

GRANT OF EASEMENT

This **EASEMENT** is made and entered into this 3rd day of July 2014, by and between **THE ESTATE OF RHEBA V. SULLIVAN BY WILLIAM ELLIS SULLIVAN, III, AS EXECUTOR ON BEHALF OF THE ESTATE OF RHEBA V. SULLIVAN**, 1101 Pepperhill Circle, Lexington, Fayette County, Kentucky 40502 ("Grantor"), which is 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");

W I T N E S S E T H:

That for and in consideration of the sum of **THREE THOUSAND DOLLARS AND 00/100 CENTS (\$3,000.00)**, and other good and valuable consideration, 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 assigns, the permanent right to lay, construct, operate, repair, reconstruct and remove a sanitary sewer line and appurtenances thereto, which sanitary sewer line and facilities 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 Easement
(a portion of 737 Woodward Lane)
Wilderness Road/Woodward Lane Sanitary Sewer
Improvement Project

A certain tract of land lying in Lexington, Fayette County, Kentucky on Woodward Lane, a private drive that intersects

Glenda Humphrey George
LFUCG Dept. of Law
200 E. Main Street
Lexington, KY 40507
Reso. 227-2014

Liberty Road approximately eight tenths of a mile southeast of the intersection of the Liberty Road and New Circle Road, the tract being a permanent easement on the property of 737 Woodward Lane for the purpose of maintaining a sanitary sewer system and being more precisely described as follows:

Beginning at a point, said point being the southeast property corner of 737 Woodward Lane; said point being on the northern property line of 2416 Liberty Road; said point being approximately 175 feet from the intersection of Liberty Road and Woodward Lane; said point being monumented by a one-half inch by eighteen inch rebar with an orange plastic cap stamped "RLS 1930"; said point being on Kentucky State Plane Coordinates NAD83 Single Zone: North 3,898,743.91 (feet), East 5,298,599.85 (feet). See attached drawing "Exhibit A - Proposed Permanent Easement-737 Woodward Lane". Thence on calls as follows:

1. From the point of beginning, S 52° 40' 26" W, 90.30 feet to a point' said point being the southwest property corner of 737 Woodward Lane, the southeast property corner of 733 Woodward Lane and a point on the north property line of 730 Woodward Lane; said point being monumented by a one-half inch by eighteen inch rebar with an orange plastic cap stamped "RLS 1930"; Thence
2. N 37° 19' 34" W, 16.59 feet to a point, said point being on the common property line between 737 and 733 Woodward Lane; Thence
3. N 51° 21' 13" E, 87.51 feet to a point; said point being on the common property line of 737 Woodward Lane and 2376 Liberty Road; Thence
4. S 45° 56' 28" E, 18.81 feet to the point of beginning. Said property containing 1565.35 square feet, or 0.04 acres; and,

Being a portion of the same property conveyed to William E. Sullivan, Jr. and Rheba V. Sullivan, husband and wife, by Deed dated June 19, 1959, of record in Deed Book 671, Page 282, in the Fayette County Clerk's Office. Said William E. Sullivan, Jr. died intestate a resident of Lexington, Fayette County, Kentucky on June 28, 2010, said property vests to

his wife, Rheba V. Sullivan (a/k/a R. V. Sullivan), in fee simple, by right-of-survivorship in the aforementioned deed. Said Rheba V. Sullivan died testate a resident of Lexington, Fayette County, Kentucky on February 20, 2014, by the terms of her Will recorded in Will Book 326, Page 105, in the Fayette County Clerk's Office, William Ellis Sullivan, III was appointed Executor of her Estate having full power of sale of any real property by Order of the District Court, Probate Division, Case No. 14-P-00281.

In addition, the entire parcel being shown by a recent survey plat and legal description for 737 Woodward Lane, Lexington, Fayette County, Kentucky by Paul D. Nesbitt, Licensed Professional Land Surveyor, LS No. 1930, of Nesbitt Engineering, Inc., dated July 2, 2014. See attached Exhibit "B" and Exhibit "C".

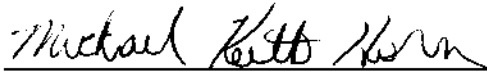
TO HAVE AND TO HOLD the above-described easement together with all rights, privileges, appurtenances and improvements thereunto belonging unto Grantee, its successors and assigns, for the purposes and uses herein designated.

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 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 written consent of the Grantee.

