

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 27th day of April, 2022, by and between **DOLORES GUMM, a single person**, 520 Southbend Drive, Lexington, Kentucky 40503, which is the in-care of tax mailing address for the current year (hereinafter "Grantor"), 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 SEVENTY-TWO DOLLARS AND 63/100 CENTS (\$272.63)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the

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

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:

Permanent Sanitary Sewer Easement
Wolf Run Trunks F
Sewer Improvement Project
(a portion of 520 Southbend Drive)

All that strip or parcel of land situated on the south side of Southbend Drive, west of Lafayette Parkway in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a point in the southerly right-of-way line of Southbend Drive, said point being a common corner between Lots 22 and 23, Block "D", as shown on the Final Plat of Lafayette Subdivision (Plat Cabinet E, Slide 730);

Thence with the southerly right-of-way line of Southbend Drive, S 62°16'35" E 56.00 feet to a point, said point being a common corner with Lot 24;

Thence leaving the southerly right-of-way line of Southbend Drive, with the westerly property line of Lot 24, S 25°58'34" W, 14.47 feet to a point;

Thence leaving the westerly property line of Lot 24, with a new permanent sanitary sewer easement line through the lands of Lot 23, N 62°10'59" W, 56.19 feet to a point in the easterly property line of the aforesaid Lot 22;

Thence with the easterly property line of Lot 22, N 26°42'28" E, 14.38 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.019 Acres (809 sq. ft.) of permanent easement; and

Being a portion of the property conveyed to Sally I. Creech, a single person, by Deed dated April 4, 1985, of record in

Deed Book 1367, Page 315, in the Fayette County Clerk's Office. Said Sally I. Creech died testate on July 2, 1999, a resident of Lexington, Fayette County, Kentucky, by the terms of her Last Will and Testament recorded in Will Book 203, Page 425, she devised the property to her sister, Minnie L. Logan for life with remainder to her daughter, Dolores Gumm. Said Dolores Gumm, as Executrix of the Estate of Sally I. Creech, conveyed her interest in said property to Minnie L. Logan by Deed dated January 28, 2000, of record in Deed Book 2113, Page 93, in the Fayette County Clerk's Office. Said Minnie L. Logan died testate on October 28, 2002, a resident of Lexington, Fayette County, Kentucky, by the terms of her Last Will and Testament recorded in Will Book 232, Page 636, property vests in Dolores Gumm, her daughter, a single person. See also Affidavit Concerning Transfer of Real Property, dated December 6, 2002, of record in Deed Book 2327, Page 652, all referenced 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, Grantor has **BARGAINED** and **SOLD** and does 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 Trunks F
Sewer Improvement Project
(a portion of 520 Southbend Drive)

All that strip or parcel of land situated on the south side of Southbend Drive, west of Lafayette Parkway in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

BEGINNING, at a point in the southerly right-of-way line of Southbend Drive, said point being a common corner between Lots 22 and 23, Block "D", as shown on the Final Plat of Lafayette Subdivision (Cabinet E, Slide 730);

Thence leaving the southerly right-of-way of Southbend Drive, with the easterly property line of Lot 22, S 26°42'28" W, 14.38 feet to the **TRUE POINT OF BEGINNING**;

Thence leaving the easterly property line of Lot 22, with a new permanent sanitary sewer easement line through the lands of Lot 23, S 62°10'59" E, 56.19 feet to a point in the westerly property line of Lot 24;

Thence with the westerly property line of Lot 24, S 25°58'34" W, 10.00 feet to a point;

Thence leaving the westerly property line of Lot 24, with a new temporary construction easement line through the lands of Lot 23, N 62°10'59" W, 56.31 feet to a point in the easterly property line of the aforesaid Lot 22;

