

**DEED OF EASEMENT**

This **DEED OF EASEMENT** is made and entered into this 4th day of March, 2019, by and between **RONALD DAVID BAILEY, a single person**, 631 Kennedy Road , Lexington, Kentucky 40511 ("Grantor"), which is also the in-care of tax mailing address for the current tax 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 of **ONE HUNDRED SIXTY-NINE DOLLARS AND 13/100 CENTS (\$169.13)**, and 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 lay, construct, operate, repair, reconstruct and remove sanitary sewer improvements and appurtenances thereto, which sanitary sewer improvements and appurtenances 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 Sanitary Sewer Easement**  
**(a portion of 340 Radcliffe Road)**  
**Thoroughbred Acres Trunk Sanitary**  
**Sanitary Sewer Improvement Project**

**Easement A**

**COMMENCING** at a point, said point lying on the southern right-of-way of Interstate 75, said point also being the eastern corner of Lot 29, Marlboro Manor Subdivision, Unit 2A, of record in Plat Cabinet F, Slide 517, in the Office of the Fayette

Mail to:  
 Lexington-Fayette Urban County Government  
 200 E. Main Street  
 Department of Law, 11<sup>th</sup> Floor  
 Lexington, Kentucky 40507

County Clerk; thence with said right-of-way, South 21 Degrees 48 Minutes 00 Seconds East, 55.61 feet to the **TRUE POINT OF BEGINNING**; thence with said right-of-way, South 21 Degrees 48 Minutes 00 Seconds East, 20.22 feet to a point; thence leaving Interstate 75 right-of-way with the proposed easement for two (2) calls; thence South 59 Degrees 48 Minutes 56 Seconds West, 0.85 feet to a point; thence South 22 Degrees 56 Minutes 56 Seconds West, 23.24 feet to a point in the eastern line of Lot 29; thence with said line for three (3) calls; thence South 66 Degrees 16 Minutes 34 Seconds West, 47.92 feet to a point; thence North 20 Degrees 19 Minutes 06 Seconds West, 1.25 feet to a point; thence South 66 Degrees 42 Minutes 54 Seconds West, 56.62 feet to a point in an existing sanitary sewer easement; thence leaving said line with the said easement; thence North 51 Degrees 22 Minutes 54 Seconds East, 65.53 feet to a point in the proposed easement; thence with the proposed easement for three (3) calls; thence North 66 Degrees 32 Minutes 49 Seconds East, 31.47 feet to a point; thence North 22 Degrees 56 Minutes 56 Seconds East, 24.33 feet to a point; thence North 59 Degrees 48 Minutes 56 Seconds East, 10.47 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 1,815 square feet of permanent easement; and,

#### Easement B

**COMMENCING** at a point, said point lying in the northern right-of-way of Radcliffe Road, said point also being the southern corner of Lot 29, Marlboro Manor Subdivision, Unit 2A of record in Plat Cabinet F, Slide 517, in the Office of the Fayette County Clerk; thence with said right-of-way, South 23 Degrees 19 Minutes 07 Seconds West, 17.06 feet to a point on the proposed permanent easement and being the **TRUE POINT OF BEGINNING**; thence leaving Radcliffe Road right-of-way and with the proposed permanent easement; North 66 Degrees 32 Minutes 49 Seconds West, 16.75 feet to a point in the existing sanitary sewer easement; thence with said easement, South 51 Degrees 22 Minutes 54 Seconds West, 17.37 feet to a point on the northern right-of-way of Radcliffe Road; thence with said right-of-way, North 23 Degrees 19 Minutes 07 Seconds West, 4.54 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 38 square feet of permanent easement; and,

Both parcels being a portion of the property conveyed to Ronald David Bailey, a single person, by deed dated July 14, 1997, of record in Deed Book 1923, Page 549, in the Fayette County Clerk's Office.

Described on Exhibit "A" attached hereto and incorporated herein by reference.

**FURTHER**, for and in consideration of the foregoing sum, 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 temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer construction, repair, installation and relocation through and across the following tract of land located within the confines of Lexington, Fayette County, Kentucky, to-wit:

**Temporary Construction Easement**  
**(a portion of 340 Radcliffe Road)**  
**Thoroughbred Acres Trunk Sanitary**  
**Sanitary Sewer Improvement Project**

