

**GRANT OF EASEMENT**

This **EASEMENT** is made and entered into this 12<sup>th</sup> day of NOVEMBER, 2013, by and between **KENTUCKY HOUSING CORPORATION**, a Kentucky corporation, 1231 Louisville Road, Frankfort, Kentucky 40601 ("Grantor"), 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");

**WITNESSETH:**

That for and in consideration of the sum of **Six Thousand One Hundred Ninety-Four Dollars and 65/100 Cents (\$6,194.65)**, 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 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 Sanitary Sewer Easement**  
**1317 Fenwick Road**  
**Century Hills 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, 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, regrade and perform related work

Mail to Grantee  
c/o Department of Law, 11<sup>th</sup> Floor

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**  
**1317 Fenwick Road**  
**Century Hills Sanitary Sewer Improvement Project**

All temporary construction easements, if any, are described on Exhibit B 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 Grantor.

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

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.

The obtaining of this easement was authorized by Resolution No. 389-2013 passed by the Lexington-Fayette Urban County Council on July 9, 2013. Pursuant to



**EXHIBIT A**

20-FOOT PERMANENT SANITARY SEWER EASEMENT  
&  
20-FOOT TEMPORARY CONSTRUCTION EASEMENT  
ON THE PROPERTY OF  
KENTUCKY HOUSING CORPORATION  
DEED BOOK 3152, PAGE 471  
LOT 42, BLOCK W, UNIT 7, SECTION 4 EAST LAKE SUBDIVISION  
PLAT CABINET F, SLIDE 94  
1317 FENWICK ROAD  
IN LEXINGTON, FAYETTE COUNTY, KENTUCKY

All those tracts or parcels of land situated on the southwesterly side of Fenwick Road, easterly from Buckhorn Drive, in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

**Permanent Sanitary Sewer Easement:**

Beginning at a point in the common line of Lot 42 and Lot 43, Block W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94), said point being approximately 5.9 feet northeasterly from the common corner of said lots in the line of Lot 27, Block W, Unit 7, Section 1 of East Lake Subdivision (Plat Cabinet D, Slide 663) as measured along the common line of Lots 42 and 43; thence through Lot 42, N 45° 34' 25" W 106.60 feet to a point in the common line of Lot 42 aforesaid and Lot 41, Block W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94); thence along said common line, N 74° 42' 29" E 23.16 feet; thence again through Lot 42, parallel with and twenty feet northeasterly from the first call cited above, S 45° 34' 25" E 97.19 feet to a point in the common line of Lots 42 and 43 aforesaid; thence along said common line, S 50° 54' 10" W 20.13 feet to the beginning and containing 1976 square feet.

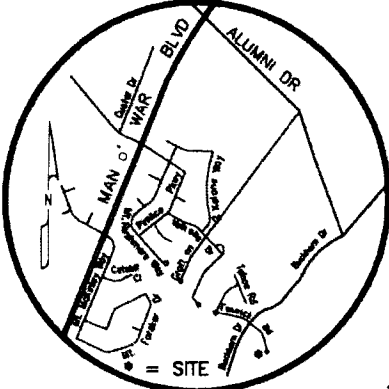
**EXHIBIT B**

**Temporary Construction Easement:**

Beginning at a corner of the above described permanent sanitary sewer easement, said point being in the common line of Lot 42 and Lot 41, Block W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94); thence along said common line, N 74° 42' 29" E 23.16 feet; thence through Lot 42, parallel with and twenty feet northeasterly from the northeasterly line of the above described permanent sanitary sewer easement, S 45° 34' 25" E 87.78 feet to a point in the common line of Lot 42 aforesaid and Lot 43, Block W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94); thence along said common line, S 50° 54' 10" W 20.13 feet; thence again through Lot 42, along the northeasterly line of the above described permanent sanitary sewer easement, N 45° 34' 25" W 97.19 feet to the beginning and containing a total area of 1850 square feet, inclusive of 467 square feet of existing easement, leaving a net area of 1383 square feet of new temporary construction easement.

Being a twenty-foot wide permanent sanitary sewer easement and a twenty-foot wide temporary construction easement on a portion of the same property conveyed to Kentucky Housing Corporation by quit claim deed dated April 29, 2013, and recorded in Deed Book 3152, Page 471; being designated as Lot 42, Block W, Unit 7, Section 4 of East Lake Subdivision as per the Corrected Amended Final Subdivision Plat recorded in Plat Cabinet F, Slide 94. All of the above referenced instruments are of record in the Fayette County Clerk's office.

EXHIBIT "C"