Thence with the easterly property line of Lot 22, N 26°42'28" E, 10.00 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 0.013 Acres (563 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Sally I. Creech, a single person, by Deed dated April 4, 1985, of record in Deed Book 1367, Page 315, in the Fayette County Clerk's Office. Said Sally I. Creech died testate on July 2, 1999, a resident of Lexington, Fayette County, Kentucky, by the terms of her Last Will and Testament recorded in Will Book 203, Page 425, she devised the property to her sister, Minnie L. Logan for life with remainder to her daughter, Dolores Gumm. Said Dolores Gumm, as Executrix of the Estate of Sally I. Creech, conveyed her interest in said property to Minnie L. Logan by Deed dated January 28, 2000, of record in Deed Book 2113, Page 93, in the Fayette County Clerk's Office. Said Minnie L. Logan died testate on October 28, 2002, a resident of Lexington, Fayette County, Kentucky, by the terms of her Last Will and Testament recorded in Will Book 232, Page 636, property vests in Dolores Gumm, her daughter, a single person. See also Affidavit Concerning Transfer of Real Property, dated

December 6, 2002, of record in Deed Book 2327, Page 652,
all referenced 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.

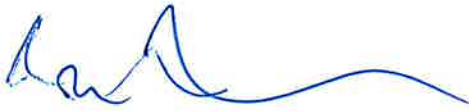
The above-described temporary construction easement runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantor. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the 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 prior written consent of the Grantee.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of her right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and does hereby covenant to and with the Grantee, its successors and assigns forever, that she is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that she will **WARRANT GENERALLY** said title.

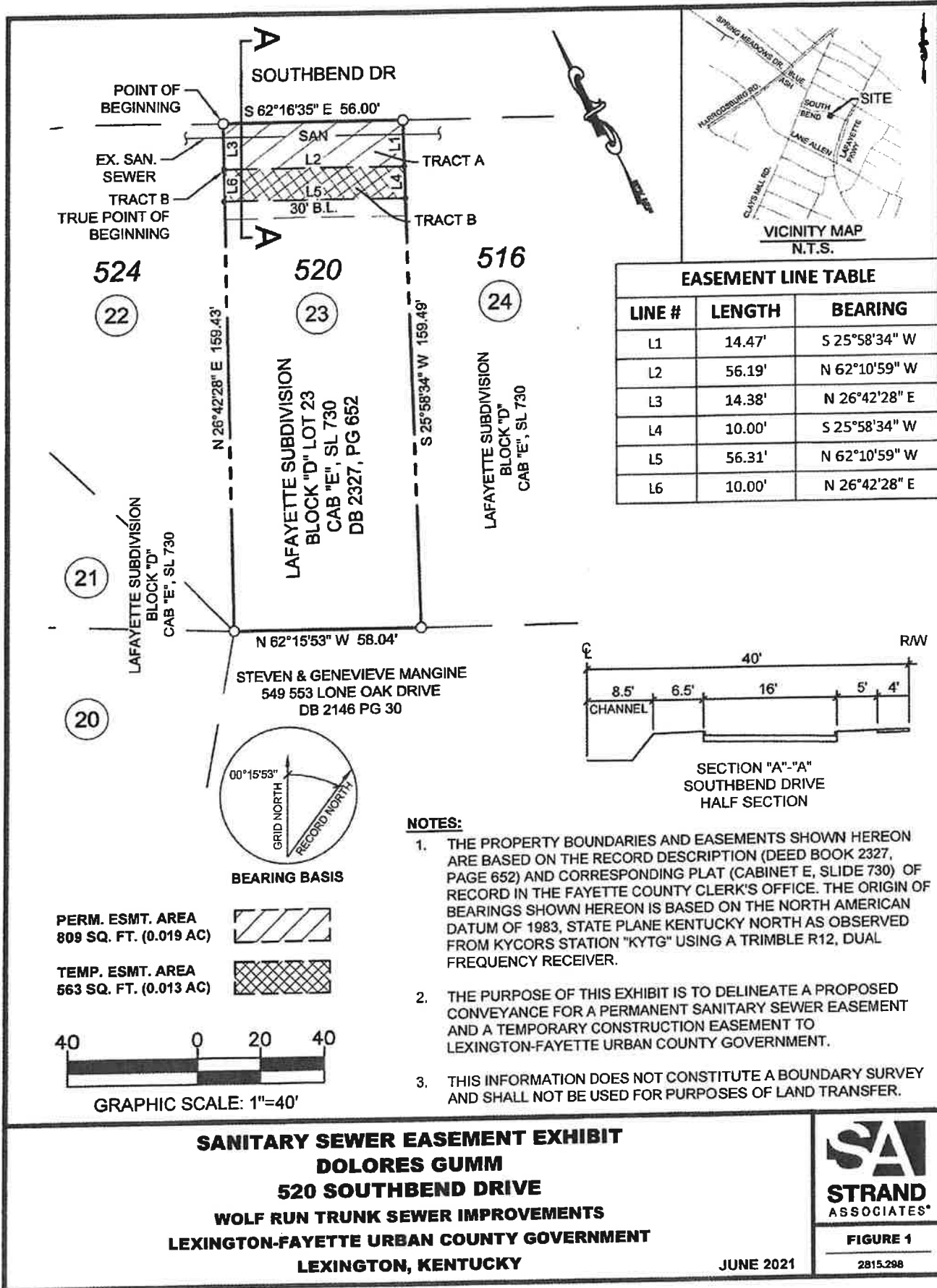
The obtaining of this easement was authorized by Resolution 042-2022, passed by the Lexington-Fayette Urban County Council on February 10, 2022. Pursuant to KRS

