

**GRANT OF EASEMENT**

This **EASEMENT** is made and entered into this 23 day of October, 2014, by and between **CENTRAL BANK & TRUST COMPANY**, a Kentucky banking corporation, 300 West Vine Street, Lexington, Kentucky 40507 ("Grantor"), which is also the in-care of tax mailing address for the current 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 **Three Hundred Dollars and 00/100 Cents (\$300.00)**, 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 construct, install, maintain, repair and perform other work for the purpose of traffic signal improvements and installation of a traffic signal pole 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 Traffic Signal Easement  
for Traffic Signal Pole**

**(a portion of 256 Southland Drive)**

Being a part of Lot 1-A, of the Southland Village Subdivision, Unit 1-A to the City of Lexington, Fayette County, Kentucky. Said permanent easement lies 4 feet southwest of the intersection of the south right-of-way line of Southland Drive with the west right-of-way line of Regency Road and being more particularly described as follows:

Beginning for reference at the intersection of the south right-of-way line of Southland Drive with the west right-of-way line of Regency Road; thence with the west right-of-way line of Regency

Michael S. Cravens, Attorney  
LFUCG Department of Law  
200 E. Main Street, 11<sup>th</sup> Floor  
Lexington, Ky. 40507

Road, South 46 degrees 00 minutes West, a distance of 4.00 feet to a point being the TRUE POINT OF BEGINNING of the herein described permanent easement; thence continuing with the west right-of-way line of Regency Road, South 46 degrees 00 minutes West, a distance of 5.00 feet to a point; thence leaving the said west right-of-way line of Regency Road and with a line through said Lot 1-A of Southland Village Subdivision, Unit 1-A, North 44 degrees 00 minutes West, a distance of 6.50 feet to a point; thence with another line through said Lot 1-A, North 46 degrees 00 minutes East, a distance of 5.00 feet to a point; thence with another line through said Lot 1-A, South 44 degrees 00 minutes East, a distance of 6.50 feet to the TRUE POINT OF BEGINNING. The above described parcel contains 0.0007 acre (32.50 sq. ft.), and;

Being a portion of the same property conveyed to Central Bank & Trust Company, a Kentucky banking corporation, by deed dated September 11, 1984, of record in Deed Book 1352, Page 496, in the Fayette County Clerk's Office.

**FURTHER**, it is understood between the parties hereto and made a covenant herein that the above described parcel shall be a permanent easement for a traffic signal pole with rights to install, maintain and remove a traffic signal pole only and further not to include any other above ground equipment or protuberances.

**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.

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.

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 same as herein, and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution No. 538-2014 passed by the Lexington-Fayette Urban County Council on September 25, 2014. Pursuant to KRS 382.135(2)(a), this public utility easement is exempt from the requirement related to certificate of consideration. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

**IN TESTIMONY WHEREOF**, the Grantor has signed this Easement, the day and year first above written.

GRANTOR:

CENTRAL BANK & TRUST COMPANY, a  
Kentucky banking corporation

BY: *David L. Moore*

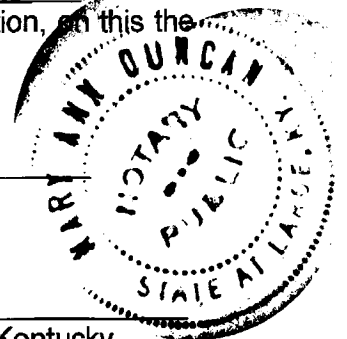
ITS: *EVP*

COMMONWEALTH OF KENTUCKY    )  
  )  
COUNTY OF FAYETTE                    )

The foregoing Grant of Easement was subscribed, sworn to and acknowledged before me by *David L. Moore*, as *Executive Vice President*, for and on behalf of Central Bank & Trust Company, a Kentucky banking corporation, on this the *23<sup>rd</sup>* day of *October*, 2014.

My commission expires: *April 27, 2017*

*Mary Ann Duncan*  
Notary Public, State-at-Large, Kentucky



PREPARED BY:



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Michael S. Cravens, Attorney  
Lexington-Fayette Urban  
County Government  
Department of Law  
200 East Main Street, 11<sup>th</sup> Floor  
Lexington, Kentucky 40507  
(859) 258-3500

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**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: SHEA BROWN ,dc**

**201410230138**

**October 23, 2014                      13:44:04    PM**

**Fees                      \$16.00                      Tax                      \$ .00**

**Total Paid                      \$16.00**

**THIS IS THE LAST PAGE OF THE DOCUMENT**

**5    Pages**

**499    -    503**



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: October 27, 2014

Re: Easement and Asset Acquisition Form  
(256 Southland Drive)  
Log No. 14-RE0623

Enclosed is the original recorded easement conveying a permanent traffic signal easement across the above-referenced property to the Urban County Government. Please file the easement with the authorizing legislation, Resolution No. 538-2014.

Also enclosed is the completed Asset Acquisition form for the property. After you have signed and dated the form, please forward it to Kim Bryan in the Department of Finance.

If you have any questions, please let me know.

  
\_\_\_\_\_  
Michael S. Cravens  
Attorney

Enclosures

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

256 Southland Drive(Memo to Nelson)/00460184