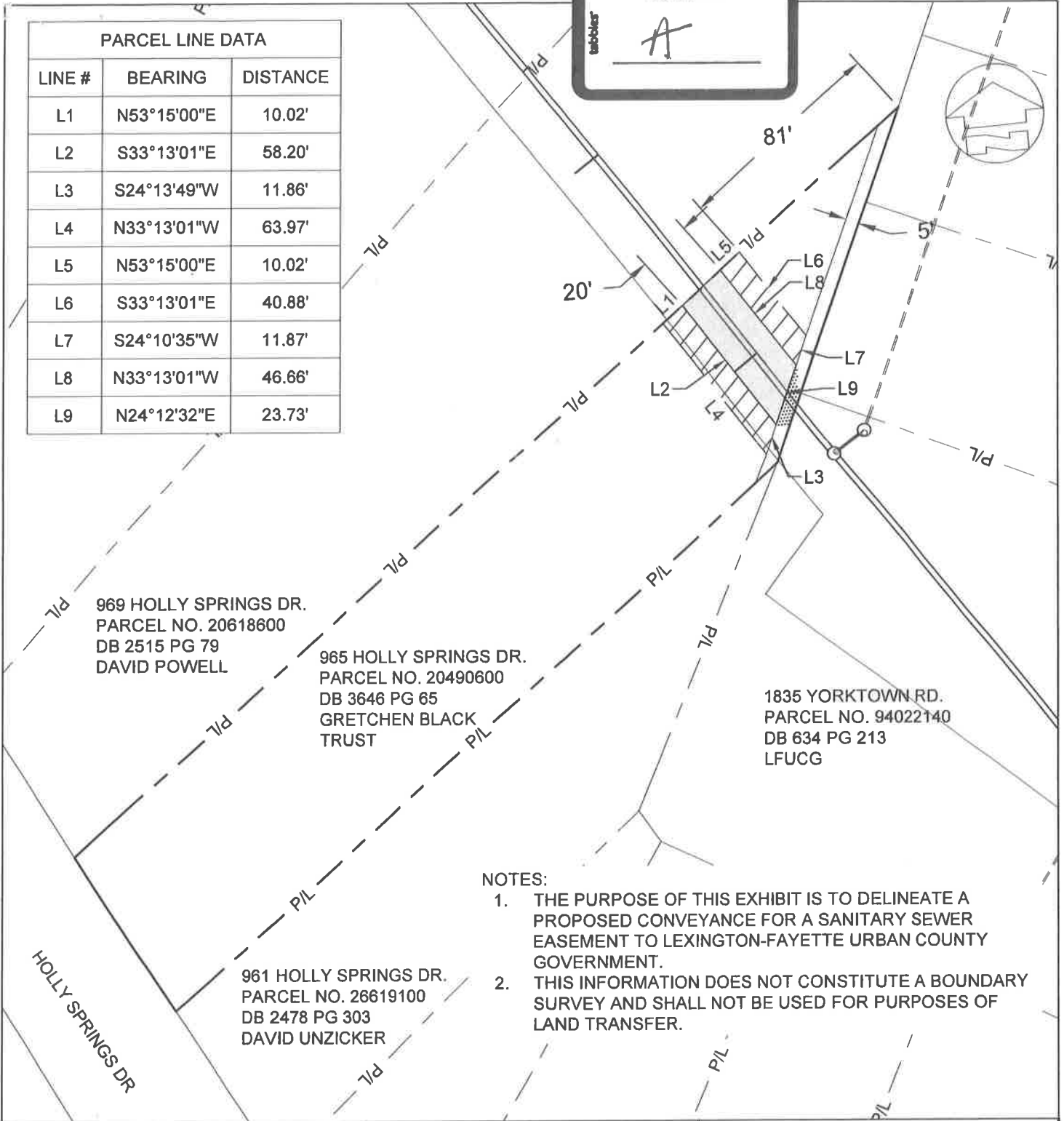
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EXHIBIT

tabblist

A

PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L1	N53°15'00"E	10.02'
L2	S33°13'01"E	58.20'
L3	S24°13'49"W	11.86'
L4	N33°13'01"W	63.97'
L5	N53°15'00"E	10.02'
L6	S33°13'01"E	40.88'
L7	S24°10'35"W	11.87'
L8	N33°13'01"W	46.66'
L9	N24°12'32"E	23.73'



NOTES:

1. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A PROPOSED CONVEYANCE FOR A SANITARY SEWER EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
2. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.

LEGEND:





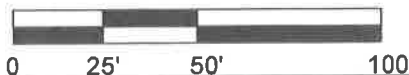
-  - EXISTING PERMANENT UTILITY EASEMENT (236.8984 SQ FT)
-  - 10' TEMPORARY CONSTRUCTION EASEMENT (1048.5191 SQ FT)
-  - NEW 20' PERMANENT UTILITY EASEMENT (1048.5852 SQ FT)
-  - PROPOSED SEWER LINE

EXHIBIT "A"
 UTILITY EASEMENT EXHIBIT
 MARCH 10, 2020
 GRETCHEN BLACK TRUST
 PROPERTY
 965 HOLLY SPRINGS DR
 LEXINGTON, KY 40504

SCALE: 1"= 50'



LFUGG
 DIVISION OF WATER QUALITY
 WOLF RUN TRUNK SEWER LINES D & E

200 E MAIN STREET
 LEXINGTON, KY 40507



engineering | architecture | geospatial
 www.grwinc.com

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

202009170037

September 17, 2020 9:07:39 AM

Fees	\$62.00	Tax	\$.00
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Total Paid	\$62.00
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10 Pages

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MAYOR LINDA GORTON



LEXINGTON

SUSAN B. SPECKERT
COMMISSIONER
DEPARTMENT OF LAW

To: Abigail Allan, Council Clerk
Council Clerk's Office

From: Department of Law

Date: September 24, 2020

Re: Permanent Sanitary Sewer Easement and
Temporary Construction Easement
965 Holly Springs Drive

Our File No. 20-RE0185
Wolf Run Trunks D & E Sewer
Replacement Project

Enclosed is the original recorded Permanent Sanitary Sewer Easement and Temporary Construction Easement for the above-referenced property to the Urban County Government for the Wolf Run Trunks D & E Sewer Replacement Project. Please file the easement with the authorizing legislation, Resolution No. 256-2020.

Please note that the attached asset acquisition form is for the permanent easement only.

If you have any questions, please let me know.

Sincerely,

Evan P. Thompson
Attorney

Enclosure

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