**Easement A**

**COMMENCING** at a point, said point lying on the southern right-of-way of Interstate 75, said point also being the northern corner of Lot 29, Marlboro Manor Subdivision, Unit 2A, of record in Plat Cabinet F, Slide 517, in the Office of the Fayette County Clerk; thence South 21 Degrees 48 Minutes 00 Seconds East, 55.61 feet to a point on the proposed permanent easement and being the **TRUE POINT OF BEGINNING**; thence leaving said right-of-way and with the proposed permanent easement for three (3) calls; thence South 59 Degrees 48 Minutes 56 Seconds West, 10.47 feet to a point; thence South 22 Degrees 56 Minutes 56 Seconds West, 24.33 feet to a point; thence South 66 Degrees 32 Minutes 49 Seconds West, 31.47 feet to a point in the existing sanitary sewer easement; thence leaving the proposed easement with the existing easement and through Lot 29 for four (4) calls; thence North 51 Degrees 22 Minutes 54 Seconds East, 40.69 feet to a point; thence North 21 Degrees 47 Minutes 46 Seconds West, 10.89 feet to a point; thence

North 22 Degrees 56 Minutes 56 Seconds East, 6.94 feet to a point; thence North 59 Degrees 48 Minutes 56 Seconds East, 15.27 feet to a point in the southern right-of-way of Interstate 75; thence with the said right-of-way, South 21 Degrees 48 Minutes 00 Seconds East, 10.11 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 412 square feet of temporary construction easement; and,

Easement B

**COMMENCING AT A POINT**, said point lying in the southern right-of-way of Interstate 75, said point also being the northeast corner of Lot 29, Marlboro Manor Subdivision, Unit 2A of record in Plat Cabinet F, Slide 517, in the Office of the Fayette County Clerk; thence with said right-of-way, North 21 Degrees 48 Minutes 00 Seconds West, 2.58 feet to the **TRUE POINT OF BEGINNING**; thence leaving said right-of-way with the proposed temporary easement, South 22 Degrees 56 Minutes 56 Seconds West, 3.75 feet to a point in the eastern line of Lot 29; thence with said line, South 66 Degrees 16 Minutes 34 Seconds West, 14.57 feet to a point on the eastern line of Lot 29 and the proposed permanent easement; thence with the proposed permanent easement for two (2) calls; thence North 22 Degrees 56 Minutes 56 Seconds East, 23.24 feet to a point; thence North 59 Degrees 48 Minutes 56 Seconds East, 0.85 feet to a point along the southern right-of-way of Interstate 75; thence with said right-of-way, South 21 Degrees 48 Minutes 00 Seconds East, 13.48 feet to the **POINT OF BEGINNING**; and,

The above described parcel contains 141 square feet of permanent easement; and,

Easement C

**COMMENCING** at a point, said point lying in the northern right-of-way of Radcliffe Road, said point also being the southern corner of Lot 29, Marlboro Subdivision, Unit 2A of record in Plat Cabinet F, Slide 517, in the Office of the Fayette County Clerk; thence with said right-of-way, South 23 Degrees 19 Minutes 07 Seconds West, 17.06 feet to the **TRUE POINT OF BEGINNING**; thence with the right-of-way of Radcliffe Road, North 23 Degrees 19 Minutes 07 Seconds

West, 10.00 feet to a point in the proposed temporary easement; thence leaving said right-of-way and with the said easement for three (3) calls; thence North 66 Degrees 32 Minutes 49 Seconds East, 32.09 feet to a point; thence South 23 Degrees 19 Minutes 19 Seconds East, 1.84 feet to a point; thence North 66 Degrees 40 Minutes 41 Seconds East, 14.62 feet to a point in the existing sanitary sewer easement; thence with said easement, South 51 Degrees 22 Minutes 54 Seconds West, 31.06 feet to a point on the proposed permanent easement; thence with the proposed permanent easement, South 66 Degrees 32 Minutes 49 Seconds West, 16.75 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 318 square feet of permanent easement; and,

All parcels being a portion of the property conveyed to Ronald David Bailey, a single person, by deed dated July 14, 1997, of record in Deed Book 1923, Page 549, in the Fayette County Clerk's Office.

Described on Exhibit "A" attached hereto and incorporated herein by reference.

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

The above-described temporary construction easements run 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

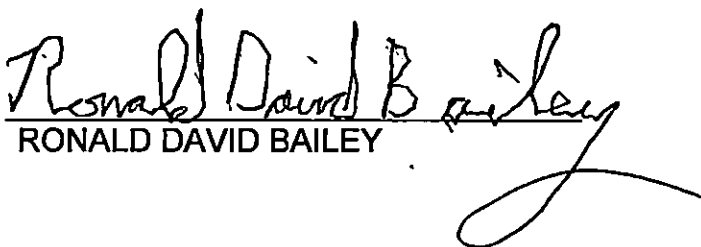
the Grantee's free use of the easement herein granted and provided further that no building or structure shall be erected upon, across, over or through said permanent easement without the prior written consent of the Grantee.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of his 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 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 easements conveyed herein, and that he will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution No. 772-2018 passed by the Lexington-Fayette Urban County Council on December 4, 2018. 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, the day and year first above written.


