

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 28th day of December, 2022, by and between **CAROL L. JONES, a single person**, 1840 Pershing Road, Lexington, Kentucky 40504, 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 THOUSAND DOLLARS AND 00/100 CENTS (\$5,000.00)**, 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 assigns, permanent right to excavate, grade, construct, alter, re-grade and perform

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

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 Trunk F
Sewer Improvement Project
(a portion of 1840 Pershing Road)

Tract A

All that strip or parcel of land situated on the north side of Pershing Road, north of Lane Allen Road in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Carol L. Jones (Deed Book 3338, Page 706) and Julia Filer (Deed Book 3451, Page 13), said point being in the northerly right-of-way line of Pershing Road;

Thence leaving the northerly right-of-way line of Pershing Road, with the westerly property line of Julia Filer, N 30°27'29" E, 89.38 feet to the **TRUE POINT OF BEGINNING**;

Thence leaving the westerly property line of Julia Filer, with a new permanent sanitary sewer easement line through the lands of Carol L. Jones, N 37° 32' 34" W, 67.06 feet to a point in the easterly property line of Marilyn R. Turner (Deed Book 748, Page 607);

Thence with the easterly property line of Marilyn R. Turner, N 55° 02' 29" E, 41.84 feet to a point;

Thence leaving the easterly property line of Marilyn R. Turner, with a new permanent sanitary sewer easement line through the lands of Carol L. Jones for two (2) calls:

- 1) S 27° 08' 43" E, 22.35 feet to a point; and
- 2) S 63° 07' 12" E, 25.95 feet to a point in the westerly property line of the aforesaid Julia Filer;

Thence with the westerly property line of Julia Filer, S 30° 27' 29" W, 52.82 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.055 Acres (2,413 sq. ft.) of permanent easement; and

Being a portion of the property conveyed to Carol L. Jones, a single person, by Deed dated August 17, 2015, of record in Deed Book 3338, Page 706, 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 Trunk F
Sewer Improvement Project
(a portion of 1840 Pershing Road)

Tract B

All that strip or parcel of land situated on the north side of Pershing Road, north of Lane Allen Road in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Carol L. Jones (Deed Book 3338, Page 706) and Julia Filer (Deed Book 3451, Page 13), said point being in the northerly right-of-way line of Pershing Road;

Thence with the northerly right-of-way line of Pershing Road, 21.89 feet along an arc to the left, having a radius of 75.00 feet, the chord of which is N 83° 04' 35" W, 21.82 feet to a point;

Thence leaving the northerly right-of-way line of Pershing Road, with a new temporary construction easement line through the lands of Carol L. Jones for two (2) calls:

- 1) N 30°27' 29" E, 95.39 feet to a point; and
- 2) N 37°32' 34" W, 49.98 feet to a point in the easterly property line of Marilyn R. Turner (Deed Book 748, Page 607);

Thence with the easterly property line of Marilyn R. Turner, N 55° 02' 29" E, 10.01 feet to a point;

Thence leaving the easterly property line of Marilyn R. Turner, with a new permanent sanitary sewer easement line through the lands of Carol L. Jones, S 37° 32' 34" E, 67.06 feet to a point in the westerly property line of the aforesaid Julia Filer;

Thence with the westerly property line of Julia Filer, S 30° 27' 29" W, 89.38 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 0.055 Acres (2,421 sq. ft.) of temporary construction easement; and

Tract C

All that strip or parcel of land situated on the north side of Pershing Road, north of Lane Allen Road in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Carol L. Jones (Deed Book 3338, Page 706) and Julia Filer (Deed Book 3451, Page 13), said point being in the northerly right-of-way line of Pershing Road;

Thence leaving the northerly right-of-way line of Pershing Road, with the westerly property line of Julia Filer, N 30° 27' 29" E, 142.20 feet to the **TRUE POINT OF BEGINNING**;

Thence leaving the westerly property line of Julia Filer, with a new permanent sanitary sewer easement line through the lands of Carol L. Jones for two (2) calls:

- 1) N 63° 07' 12" W, 25.95 feet to a point; and
- 2) N 27° 08' 43" W, 22.35 feet to a point in the easterly property line of Marilyn R. Turner (Deed Book 748, Page 607);

Thence with the easterly property line of Marilyn R. Turner, N 55° 02' 29" E, 10.09 feet to a point;

Thence leaving the easterly property line of Marilyn R. Turner, with a new temporary construction easement line through the lands of Carol L. Jones for two (2) calls:

- 1) S 27° 08' 43" E, 20.47 feet to a point; and
- 2) S 63° 07' 12" E, 23.33 feet to a point in the westerly property line of the aforesaid Julia Filer;

Thence with the westerly property line of Julia Filer, S 30°27' 29" W, 10.02 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 0.011 Acres (461 sq. ft.) of temporary construction easement; and

Tract B and C, being a portion of the property conveyed to Carol L. Jones, a single person, by Deed dated August 17, 2015, of record in Deed Book 3338, Page 706, 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 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:



CAROL L. JONES

[Intentionally Left Blank]

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Carol L. Jones, a single person, on this the 28th day of December, 2022.

