

**DEED OF EASEMENT**

This **PERMANENT STORMWATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 26<sup>th</sup> day of October, 2022, by and between **ALICE ANN CULL SANDERS, a single person**, 3475 Lyon Drive, Unit 68, Lexington, Kentucky 40513, 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 **FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$500.00)**, 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 Grantee, its successors and

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

assigns, permanent right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of stormwater 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 Stormwater Easement**  
**Lyon Drive**  
**Stormwater Improvement Project**  
**(a portion of 3475 Lyon Drive, Unit 68)**

Drainage easements for a certain tract or parcel of land located on Lyon Drive in Lexington, Fayette County, Kentucky approximately 600 feet from the intersection of Lyon Drive and Ft. Harrods Drive and being more particularly described and bounded as follows:

Tract 68B

**BEGINNING**, at a nail and washer set in the east line of a parcel owned by Quail Run Townhouses Association, Inc. (formerly Harrods Hill Estates HOA) HOA Lot (Deed Book 1446, Page 43), Unit 2-H, Section 1-A (Plat Cabinet D, Slide 492), having a coordinate of N: 186751.09, E:1548229.67;

Thence a tie bearing of N 65° 21' 45" W, a distance of 192.06 feet to the northernmost common corner of Lot 68 and Lot 69 (Glen & Mary Bosch, Deed Book 1663, Page 616); with the line between Lot 68 and Lot 69, S 24°38'15" W 4.00 feet to a point, which is the **TRUE POINT OF BEGINNING**, having a coordinate of N:186751.09, E:1548229.67; thence the following four calls:

- 1) Thence with the line between Lot 68 and Lot 69, S 24°38'15" W, a distance of 15.00 feet (L5) to a point in said line;
- 2) Thence leaving the line of Lot 69 and crossing Lot 68, N 64°38'43" W, a distance of 47.06 feet (L6) to a point in the line between Lot 68 and Quail Run Townhouses Association, Inc.;

- 3) Thence with said line of Lot 68 and Quail Run Townhouses Association, Inc., N 24°58'55" E, a distance of 15.00 feet (L7) to a point in said line;
- 4) Thence leaving said line and crossing Lot 68, S 64°38'43" E, a distance of 46.93 feet (L8) to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.0162 Acres (705 sq. ft.) of permanent easement; and

Tract 68B, being a portion of the same property conveyed to Alice Ann Cull Sanders, a single person, by Deed dated July 16, 2013, of record in Deed Book 3171, Page 76, 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 stormwater 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 Exhibit "A" attached hereto, and more particularly described as follows:

**Temporary Construction Easement**  
**Lyon Drive**  
**Stormwater Improvement Project**  
**(a portion of 3475 Lyon Drive, Unit 68)**

Tract 68A

**BEGINNING**, at a nail and washer set in the east line of a parcel owned by Quail Run Townhouses Association, Inc (formerly Harrods Hill Estates HOA) HOA Lot (Deed Book 1446, Page 43), Unit 2-H, Section 1-A (Plat Cabinet D, Slide 492), having a coordinate of N: 186674.67 E:1548405.91;

Thence a tie bearing of N 65° 21' 46" W, a distance of 192.06 feet to the common corner of Lot 68 and Lot 69 (Glen

& Mary Bosch, Deed Book 1663, Page 616), and a point in the south line of Lot 19 (Karen R. Alexander, Deed Book 2143, Page 600), which is the **TRUE POINT OF BEGINNING**, having a coordinate of N:186754.73, E:1548231.34; thence the following four calls:

- 1) Thence with the line between Lot 68 and Lot 69, S 24°38'15" W, a distance of 4.00 feet (L1) to a point in said line;
- 2) Thence leaving the line of Glen & Mary Bosch and crossing Lot 68, N 64°38'43" W, a distance of 46.93 feet (L2) to a point in the line between Lot 68 and Quail Run Townhouses Association, Inc.;
- 3) Thence with the line of Lot 68 and Quail Run Townhouses Association, Inc., N 24°58'55" E, a distance of 3.42 feet (L3) to a point in another line between Lot 68 and Quail Run Townhouses Association, Inc.;
- 4) Thence with said line, S 65°21'45" E, leaving Quail Run Townhouses Association, Inc. line at 4.50 feet and continuing with the line of Lot 20 (John Kearney Ford, Deed Book 3319, Page 345) to the **TRUE POINT OF BEGINNING**, a total distance of 46.93 feet (L4); and,

The above described parcel contains 0.004 Acres (174 sq. ft.) of temporary construction easement; and

Tract 68C

**BEGINNING**, at a nail and washer set in the east line of a tract owned by Quail Run Townhouses Association, Inc. (formerly Harrods Hill Estates HOA) HOA Lot (Deed Book 1446, Page 43), Unit 2-H, Section 1-A (Plat Cabinet D, Slide 492), having a coordinate of N: 186674.67, E:1548405.91;

Thence a tie bearing of N 65° 21' 46" W, a distance of 192.06 feet to the northernmost common corner of Lot 68 and Lot 69 (Glen & Mary Bosch, Deed Book 1663, Page 616; thence with the line between Lot 68 and Lot 69, S 24°38'15" W, a distance of 4.00 feet to a point in said line (L1); thence continuing with said line, S 24°38'15: W, a distance of 15.00 feet (L5) to another point in said line, which

is the **TRUE POINT OF BEGINNING**, having a coordinate of N:186737.46, E:1548223.42; thence the following four calls:

- 1) Thence with the line between Lot 68 and Lot 69, S 24°38'15" W, a distance of 5.00 feet (L9) to a point in said line;
- 2) Thence leaving the line between Lot 68 and Lot 69 and crossing Lot 68, N 64°38'43" W, a distance of 47.06 feet (L10) to a point in the line between Lot 68 and Quail Run Townhouses Association, Inc.;
- 3) Thence with the line of Lot 68 and Quail Run Townhouses Association, Inc., N 24°58'55" E, a distance of 5.00 feet (L11) to a point in said line;
- 4) Thence leaving said line and crossing Lot 68, S 64°38'43" E, a distance of 47.06 feet (L12) back to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 0.0054 Acres (235 sq. ft.) of temporary construction easement; and

Tract 68A and Tract 68C, being a portion of the same property conveyed to Alice Ann Cull Sanders, a single person, by Deed dated July 16, 2013, of record in Deed Book 3171, Page 76, 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 she will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 458-2022, passed by the Lexington-Fayette Urban County Council on August 30, 2022. 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 Grantor has signed this Deed of Easement, this the day and year first above written.

GRANTOR:

BY:   
ALICE ANN CULL SANDERS

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This instrument was acknowledged, subscribed and sworn to before me by Alice Ann Cull Sanders, a single person, on this the 26<sup>th</sup> day of October, 2022.

Frank H. Mabson  
Notary Public, Kentucky, State-at-Large

My Commission Expires: 8/22/2022

Notary ID # 629764



PREPARED BY:

[Signature]

EVAN P. THOMPSON,  
Attorney Sr.  
Lexington-Fayette Urban  
County Government  
Department of Law, 11th Floor  
200 East Main Street  
Lexington, Kentucky 40507  
(859) 258-3500

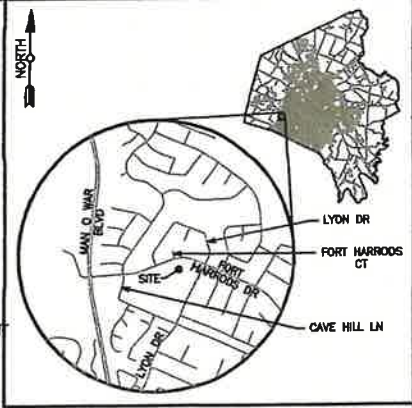
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**SURVEY NOTES**

