

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 24 day of October, 2019, by and between **LEXMARK INTERNATIONAL, INC.**, a Delaware corporation, 740 West New Circle Road, Attn: Steve Trisler, Lexington, Kentucky 40550, 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 **ELEVEN THOUSAND SEVEN HUNDRED NINETY-TWO DOLLARS AND 02/100 DOLLARS (\$11,792.02)**, 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 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 Exhibits "A, B, C, D and E", and more particularly described as follows, to wit:

Variable Permanent Sanitary Sewer Easement
Lexmark Trunk A & B Sanitary
Sewer Improvement Project
(a portion of 450 Park Place)

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

(CC-F)

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All that tract or parcel of land situated South of New Circle Road, North of Loudon Avenue and West of Boardwalk in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at the southwest corner of Lexmark International, Inc., (450 Park Place, Deed Book 1571, Page 329, Part of Tracts 1, 2 & 3, Plat Cabinet R, Slide 874, Lot 3), said point being a common corner to Lexmark International, Inc. (1101 Russell Cave Road, Deed Book 1751, Page 329, Tract 3, Plat Cabinet R, Slide 874, Lot 4); thence along a reference line, North 17°47'34" East, 260.26 feet to a point in the east line of an existing 10-foot wide sanitary sewer easement (Deed Book 694, Page 203) being the **TRUE POINT OF BEGINNING**; thence with said existing sanitary sewer easement for two (2) lines; thence North 16°09'24" East, 104.24 feet to a point; thence North 00°36'09" East, 59.69 feet to a point; thence leaving said existing sanitary sewer easement for two (2) new lines through the lands of said Lexmark International, Inc. (450 Park Place); thence South 04°08'25" East, 60.77 feet to a point; thence South 18°55'46" West, 104.87 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 414 square feet (gross and net) or 0.01 Acres, more or less of permanent easement; and

Being a portion of the same property conveyed to IBM Information Products Corporation, a Delaware corporation, (now known as Lexmark International, Inc., as evidenced by Certificate of Amendment of Certificate of Incorporation, of record in Corporate Record Book 168, Page 682, in the Fayette County Clerk's office), by Deed dated December 28, 1990, recorded in Deed Book 1571, Page 329 (a portion of Tract 1 and 2), in the Fayette County Clerk's Office.

20' Permanent Sanitary Sewer Easement
Lexmark Trunk A & B Sanitary
Sewer Improvement Project
(a portion of 501 Park Place)

All that tract or parcel of land situated on the South side of New Circle Road and West of Boardwalk in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a found 5/8" rebar with cap (EA Partners, 2115) at the common corner of Lexmark International, Inc. (501 Park Place, Deed Book 1571, Page 329, Part of Tract 2, Plat Cabinet R, Slide 874, Lot 2) and Lexington Care, LLC (500 Park Place, Deed Book 3226, Page 005 and Deed Book 3176, Page 738, Plat Cabinet R, Slide 136, Parcel 1), said point being in the line with Lexmark International, Inc. (740 W. New Circle Road, Deed Book 1571, Page 329, Part of Tract 1, Plat Cabinet R, Slide 874, Lot 5); thence leaving said Lexmark International, Inc. (740 W. New Circle Road) and with said Lexington Care, LLC, North 15°32'07" East, 1.97 feet to the **TRUE POINT OF BEGINNING**; thence leaving said Lexington Care, LLC for five (5) new lines through the lands of said Lexmark International, Inc., (501 Park Place); thence North 08°18'30" West, 24.72 feet to a point; thence North 15°32'07" East, 348.26 feet to a point; thence North 43°00'40" East, 236.76 feet to a point; thence North 60°48'45" East, 221.52 feet to a point; thence North 50°17'35" East, 4.97 feet to a point in the New Circle Road south right-of-way; thence with said New Circle Road south right-of-way, South 80°15'17" East, 26.32 feet to a point; thence leaving said New Circle Road south right-of-way for four (4) new lines through the lands of said Lexmark International, Inc. (501 Park Place); thence South 50°17'35" West, 23.92 feet to a point; thence South 60°48'45" West, 220.23 feet to a point; thence South 43°00'40" West, 228.74 feet to a point; thence South 15°32'07" West, 33.17 feet to a point in the line with said Lexington Care, LLC; thence with said Lexington Care, LLC for two (2) lines; thence North 62°23'52" West, 10.23 feet to a point; thence South 15°32'07" West, 334.96 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 13,278 square feet (gross) and 12,187 square feet or 0.28 Acres (net), more or less of permanent easement; and