VICINITY MAP  
Not To Scale

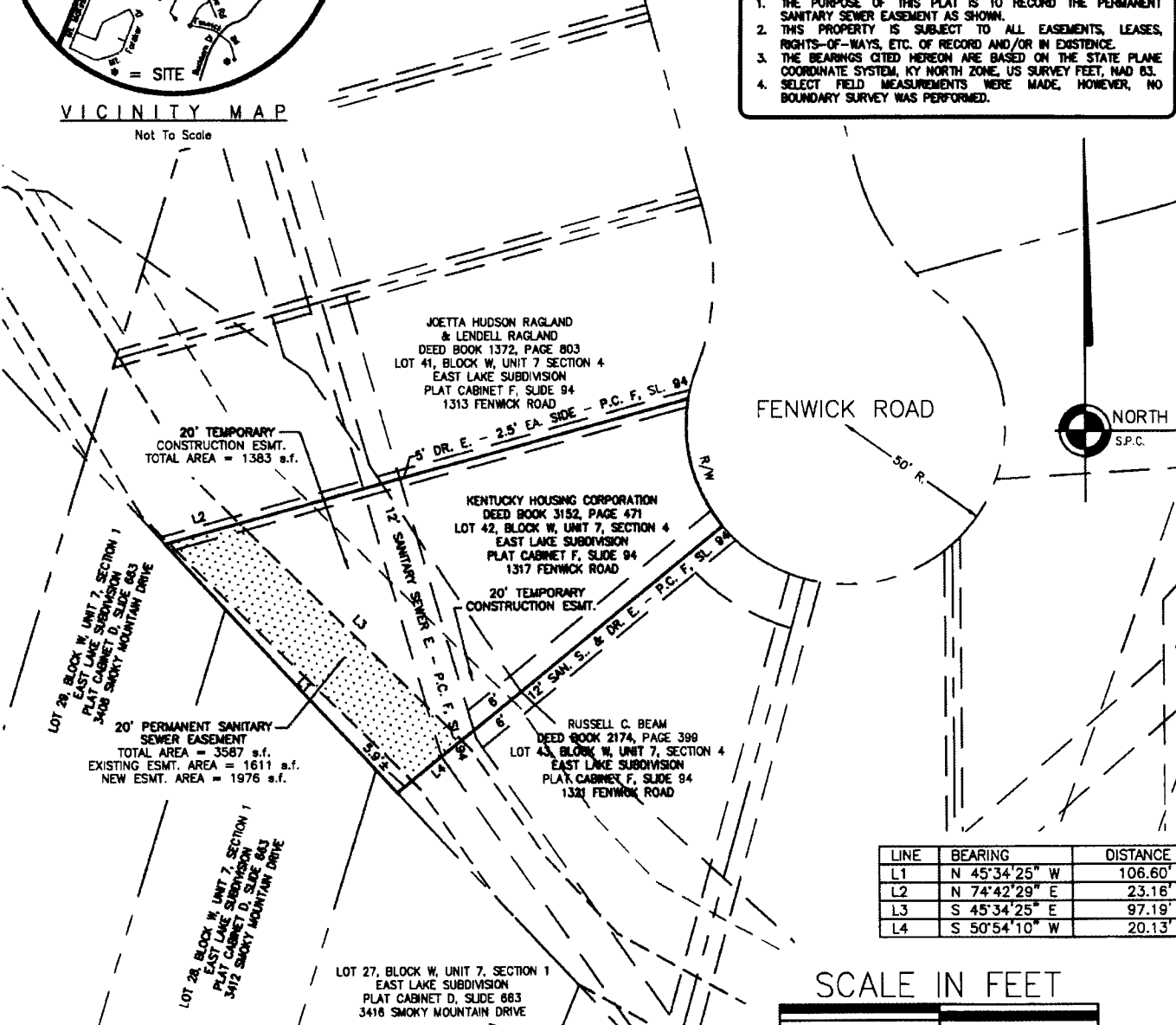
PROPERTY OWNER'S ADDRESS  
KENTUCKY HOUSING CORPORATION  
1231 LOUISVILLE ROAD  
FRANKFORT, KY 40601

**LEGEND**

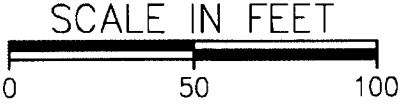
- APPROXIMATE SUBJECT PROPERTY LINE
- - - APPROXIMATE ADJOINING PROPERTY LINE
- - - PROPOSED SANITARY SEWER EASEMENT LINE
- - - EXISTING EASEMENT LINE
- - - TEMPORARY CONSTRUCTION EASEMENT LINE

**NOTES:**

1. THE PURPOSE OF THIS PLAT IS TO RECORD THE PERMANENT SANITARY SEWER EASEMENT AS SHOWN.
2. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, LEASES, RIGHTS-OF-WAYS, ETC. OF RECORD AND/OR IN EXISTENCE.
3. THE BEARINGS CITED HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, KY NORTH ZONE, US SURVEY FEET, MAD 83.
4. SELECT FIELD MEASUREMENTS WERE MADE, HOWEVER, NO BOUNDARY SURVEY WAS PERFORMED.



LINE	BEARING	DISTANCE
L1	N 45°34'25" W	106.60'
L2	N 74°42'29" E	23.16'
L3	S 45°34'25" E	97.19'
L4	S 50°54'10" W	20.13'



**LAND SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THIS RECORD PLAT WAS PREPARED UNDER MY DIRECTION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE BEARINGS AND DISTANCES AS SHOWN ON THIS PLAT ARE TRUE AND ACCURATE.

*Reda J. Smith* 8/15/13  
REDA J. SMITH, PLS # 3323  
CDP ENGINEERS, INC.  
3250 BLAZER PKWY  
LEXINGTON, KY 40509

DATE

**STATE OF KENTUCKY**  
REDA J. SMITH  
3323  
LICENSED PROFESSIONAL LAND SURVEYOR

**SANITARY SEWER EASEMENT PLAT**

KENTUCKY HOUSING CORPORATION  
PROPERTY  
1317 FENWICK ROAD  
LEXINGTON, FAYETTE COUNTY, KENTUCKY

**cdpengineers**  
3250 Blazer Parkway  
Lexington KY 40509  
T 859.284.7500 F 859.284.7501

SCALE: 1" = 50'  
DATE: AUGUST 13, 2013

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.

  
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By: DOUG BRADLEY ,dc

201401290036

January 29, 2014                      9:58:37      AM

Fees	\$26.00	Tax	\$ .00
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Total Paid	\$26.00
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7 Pages

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