1. THE PURPOSE OF THIS PLAT IS TO ESTABLISH EASEMENTS TRACTS 68A, 68B, & 68C ON LOT 68.
2. KENTUCKY STATE PLANE NORTH ZONE COORDINATE SYSTEM AND NORTH AMERICAN VERTICAL DATUM 1988.
3. THIS IS NOT A BOUNDARY SURVEY PER KAR 18:150.
4. NO PROPERTY CORNERS WERE SET FOR THIS PROPERTY
5. PROPERTY SHOWN IS NOT INCLUDED IN THE FLOODPLAIN AS SHOWN ON NFIP PANEL 2100670114E, DATED MARCH 3, 2014.

**LEGEND:**

- DB PG DEED BOOK & PAGE
- PC PG PLAT CABINET & PAGE
- △ CALCULATED CORNER
- IFF IRON PIN FOUND
- IPS IRON PIN SET
- PFPD PINCHED PIPE FOUND
- NWS MAG NAIL & WASHER SET
- PPF POWER POLE FOUND
- ROW RIGHT-OF-WAY
- PROPERTY LINE
- PROPERTY LINE: ADJOINING
- EASEMENT LINE
- MINIMUM BUILDING SETBACK LINE
- SANITARY SEWER
- STORM DRAIN LINE & STRUCTURE
- ▨ TEMPORARY CONSTRUCTION EASEMENT
- ▩ PERMANENT DRAINAGE EASEMENT