GRANTOR:

BY:   
RONALD DAVID BAILEY

[Intentionally left blank]

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

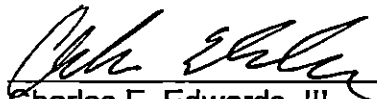
The foregoing Easement was subscribed, sworn to and acknowledged before me by Ronald David Bailey, a single person, on this the 4<sup>th</sup> day of March, 2019.

  
\_\_\_\_\_  
Notary Public, State-At-Large, Kentucky

My Commission Expires: 4/19/20

Notary ID # SS1470

PREPARED BY:

  
\_\_\_\_\_  
Charles E. Edwards, III  
Attorney  
Lexington-Fayette Urban County  
Government  
200 West Main Street, 11<sup>th</sup> Floor  
Lexington, Kentucky 40507  
(859) 258-3500

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PROPOSED SANITARY TRUNK SEWER

INTERSTATE 75

LINE TABLE

P.O.B. PERM. E. "A" & TEMP. "A"

P.O.B. TEMP. "B"

S21°48'00"E 55.61'  
TO P.O.B. PERM. "A" & TEMP. "A"

N21°48'00" W  
2.58'

P.O.C. EX. RW

P.O.C.

20' U.E.

PROP. TEMPORARY ESMT. "B" 141 SF

PROP. TEMPORARY ESMT. "A" 412 SF

EX. 20' SAN. S.E. 1,612 S.F. (TO BE RELEASED)

PROP. PERMANENT ESMT. "A" 1,815 SF

LINE	BEARING	DISTANCE
L1	S 21°48'00" E	20.22'
L2	S 59°48'56" W	0.85'
L3	S 22°56'56" W	23.24'
L4	S 66°16'34" W	47.92'
L5	N 20°19'06" W	1.25'
L6	S 66°42'54" W	56.62'
L7	N 51°22'54" E	65.53'
L8	N 66°32'49" E	31.47'
L9	N 22°56'56" E	24.33'
L10	N 59°48'56" E	10.47'
L11	N 66°32'49" W	16.75'
L12	S 51°22'54" W	17.37'
L13	N 23°19'07" W	4.54'
L14	S 21°48'00" E	10.11'
L15	N 51°22'54" E	40.69'
L16	N 21°47'46" W	10.89'
L17	N 22°56'56" E	6.94'
L18	N 59°48'56" E	15.27'
L19	S 21°48'00" E	13.48'
L20	S 22°56'56" W	3.75'
L21	S 66°16'34" W	14.57'
L22	N 23°19'07" W	10.00'
L23	N 66°32'49" E	32.09'
L24	S 23°19'19" E	1.84'
L25	N 66°40'41" E	14.62'
L26	S 51°22'54" W	31.06'

PROP. TEMPORARY ESMT. "A" 412 SF

EX. 20' SAN. S.E. 1,612 S.F. (TO BE RELEASED)

PROP. PERMANENT ESMT. "A" 1,815 SF

30  
356

28  
344

PROP. TEMPORARY ESMT. "C" 318 SF

EX. RW

29  
340

EX. 20' SAN. S.E.

P.O.C. PERM. "B" & TEMP. "C"

P.O.B. PERM. "B" & TEMP. "C" N23°17'59"W 17.06'  
TO P.O.B. PERM. "B" & TEMP. "C"

PROP. PERMANENT ESMT. "B" 38 SF

EX. SANITARY SEWER

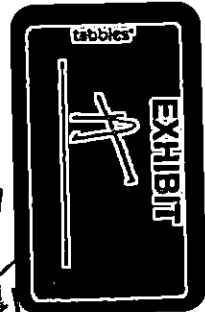
RADCLIFFE DRIVE

EA Partners, PLLC



CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS  
3111 WALL STREET  
LEXINGTON, KENTUCKY 40513  
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FACSIMILE (606) 296-9887

STATE OF KENTUCKY  
THOMAS WOODS HATFIELD  
LS-3547  
LICENSED PROFESSIONAL  
LAND SURVEYOR



3/19

LE)



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: PATTY DAVIS ,dc

201904030192

April 3, 2019

12:24:16 PM

Fees	\$32.00	Tax	\$0.00
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Total Paid	\$32.00
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9 Pages

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