Frank H. Mabson

Notary Public, Kentucky, State-at-Large

My Commission Expires: 8 / 22 / 2023

Notary ID # 629764

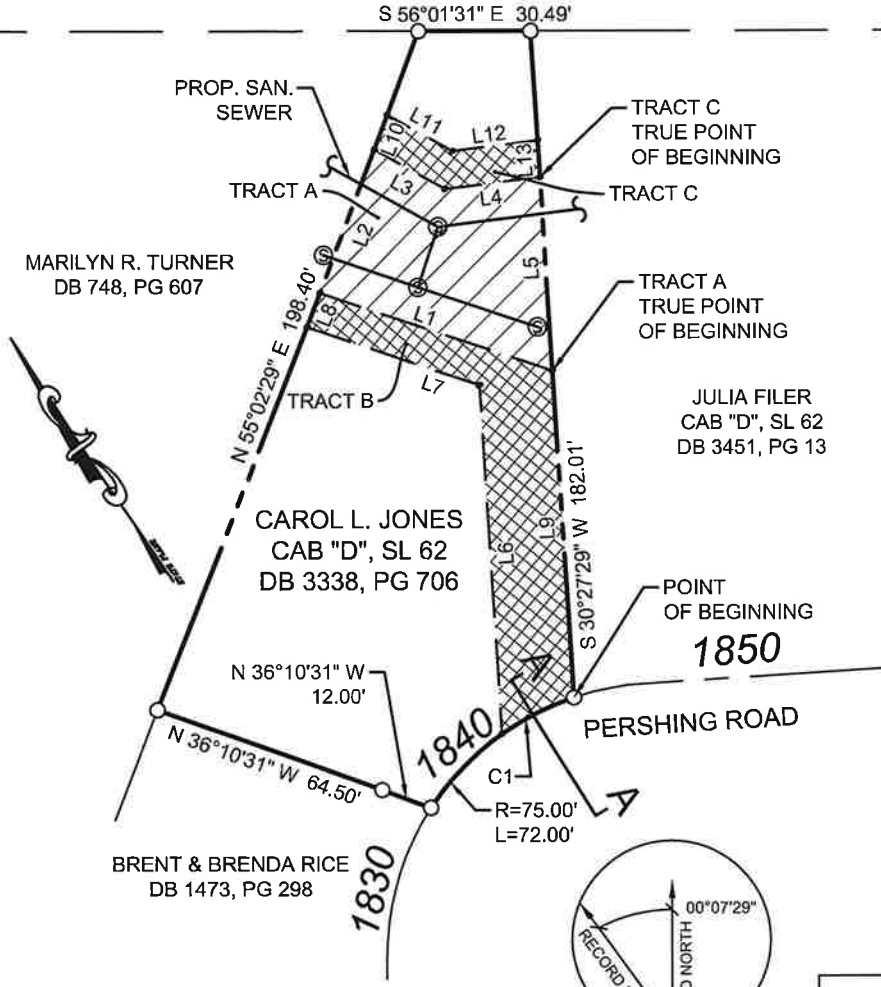


PREPARED BY:

[Signature]

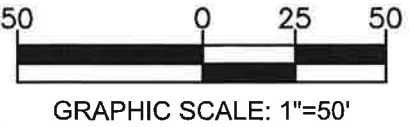
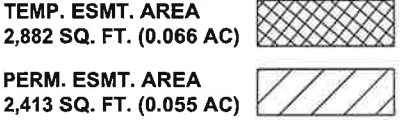
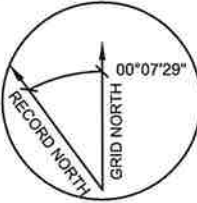
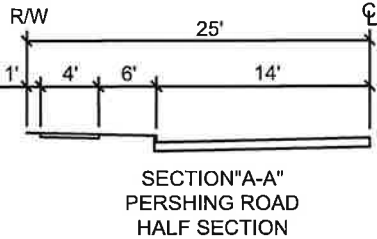
EVAN P. THOMPSON,
Attorney Sr.
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

JOHN WILLIAM COLE
DB 3450, PG 117



EASEMENT LINE TABLE		
LINE #	LENGTH	BEARING
L1	67.06'	N 37°32'34" W
L2	41.84'	N 55°02'29" E
L3	22.35'	S 27°08'43" E
L4	25.95'	S 63°07'12" E
L5	52.82'	S 30°27'29" W
L6	95.39'	N 30°27'29" E
L7	49.98'	N 37°32'34" W
L8	10.01'	N 55°02'29" E
L9	89.38'	S 30°27'29" W
L10	10.09'	N 55°02'29" E
L11	20.47'	S 27°08'43" E
L12	23.33'	S 63°07'12" E
L13	10.02'	S 30°27'29" W

EASEMENT CURVE TABLE		
LINE #	LENGTH	RADIUS
C1	21.89'	75.00'



- NOTES:**
1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE RECORD DESCRIPTION (DEED BOOK 3338, PAGE 706) AND CORRESPONDING PLAT (CABINET "D" SLIDE 62) 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 ZONE 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
CAROL L. JONES
1840 PERSHING ROAD
WOLF RUN TRUNK F SEWER IMPROVEMENTS
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY**



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: EMILY GENTRY ,dc

202301040005

January 4, 2023

9:49:06 AM

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

529 - 537