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

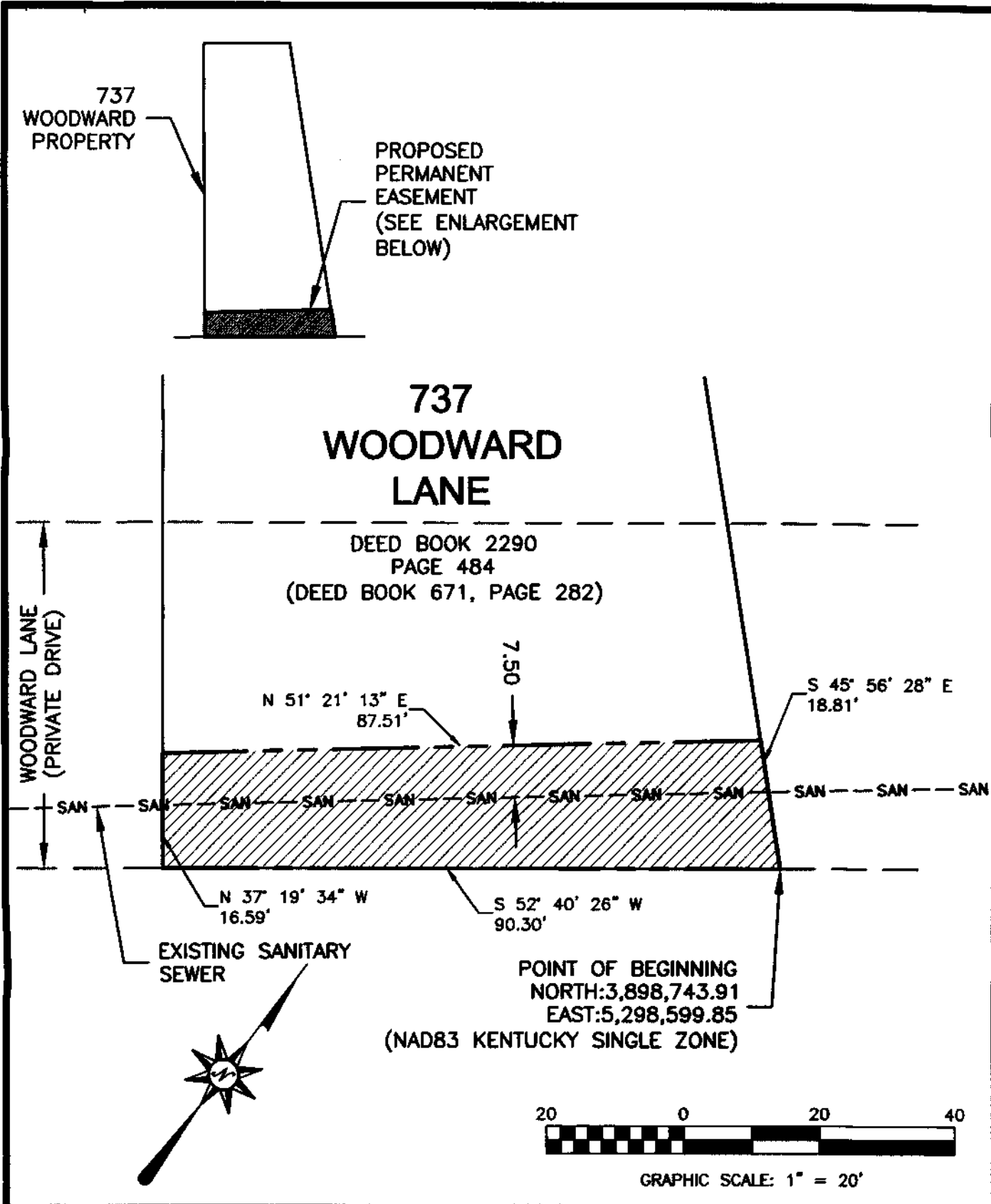
The obtaining of this easement was authorized by Resolution No. 227-2014 passed by the Lexington-Fayette Urban County Council on May 8, 2014. Pursuant to KRS 382.135(2)(a), this public utility easement is exempt from the requirements related

PREPARED BY:



Michael Keith Horn,
Managing Attorney
Lexington-Fayette Urban
County Government
Department of Law
200 East Main Street, 11th Floor
Lexington, Kentucky 40507
(859) 258-3500
X:\Cases\ENGINEER\06-RE1780\REV\00426421.DOC