Being a portion of the same property conveyed to IBM Information Products Corporation, a Delaware corporation, (now known as Lexmark International, Inc., as evidenced by Certificate of Amendment of Certificate of Incorporation, of

record in Corporate Record Book 168, Page 682, in the Fayette County Clerk's office), by Deed dated December 28, 1990, recorded in Deed Book 1571, Page 329 (a portion of Tract 2) and by Quitclaim Deed of Correction, dated January 30, 2014, of record in Deed Book 3226, Page 005, all referenced in the Fayette County Clerk's Office.

20' Permanent Sanitary Sewer Easement
Lexmark Trunk A & B Sanitary
Sewer Improvement Project
(a portion of 1101 Russell Cave Road)

All that tract or parcel of land situated West of Russell Cave Road and North of Loudon Avenue in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a found iron pin at the northwest corner of WLEX Communications, LLC (1065 Russell Cave Road, Deed Book 2079, Page 259), said point being a common corner with Lexmark International, Inc. (740 W. New Circle Road, Deed Book 1571, Page 329, Part of Tract 1, Plat Cabinet R, Slide 874, Lot 5); thence leaving said WLEX Communications, LLC, along a reference line through the lands of said Lexmark International, Inc. (740 W. New Circle Road), North $21^{\circ}52'50''$ West, 151.34 feet to the **TRUE POINT OF BEGINNING**, said point being in the southwest line of Lexmark International, Inc. (1101 Russell Cave Road, Deed Book 1571, Page 329, Tract 3, Plat Cabinet R, Slide 874, Lot 4); thence with said Lexmark International, Inc. (1101 Russell Cave Road), North $39^{\circ}13'02''$ West, 23.95 feet to a point; thence for five (5) new lines through the lands of said Lexmark International, Inc. (1101 Russell Cave Road); thence North $17^{\circ}25'20''$ East, 4.61 feet to a point; thence North $05^{\circ}08'35''$ East, 127.52 feet to a point; thence North $18^{\circ}19'58''$ East, 58.86 feet to a point; thence North $35^{\circ}44'34''$ East, 230.55 feet to a point; thence North $26^{\circ}06'01''$ East, 200.43 feet to a point in the line with said Lexmark International, Inc. (740 W. New Circle Road); thence with said Lexmark International, Inc. (740 W. New Circle Road), North $37^{\circ}17'58''$ East, 87.02 feet to a point; thence leaving said Lexmark International, Inc. (740 W. New Circle Road), for six (6) new lines through the lands of said Lexmark International, Inc. (1101 Russell Cave Road); thence South $18^{\circ}55'46''$ West, 24.83 feet to a point; thence South $26^{\circ}06'01''$ West, 262.84 feet to a point; thence South

35°44'34" West, 229.17 feet to a point; thence South 18°19'58" West, 53.48 feet to a point; thence South 05°08'35" West, 127.36 feet to a point; thence South 17°25'20" West, 19.93 feet to the **TRUE POINT OF BEGINNING**, and,

The above parcel contains 13,488 square feet (gross) and 10,911 square feet or 0.25 Acres (net), more or less of permanent easement; and,

Being a portion of the same property conveyed to IBM Information Products Corporation, a Delaware corporation, (now known as Lexmark International, Inc., as evidenced by Certificate of Amendment of Certificate of Incorporation, of record in Corporate Record Book 168, Page 682, in the Fayette County Clerk's office), by Deed dated December 28, 1990, recorded in Deed Book 1571, Page 329 (a portion of Tract 3), in the Fayette County Clerk's Office.