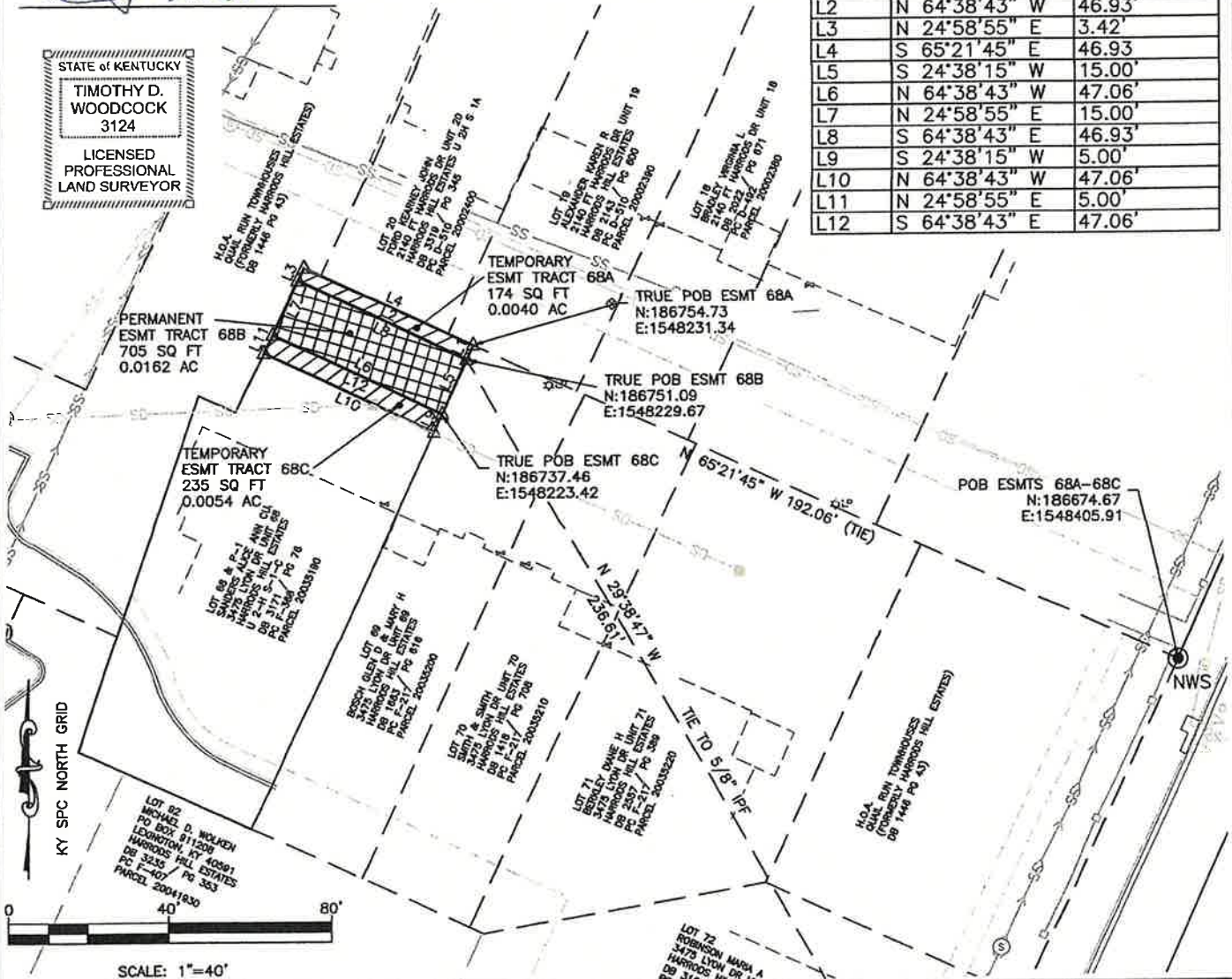
**LAND SURVEYOR'S CERTIFICATION:**

I DO HEREBY CERTIFY THAT THIS EASEMENT PLAT WAS PREPARED UNDER MY DIRECTION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE BOUNDARIES OF THE PROPERTY BEING TRANSFERRED ARE TRUE AND ACCURATE.

*Timothy D. Woodcock*

STATE OF KENTUCKY  
**TIMOTHY D. WOODCOCK**  
 3124  
 LICENSED PROFESSIONAL LAND SURVEYOR

LINE	BEARING	DISTANCE
L1	S 24°38'15" W	4.00'
L2	N 64°38'43" W	46.93'
L3	N 24°58'55" E	3.42'
L4	S 65°21'45" E	46.93'
L5	S 24°38'15" W	15.00'
L6	N 64°38'43" W	47.06'
L7	N 24°58'55" E	15.00'
L8	S 64°38'43" E	46.93'
L9	S 24°38'15" W	5.00'
L10	N 64°38'43" W	47.06'
L11	N 24°58'55" E	5.00'
L12	S 64°38'43" E	47.06'



2022-007 Lyon Dr Easements lot 68 v4 tdw.dwg



**ABBIE JONES CONSULTING**  
 PROFESSIONAL LAND SURVEYING & ENGINEERING  
 1022 FONTAINE RD.  
 LEXINGTON, KY 40502  
 859.559.3443  
 www.abbie-jones.com

**TEMPORARY CONSTRUCTION AND PERMANENT DRAINAGE EASEMENT EXHIBIT TRACTS 68A, 68B, & 68C**

LOCATED AT: LOT 68 HARROD HILLS ESTATES, UNIT 2-H, SECTION 1-C  
 3475 LYON DRIVE, UNIT 68, LEXINGTON, KY, FAYETTE COUNTY  
 CLIENT: BELL ENGINEERING, 2480 FORTUNE DRIVE SUITE 350, LEXINGTON, KY 40509  
 OWNER: ALICE ANN CULL SANDERS, 3475 LYON DRIVE LEXINGTON, KY 40513  
 PROJECT: 2022-007, SCALE: 1"=40', DATE: 08/25/2022, SIZE: 8.5x11, SHT: 1 OF 1  
 CAD: JME, PLS: TDW, PLS QC: AMJ



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: MELISSA STELTER ,dc

202210280036

October 28, 2022                      9:32:21      AM

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

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