

DEED OF EASEMENT

This **PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 20 day of June, 2019, by and between **THE MICHAEL R. VENTERS REVOCABLE TRUST, MICHAEL R. VENTERS, TRUSTEE**, dated **October 12, 2000**, 410 West Brannon Road, Nicholasville, Kentucky 40356, 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 **FOUR HUNDRED NINETY-FIVE AND 88/100 DOLLARS (\$495.88)**, 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 related work for the purpose of construction, improvement and replacement of a storm water culvert 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 Easement
Dartmouth Drive Stormwater Culvert Replacement Project
(a portion of 214 Wilson Downing Road)

Return to:
Charles E. Edwards III
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

(CC-F)

Commencing at the northwest corner of Michael R. Venters (Deed Book 2164, Page 629), being Lot 10, of Block "A", as shown on the Plat of Blueberry Hill Subdivision, Plat Cabinet C, Slide 240, Fayette County, Lexington, KY, a common corner with Margaret L. Adair (Deed Book 2583, Page 575) and the South right-of-way of Wilson Downing Road; thence with the West property line of Venters, South 25 Degrees 21 Minutes 50 Seconds West, a distance of 12.00 feet, said point being the **TRUE POINT OF BEGINNING** of the Additional Permanent Drainage Easement, said point being in the south edge of an existing 12 foot permanent easement; thence with the easement line, South 64 Degrees 38 Minutes 10 Seconds East (L1), a distance of 93.93 feet to a point; thence South 27 Degrees 54 Minutes 46 Seconds East (L2), a distance of 38.66 feet to a point, said point being in the west right-of-way of Dartmouth Drive; thence with the right-of-way, South 26 Degrees 11 Minutes 20 Seconds West (L3), a distance of 12.34 feet to a point; thence leaving the right-of-way and crossing Venters, North 27 Degrees 54 Minutes 46 Seconds West (L4), a distance of 42.57 feet to a point; thence North 64 Degrees 38 Minutes 10 Seconds West (L5), a distance of 90.61 feet to a point; said point being in the common property line with Adair; thence with the common property line, North 25 Degrees 21 Minutes 50 Seconds East (L6), a distance of 10.00 feet to the **TRUE POINT OF BEGINNING** of the additional permanent drainage easement; and,

The above described parcel contains 1,328.84 square feet or 0.031 acres of permanent easement; and

Being a portion of the property conveyed to Michael R. Venters, as Trustee, of the Michael R. Venters Revocable Trust, dated October 12, 2000, by deed dated October 12, 2000, of record in Deed Book 2164, Page 629, 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 construction, installation and replacement of a storm

water culvert 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
Dartmouth Drive Stormwater Culvert Replacement Project
(a portion of 214 Wilson Downing Road)

Commencing at the northwest corner of Michael R. Venters (Deed Book 2164, Page 629), being Lot 10, of Block "A", as shown on the Plat of Blueberry Hill Subdivision, Plat Cabinet C, Slide 240, Fayette County, Lexington, KY, a common corner with Margaret L. Adair (Deed Book 2583, Page 575) and the South right-of-way of Wilson Downing Road; thence with the West property line of Venters, South 25 Degrees 21 Minutes 50 Seconds West, a distance of 22.00 feet, said point being the **TRUE POINT OF BEGINNING** of Additional Temporary Construction Easement, said point being in the south edge of the Additional Permanent Easement; thence South 64 Degrees 38 Minutes 10 Seconds East (L5), a distance of 90.61 feet to a point; thence South 27 Degrees 54 Minutes 46 Seconds East (L4), a distance of 42.57 feet to a point, said point being in the western right-of-way of Dartmouth Drive; thence with the right-of-way, South 27 Degrees 06 Minutes 07 Seconds West, a distance of 12.21 feet to a point; thence leaving the right-of-way of Dartmouth and crossing Venters, North 27 Degrees 54 Minutes 46 Seconds West, a distance of 46.25 feet to a point; thence North 64 Degrees 38 Minutes 10 Seconds West a distance of 87.26 feet to a point, said point being in the common property of Adair; thence with the common property line, North 25 Degrees 13 Minutes 05 Seconds East, a distance of 10.00 feet to the **TRUE POINT OF BEGINNING** of the Additional Temporary Construction Easement; and,

The above described parcel contains 1,333.51 square feet or 0.031 acres of temporary construction easement; and,

Being a portion of the property conveyed to Michael R. Venters, as Trustee, of the Michael R. Venters Revocable Trust, dated October 12, 2000, by deed dated October 12, 2000, of record in Deed Book 2164, Page 629, 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 its 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 it is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that it will **WARRANT GENERALLY** said title.


The obtaining of this easement was authorized by Resolution 179-2019, passed by the Lexington-Fayette Urban County Council on April 11, 2019. 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:


THE MICHAEL R. VENTERS
REVOCABLE TRUST, DATED
OCTOBER 12, 2000

BY: 
MICHAEL R. VENTERS, TRUSTEE

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF JESSAMINE)

This instrument was acknowledged, subscribed and sworn to before me by Michael R. Venters, as Trustee, by and on behalf of the Michael R. Venters Revocable Trust, dated October 12, 2000, on this the 20 day of June, 2019.