20' Permanent Sanitary Sewer Easements
Lexmark Trunk A & B Sanitary
Sewer Improvement Project
(a portion of 740 W. New Circle Road)

All that tract or parcel of land situated on South of New Circle Road, North of Loudon Avenue and east of Newtown Pike in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

Parcel "A"

BEGINNING, at a found 5/8" rebar with cap (EA Partners, 2115) at the common corner of Lexington Care, LLC (500 Park Place, Deed Book 3226, Page 005 and Deed Book 3176, Page 438, Plat Cabinet R, Slide 136, Parcel 1) and Lexmark International, Inc. (501 Park Place, Deed Book 1571, Page 329, Tract 2, Plat Cabinet R, Slide 874, Lot 2), said point being in the line with Lexmark International, Inc. (740 W. New Circle Road, Deed Book 1571, Page 329, Part of Tract 1, Plat Cabinet R, Slide 874, Lot 5); thence with said Lexington Care, LLC, South 40°07'15" East, 1.51 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Lexington Care, LLC, South 40°07'15" East, 37.94 feet to a point; thence leaving said Lexington Care, LLC for two (2) new lines through the lands of said Lexmark International, Inc. (740 W. New Circle Road); thence South 08°18'30"

East, 151.71 feet to a point; thence South 04°08'25" East, 155.15 feet to a point in the line with Lexmark International, Inc. (450 Park Place, Deed Book 1571, Page 329, Part of Tracts 1, 2 & 3, Plat Cabinet R, Slide 874, Lot 3); thence with said Lexmark International, Inc. (450 Park Place) for two (2) lines; thence South 00°32'30" West, 126.66 feet to a point; thence South 16°20'08" West, 229.31 feet to a point; thence leaving said Lexmark International, Inc. (450 Park Place) for six (6) new lines through the lands of said Lexmark International, Inc. (740 W. New Circle Road); thence South 18°55'46" West, 103.87 feet to a point; thence South 37°17'58" West, 87.02 feet to a point; thence North 26°06'01" East, 59.47 feet to a point; thence North 18°55'46" East, 354.46 feet to a point; thence North 04°08'25" West, 278.78 feet to a point; thence North 08°18'30" West, 183.19 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 14,506 square feet (gross) and 12,214 square feet or 0.28 Acres (net), more or less of permanent easement; and,

Parcel "B"

BEGINNING, at a found iron pin at the northwest corner of WLEX Communications, LLC (1065 Russell Cave Road, Deed Book 2079, Page 259), said point being a common corner with Lexmark International, Inc. (740 W. New Circle Road, Deed Book 1571, Page 329, Part of Tract 1, Plat Cabinet R, Slide 874, Lot 5); thence leaving said WLEX Communications, LLC, along a reference line through the lands of said Lexmark International, Inc., North 21°52'50" West, 151.34 feet to the **TRUE POINT OF BEGINNING**, said point being in the southwest line of Lexmark International, Inc. (1101 Russell Cave Road, Deed Book 1571, Page 329, Tract 3, Plat Cabinet R, Slide 874, Lot 4); thence leaving said Lexmark International, Inc. (1101 Russell Cave Road) for two (2) new lines through the lands of said Lexmark International, Inc. (740 W. New Circle Road); thence South 17°25'20" West, 37.94 feet to a point; thence South 00°21'03" East, 160.26 feet to a point in the northwest line of said WLEX Communications, LLC; thence with said WLEX Communications, LLC, South 50°00'12" West, 25.97 feet to a point; thence leaving said WLEX Communications, LLC for two (2) new lines through the lands of said Lexmark International, Inc. (740 W. New Circle Road); thence North 00°21'03" West, 179.96 feet to a point; thence North

17°25'20" East, 54.24 feet to a point in the southwest line with said Lexmark International, Inc. (1101 Russell Cave Road); thence with said Lexmark International, Inc. (1101 Russell Cave Road), South 39°13'02" East, 23.95 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 4,324 square feet (gross) and 3,587 square feet or 0.08 Acres (net), more or less of permanent easement; and,

Both of the above tracts being a portion of the same property conveyed to IBM Information Products Corporation, a Delaware corporation, (now known as Lexmark International, Inc., as evidenced by Certificate of Amendment of Certificate of Incorporation, of record in Corporate Record Book 168, Page 682, in the Fayette County Clerk's office), by Deed dated December 28, 1990, recorded in Deed Book 1571, Page 329 (a portion of Tract 1), 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 Exhibits "A, B, C, D and E" attached hereto, and more particularly described as follows:

Temporary Construction Easement
Lexmark Trunk A & B Sanitary
Sewer Improvement Project
(a portion of 450 Park Place)

BEGINNING, at the southwest corner of Lexmark International, Inc. (450 Park Place, Deed Book 1571, Page 329, Part of Tracts 1, 2 & 3, Plat Cabinet R, Slide 874, Lot 3) said point being a common corner to Lexmark International, Inc. (1101 Russell Cave Road, Deed Book 1751, Page 329,

Tract 3, Plat Cabinet R, Slide 874, Lot 4); thence with said Lexmark International, Inc. (1101 Russell Cave Road) and continuing with Lexmark International, Inc., (740 W. New Circle Road, Deed Book 1751, Page 329, Tract 1, Plat Cabinet R, Slide 874, Lot 5) for five (5) lines; thence North 33°16'14" East, 3.11 feet to a point; thence North 16°20'08" East, 360.42 feet to a point; thence North 00°32'30" East, 210.94 feet to a point; thence North 08°25'16" West, 29.75 feet to a point; thence South 79°44'32" East, 15.84 feet to a point; thence leaving said Lexmark International, Inc. (740 W. New Circle Road) for three (3) new lines through the lands of said Lexmark International, Inc. (450 Park Place); thence South 04°08'25" East, 242.26 feet to a point; thence South 18°55'46" West, 365.13 feet to a point; thence South 26°06'01" West, 5.47 feet to a point in the north line of said Lexmark International, Inc. (1101 Russell Cave Road); thence with said Lexmark International, Inc. (1101 Russell Cave Road), North 65°28'37" West, 14.22 feet to the **POINT OF BEGINNING**; and,

The above described parcel contains 13,202 square feet (gross) and 9,273 square feet or 0.21 Acres (net), more or less of temporary construction easement; and,

Being a portion of the same property conveyed to IBM Information Products Corporation, a Delaware corporation, (now known as Lexmark International, Inc., as evidenced by Certificate of Amendment of Certificate of Incorporation, of record in Corporate Record Book 168, Page 682, in the Fayette county Clerk's office), by Deed dated December 28, 1990, recorded in Deed Book 1571, Page 329 (a portion of Tract 1 and 2), in the Fayette County Clerk's Office.

Temporary Construction Easement
Lexmark Trunk A & B Sanitary
Sewer Improvement Project
(a portion of 501 Park Place)

BEGINNING, at a found 5/8" rebar with cap (EA Partners, 2115) at the common corner of Lexmark International, Inc., (501 Park Place, Deed Book 1571, Page 329, Part of Tract 2, Plat Cabinet R, Slide 874, Lot 2) and Lexington Care, LLC (500 Park Place, Deed Book 3226, Page 005 and Deed Book 3176, Page 438, Plat Cabinet R, Slide 136, Parcel 1) said point being in the line with Lexmark International, Inc., (740 W. New Circle Road, Deed Book 1571, Page 329, Part

of Tract 1, Plat Cabinet R, Slide 874, Lot 5); thence leaving said Lexington Care, LLC and with said Lexmark International, Inc. (740 W. New Circle Road), North 40°07'15" West, 12.11 feet to a point; thence leaving said Lexmark International, Inc. (740 W. New Circle Road) for five (5) new lines through the lands of said Lexmark International, Inc. (501 Park Place); thence North 15°32'07" East, 387.69 feet to a point; thence North 43°00'40" East, 149.61 feet to a point; thence North 46°59'20" West, 5.00 feet to a point; thence North 43°00'40" East, 70.27 feet to a point; thence North 60°48'45" East, 211.31 feet to a point in the New Circle Road south right-of-way; thence with said New Circle Road south right-of-way, South 80°15'17" East, 68.49 feet to a point; thence leaving said New Circle Road south right-of-way for six (6) new lines through the lands of said Lexmark International, Inc. (501 Park Place); thence South 50°17'35" West, 38.14 feet to a point; thence South 60°48'45" West, 219.26 feet to a point; thence South 43°00'40" West, 62.43 feet to a point; thence North 46°59'20" West, 5.00 feet to a point; thence South 43°00'40" West, 139.84 feet to a point; South 15°32'07" West, 65.23 feet to a point in the line with said Lexington Care, LLC; thence with Lexington Care, LLC for two (2) lines; thence North 62°23'52" West, 30.68 feet to a point; thence South 15°32'07" West, 336.93 feet to the **POINT OF BEGINNING**; and,