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

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POINT OF BEGINNING
 EX. SAN. SEWER
 TRACT B
 TRUE POINT OF BEGINNING

SOUTHBEND DR
 S 62°16'35" E 56.00'

524

520

516

(22)

(23)

(24)

N 26°42'28" E 159.43'

S 25°58'34" W 159.49'

LAFAYETTE SUBDIVISION
 BLOCK "D"
 CAB "E", SL 730

LAFAYETTE SUBDIVISION
 BLOCK "D" LOT 23
 CAB "E", SL 730
 DB 2327, PG 652

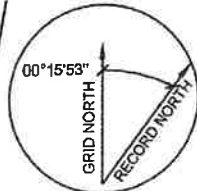
LAFAYETTE SUBDIVISION
 BLOCK "D"
 CAB "E", SL 730

(21)

(20)

N 62°15'53" W 58.04'

STEVEN & GENEVIEVE MANGINE
 549 553 LONE OAK DRIVE
 DB 2146 PG 30

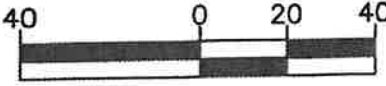


BEARING BASIS

PERM. ESMT. AREA
 809 SQ. FT. (0.019 AC)



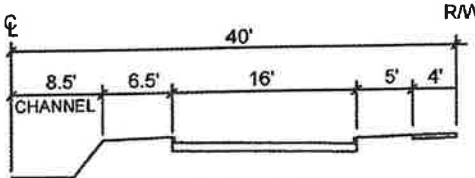
TEMP. ESMT. AREA
 563 SQ. FT. (0.013 AC)



GRAPHIC SCALE: 1"=40'

EASEMENT LINE TABLE

LINE #	LENGTH	BEARING
L1	14.47'	S 25°58'34" W
L2	56.19'	N 62°10'59" W
L3	14.38'	N 26°42'28" E
L4	10.00'	S 25°58'34" W
L5	56.31'	N 62°10'59" W
L6	10.00'	N 26°42'28" E



SECTION "A"-A"
 SOUTHBEND DRIVE
 HALF SECTION

NOTES:

1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE RECORD DESCRIPTION (DEED BOOK 2327, PAGE 652) AND CORRESPONDING PLAT (CABINET E, SLIDE 730) OF RECORD IN THE FAYETTE COUNTY CLERK'S OFFICE. THE ORIGIN OF BEARINGS SHOWN HEREON IS BASED ON THE NORTH AMERICAN DATUM OF 1983, STATE PLANE KENTUCKY NORTH AS OBSERVED FROM KYCORS STATION "KYTG" USING A TRIMBLE R12, DUAL FREQUENCY RECEIVER.
2. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A PROPOSED CONVEYANCE FOR A PERMANENT SANITARY SEWER EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
3. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.

SANITARY SEWER EASEMENT EXHIBIT
DOLORES GUMM
520 SOUTHBEND DRIVE
WOLF RUN TRUNK SEWER IMPROVEMENTS
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY



FIGURE 1

JUNE 2021

2815.298

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: MELISSA STELTER ,dc

202204290104

April 29, 2022 15:33:42 PM

Fees	\$59.00	Tax	\$.00
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Total Paid	\$59.00
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9 Pages

397 - 405