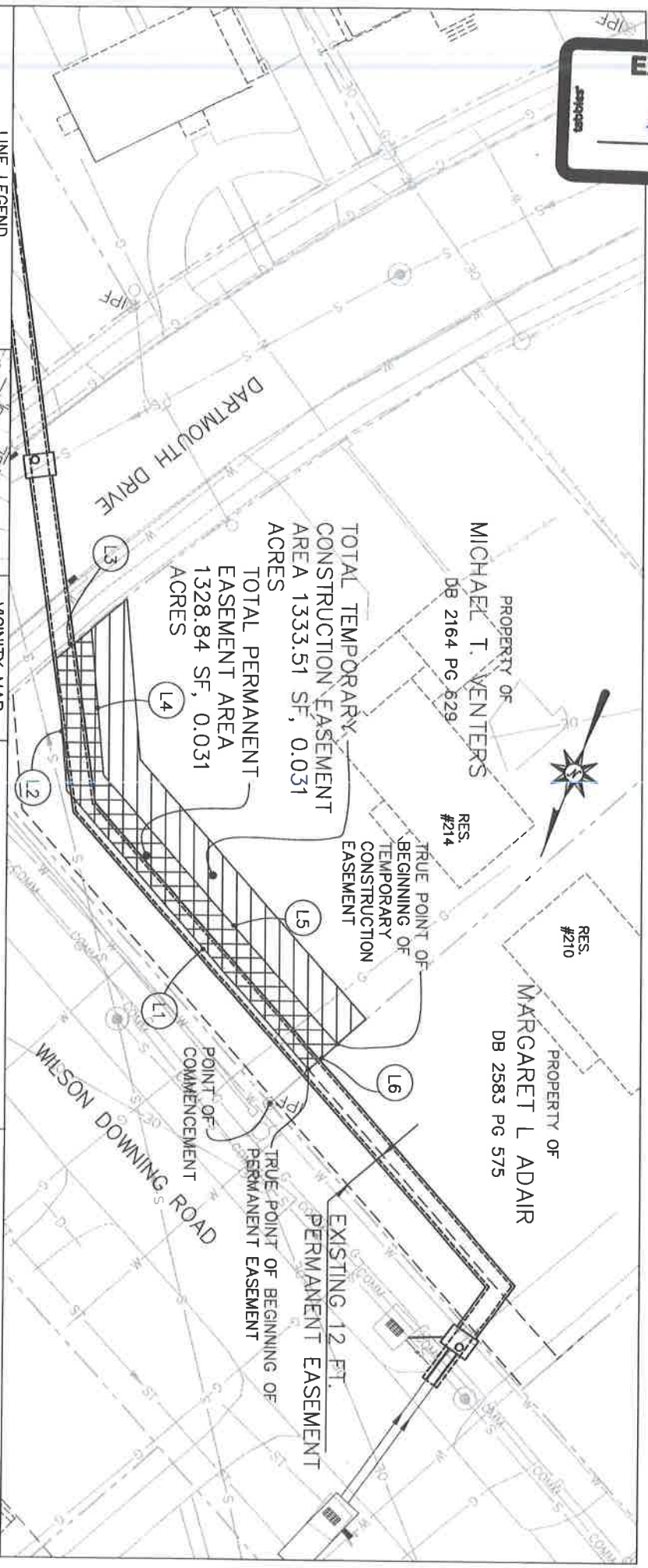

Notary Public, Kentucky, State-at-Large
My Commission Expires: 12/04/2022
Notary ID # 612067

PREPARED BY:

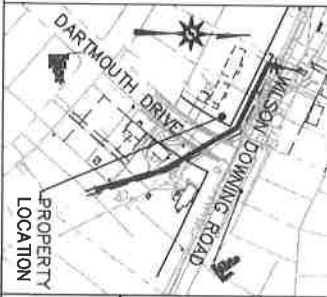


CHARLES E. EDWARDS III
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Lexington-Fayette Urban
County Government
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Lexington, Kentucky 40507
(859) 258-3500

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LINE	BEARING	DISTANCE
L1	S 64° 38' 10" E	93.93'
L2	S 27° 54' 46" E	38.66'
L3	S 26° 11' 20" W	12.34'
L4	N 27° 54' 46" W	42.57'
L5	N 64° 38' 10" W	90.61'
L6	N 25° 21' 50" E	10.00'



VICINITY MAP	US 27 NICHOLASVILLE ROAD
PROJECT LOCATION	DARTMOUTH DR WILSON DOWNING ROAD

SURVEYOR:
JAMES K. ROBERTS, PE, PLS (3010)

DATE:
MAY, 2019

SCALE:
1" = 30'

FIRM:
BELL ENGINEERING
2480 FORTUNE DRIVE, SUITE 350
LEXINGTON, KENTUCKY 40509

CLIENT: LFUCG
200 EAST MAIN STREET
LEXINGTON, KENTUCKY 40507

OWNER: MICHAEL T. VENTERS
214 WILSON DOWNING ROAD
LEXINGTON, KENTUCKY 40517

TITLE: DARTMOUTH DRIVE CULVERT REPLACEMENT CONTRACT 557-18-01

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

201906240052

June 24, 2019 8:48:06 AM

Fees	\$29.00	Tax	\$.00
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Total Paid	\$29.00
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8 Pages

677 - 684