The above described parcel contains 26,403 square feet (gross) and 13,125 square feet or 0.30 Acres (net), more or less of temporary construction easement; and,

Being a portion of the same property conveyed to IBM Information Products Corporation, a Delaware corporation, (now known as Lexmark International, Inc., as evidenced by Certificate of Amendment of Certificate of Incorporation, of record in Corporate Record Book 168, Page 682, in the Fayette County Clerk's office), by Deed dated December 28, 1990, recorded in Deed Book 1571, Page 329 (a portion of Tract 2) and by Quitclaim Deed of Correction, dated January 30, 2014, of record in Deed Book 3226, Page 005, all referenced in the Fayette County Clerk's Office.

Temporary Construction Easement
Lexmark Trunk A & B Sanitary
Sewer Improvement Project
(a portion of 1101 Russell Cave Road)

BEGINNING, at a found iron pin at the northwest corner of WLEX Communications, LLC (1065 Russell Cave, Deed Book 2079, Page 259) said point being a common corner with Lexmark International, Inc. (740 W. New Circle Road, Deed Book 1571, Page 329, Part of Tract 1, Plat Cabinet R, Slide 874, Lot 5); thence leaving said WLEX Communications, LLC, along a reference line through the lands of said Lexmark International, Inc. (740 W. New Circle Road), North $20^{\circ}16'47''$ West, 140.40 feet to the **TRUE POINT OF BEGINNING**, said point being in the southwest line of Lexmark International, Inc. (1101 Russell Cave Road, Deed Book 1571, Page 329, Tract 3, Plat Cabinet R, Slide 874, Lot 4); thence with said Lexmark International, Inc. (1101 Russell Cave Road), North $39^{\circ}13'02''$ West, 48.82 feet to a point; thence for ten (10) new lines through the lands of said Lexmark International, Inc. (1101 Russell Cave Road); thence North $05^{\circ}08'35''$ East, 36.22 feet to a point; thence North $84^{\circ}51'25''$ West, 10.00 feet to a point; thence North $05^{\circ}08'35''$ East, 88.90 feet to a point; thence North $18^{\circ}19'58''$ East, 47.52 feet to a point; thence North $35^{\circ}44'34''$ East, 248.71 feet to a point; thence South $54^{\circ}15'26''$ East, 5.00 feet to a point; North $26^{\circ}06'01''$ East, 126.67 feet to a point; thence South $63^{\circ}53'59''$ East, 10.00 feet to a point; thence North $26^{\circ}06'01''$ East, 47.26 feet to a point; thence North $63^{\circ}33'33''$ West, 5.07 feet to a point in the line with said Lexmark International, Inc. (740 W. New Circle Road); thence with said Lexmark International, Inc. (740 W. New Circle Road), North $37^{\circ}17'58''$ East, 126.28 feet to a point in the line with Lexmark International, Inc. (450 Park Place, Deed Book 1571, Page 329, Part of Tracts 1, 2 & 3, Plat Cabinet R, Slide 874, Lot 3); thence leaving said Lexmark International, Inc. (740 W. New Circle Road) and with said Lexmark International, Inc. (450 Park Place) for three (3) lines; thence South $16^{\circ}20'08''$ West, 39.62 feet to a point; thence South $33^{\circ}16'14''$ West, 3.11 feet to a point; thence South $65^{\circ}28'37''$ East, 14.22 feet to a point; thence leaving said Lexmark International, Inc. (450 Park Place) for nine (9) new lines through the lands of said Lexmark International, Inc. (1101 Russell Cave Road); thence South $26^{\circ}06'01''$ West, 129.42 feet to a point; thence North $63^{\circ}53'59''$ West, 10.00 feet to a point; thence South $26^{\circ}06'01''$ West, 100.20 feet to a point; thence South $35^{\circ}44'34''$ West, 275.39 feet to a point; thence South $18^{\circ}19'58''$ West, 36.77 feet to a point; thence South $05^{\circ}08'35''$ West, 84.27 feet to a point; thence South $84^{\circ}51'25''$ East, 10.00 feet to a point; thence South