EXHIBIT "A"



nesbitt engineering, inc.
providing proven solutions since 1976

drawing revisions:

PROPOSED PERMANENT EASEMENT
737 WOODWARD LANE
LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT

drawn by:

KLC

disk/file name:

DRINKS\737 WOODWARD ENGINEERING

job no.:

665.34

date:

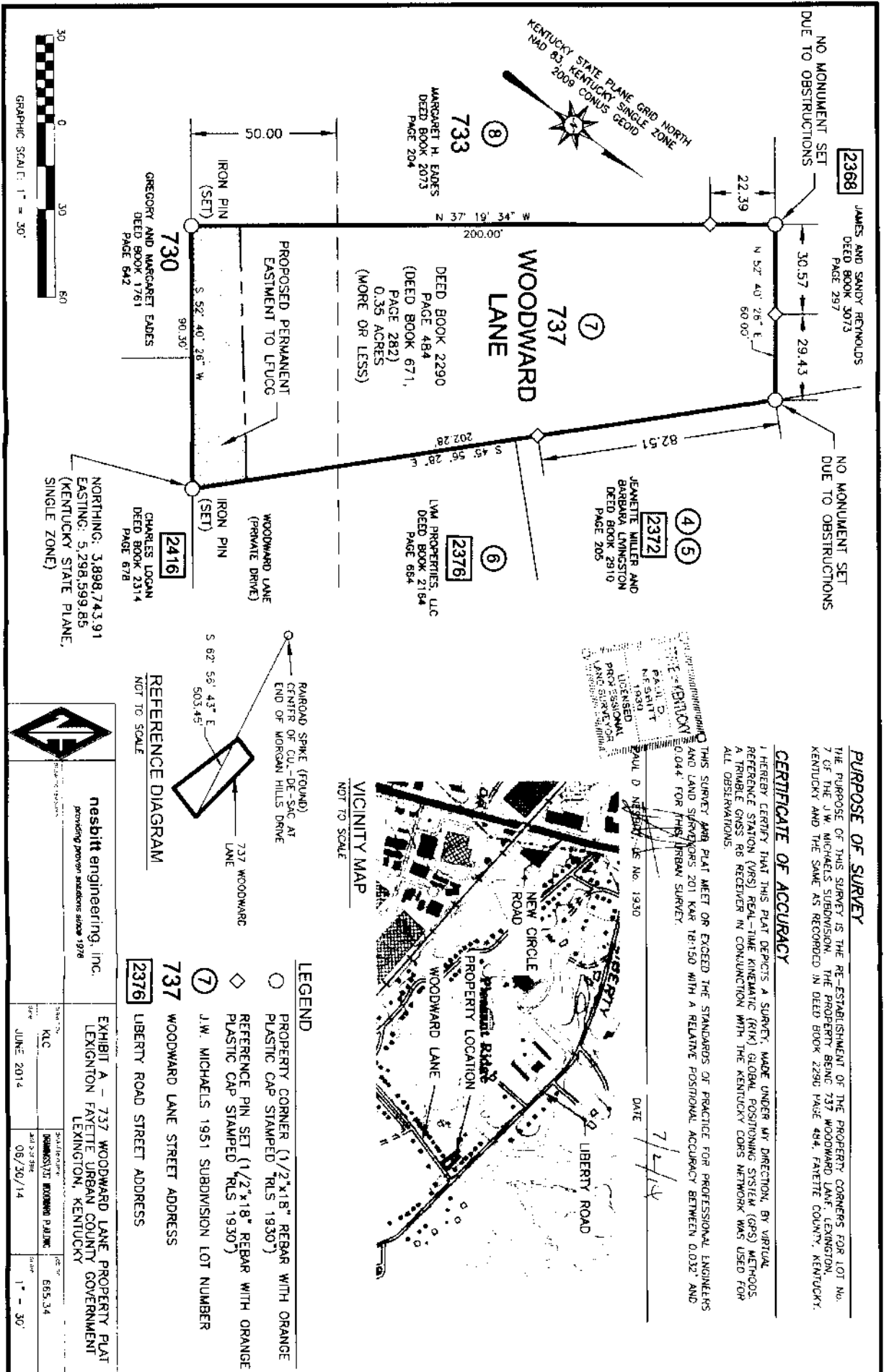
JUNE 2014

last plot date:

06/13/14

scale:

1" = 20'



NO MONUMENT SET DUE TO OBSTRUCTIONS

2368 JAMES AND SANDY REYNOLDS
DEED BOOK 3073
PAGE 297

NO MONUMENT SET DUE TO OBSTRUCTIONS

4 **5**
2372 JEANETTE MILLER AND BARBARA LAMINGTON
DEED BOOK 2910
PAGE 205

733 MARGARET H. EADERS
DEED BOOK 2073
PAGE 204

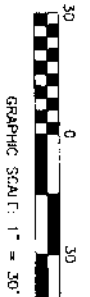
737 DEED BOOK 2290
PAGE 484
(DEED BOOK 671,
PAGE 282)
0.35 ACRES
(MORE OR LESS)

6 **2376** LVA PROPERTIES, LLC
DEED BOOK 2184
PAGE 684

730 GREGORY AND MARGARET EADERS
DEED BOOK 1761
PAGE 642

2416 CHARLES LOGAN
DEED BOOK 2314
PAGE 678

NORTHING: 3,898.743.91
EASTING: 5,298.599.85
(KENTUCKY STATE PLANE,
SINGLE ZONE)

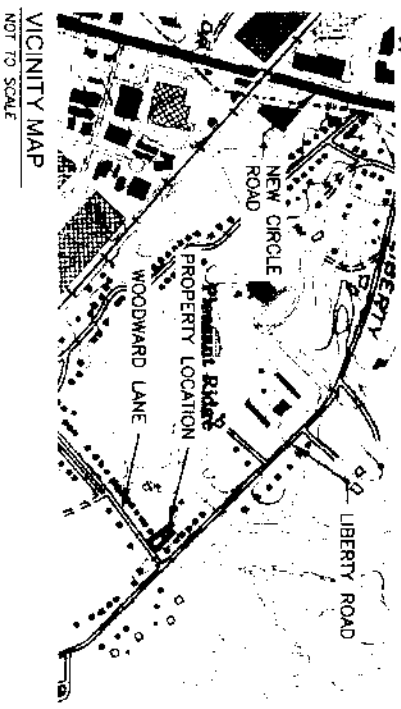


PURPOSE OF SURVEY
THE PURPOSE OF THIS SURVEY IS THE RE-ESTABLISHMENT OF THE PROPERTY CORNERS FOR LOT NO. 7 OF THE J.W. MICHAELS SUBDIVISION, THE PROPERTY BEING 737 WOODWARD LANE, LEXINGTON, KENTUCKY AND THE SAME AS RECORDED IN DEED BOOK 2290 PAGE 484, FAYETTE COUNTY, KENTUCKY.

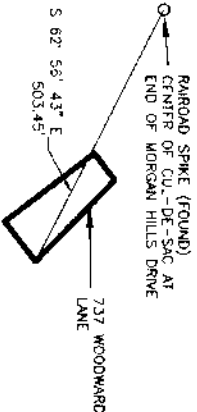
CERTIFICATE OF ACCURACY
I HEREBY CERTIFY THAT THIS PLAT DEPICTS A SURVEY, MADE UNDER MY DIRECTION, BY VIRTUAL REFERENCE STATION (VRS) REAL-TIME KINEMATIC (RTK) GLOBAL POSITIONING SYSTEM (GPS) METHODS, A TRIMBLE GNSS R6 RECEIVER IN CONJUNCTION WITH THE KENTUCKY CORS NETWORK WAS USED FOR ALL OBSTRUCTIONS.

THIS SURVEY AND PLAT MEET OR EXCEED THE STANDARDS OF PRACTICE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS 201 KAR 18:150 WITH A RELATIVE POSITIONAL ACCURACY BETWEEN 0.032' AND 0.044' FOR THIS URBAN SURVEY.

PAUL D. NEASE, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 1930
DATE 7/1/14



VICINITY MAP
NOT TO SCALE



REFERENCE DIAGRAM
NOT TO SCALE

LEGEND

- PROPERTY CORNER (1/2"x1/8" REBAR WITH ORANGE PLASTIC CAP STAMPED "RLS 1930")
- ◇ REFERENCE PIN SET (1/2"x1/8" REBAR WITH ORANGE PLASTIC CAP STAMPED "RLS 1930")
- ⑦ J.W. MICHAELS 1961 SUBDIVISION LOT NUMBER

737 WOODWARD LANE STREET ADDRESS
2376 LIBERTY ROAD STREET ADDRESS

nesbitt engineering, inc.
providing professional solutions since 1976

DATE	DATE	DATE
JUNE 2014	09/30/14	685.34
SCALE	SCALE	SCALE
1" = 30'	1" = 30'	1" = 30'

EXHIBIT A - 737 WOODWARD LANE PROPERTY PLAT
LEXINGTON FAYETTE JERMAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY

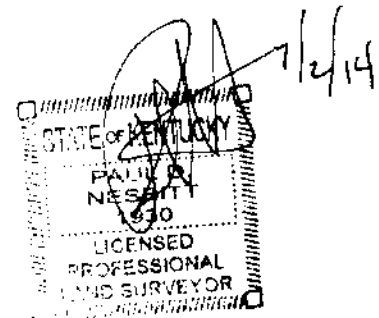
EXHIBIT "C"

A certain tract of land lying in Lexington, Fayette County, Kentucky on Woodward Lane, a private drive that intersects Liberty Road approximately eight tenths of a mile southeast of the intersection of Liberty Road and New Circle Road, the tract being Lot 7 of the J.W Michaels Subdivision and more commonly known as 737 Woodward Lane and being more precisely described as follows:

Beginning at a point, said point being the southeast property corner of 737 Woodward Lane; said point being on the northern property line of 2416 Liberty Road; said point being approximately 175 feet from the intersection of Liberty Road and Woodward Lane; said point being referenced by a railroad spike set in the center of the cul-de-sac at the end of Morgan Hills Drive with a bearing and distance of S 62° 56' 43" E, 503.45 feet; said point being monumented by a one-half inch by eighteen inch rebar with an orange plastic cap stamped "RLS 1930"; said point being on Kentucky State Plane Coordinates NAD83 Single Zone: North 3,898,743.91 (feet), East 5,298,599.85 (feet). See attached drawing "Exhibit A – 737 Woodward Lane Property Plat". Thence on calls as follows:

- 1). From the point of beginning, S 52° 40' 26" W, 90.30 feet to a point; said point being the southwest corner of 737 Woodward Lane and a point on the north property line of 730 Woodward Lane; said point being monumented by a one-half inch by eighteen inch rebar with an orange plastic cap stamped "RLS 1930"; Thence
- 2). N 37° 19' 34" W, 200.00 feet to a point; said point being the northwest property corner of 737 Woodward Lane and on the southern property line of 2368 Liberty Road; said point being referenced by a one-half inch by eighteen inch rebar with an orange plastic cap stamped "RLS 1930" placed on the western property line of 737 Woodward Lane 22.39 feet southeast from the actual property corner; also being referenced by a one-half inch by eighteen inch rebar with an orange plastic cap stamped "RLS 1930" on the northern property line of 737 Woodward Lane 30.57 feet northeast of the actual property corner; Thence
- 3). N 52° 40' 26" E, 60.00 feet to a point; said point being the northeast property corner of 737 Woodward Lane and a common property corner to 2368 Liberty Road and on the western property line of 2372 Liberty Road; said point being referenced by a one-half inch by eighteen inch rebar stamped "RLS 1930" set on the northern property line of 737 Woodward Lane 29.43 southwest of the actual property corner; also referenced by a one-half by eighteen inch rebar with an orange plastic cap stamped "RLS 1930" placed in the eastern property line of 737 Woodward Lane 82.51 feet southeast of the actual property corner; Thence
- 4). S 45° 56' 28" E, 202.28 feet to the point of beginning.

Said property containing 15,030.00 square feet, or .35 acres.





Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet Graham
Commissioner

To: Meredith Nelson, Council Clerk
Council Clerk's Office

From: Department of Law

Date: July 9, 2014


Re: Grant of Easement and Asset Acquisition Form
737 Woodward Lane
Wilderness Road/Woodward Lane Sanitary Sewer Improvement Project

Enclosed is the original recorded Grant of Easement conveying the property located at 737 Woodward Lane to the Urban County Government. Please file the easement with the authorizing legislation, Resolution No. 227-2014.

Lastly, also enclosed is the completed Asset Acquisition form for this property. After you have signed and dated the form, please forward it to the Department of Finance.

If you have any questions, please let me know.

Sincerely,



Glenda Humphrey George
Managing Attorney

Enclosures

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