05°08'35" West, 44.16 feet to a point; thence South 17°25'20" West, 27.59 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 27,501 square feet (gross) and 11,393 square feet or 0.26 Acres (net) more or less of temporary construction easement; and,

Being a portion of the same property conveyed to IBM Information Products Corporation, a Delaware corporation, (now known as Lexmark International, Inc., as evidenced by Certificate of Amendment of Certificate of Incorporation, of record in Corporate Record Book 168, Page 682, in the Fayette county Clerk's office), by Deed dated December 28, 1990, recorded in Deed Book 1571, Page 329 (a portion of Tract 3), in the Fayette County Clerk's Office.

Temporary Construction Easement
Lexmark Trunk A & B Sanitary
Sewer Improvement Project
(a portion of 740 W. New Circle Road)

Parcel "A"

BEGINNING, at a found 5/8" rebar with cap (EA Partners, 2115) at the common corner of Lexington Care, LLC (500 Park Place, Deed Book 3226, Page 005 and Deed Book 3176, Page 438, Plat Cabinet R, Slide 136, Parcel 1) and Lexmark International, Inc. (501 Park Place, Deed Book 1571, Page 329, Tract 2, Plat Cabinet R, Slide 136, Parcel 2 & 3), said point being in the line with Lexmark International, Inc. (740 W. New Circle Road, Deed Book 1571, Page 329, Part of Tract 1, Plat Cabinet R, Slide 874, Lot 5); thence with said Lexington Care, LLC, South 40°07'15" East, 77.57 feet to a point; thence leaving said Lexington Care, LLC for two (2) new lines through the land of said Lexmark International, Inc. (740 W. New Circle Road); thence South 08°18'30" East, 119.99 feet to a point; thence South 04°08'25" East, 46.14 feet to a point in the line with Lexmark International, Inc. (450 Park Place, Deed Book 1571, Page 329, Part of Tracts 1, 2, & 3, Plat Cabinet R, Slide 874, Lot 3); thence with said Lexmark International, Inc. (450 Park Place) for six (6) lines; thence North 79°44'32" West, 15.84 feet to a point; thence South 08°25'16" East, 29.75 feet to a point; thence South 00°32'30" West, 210.94 feet to a point; thence South 16°20'08" West, 229.31 feet to a point; thence South

16°20'08" West, 91.49 feet to a point in the line with Lexmark International, Inc. (1101 Russell Cave Road, Deed Book 1571, Page 329, Tract 3, Cabinet R, Slide 874, Lot 4); thence with said Lexmark International, Inc. (1101 Russell Cave Road), South 37°17'58" West, 126.28 feet to a point; thence leaving said Lexmark International, Inc. (1101 Russell Cave Road) for ten (10) new lines through the lands of said with Lexmark International, Inc. (740 W. New Circle Road); thence North 63°33'33" West, 4.93 feet to a point; thence North 26°06'01" East, 84.44 feet to a point; thence North 18°55'46" East, 15.92 feet to a point; thence South 71°04'14" East, 10.00 feet to a point; thence North 18°55'46" East, 337.91 feet to a point; thence North 04°08'25" West, 278.78 feet to a point; thence North 08°18'30" West, 103.19 feet to a point; thence South 81°41'30" West, 10.00 feet to a point; thence North 08°18'30" West, 85.23 feet to a point; thence North 15°32'07" East, 6.98 feet to a point in the line with said Lexington Care, LLC (500 Park Place); thence with said Lexington Care, LLC (500 Park Place), South 40°07'15" East, 12.11 feet to the **POINT OF BEGINNING**; and,

The above described parcel contains 20,574 square feet (gross) and 6,068 square feet or 0.14 Acres (net), more or less of temporary construction easement; and,

Parcel "B"

BEGINNING, at a found iron pin at the northwest corner of WLEX Communications, LLC (1065 Russell Cave Road, Deed Book 2079, Page 259) said point being a common corner with Lexmark International, Inc. (740 W. New Circle Road, Deed Book 1571, Page 329, Part of Tract 1, Plat Cabinet R, Slide 874, Lot 5); thence leaving said WLEX Communications, LLC, along a reference line through the lands of said Lexmark International, Inc. (740 W. New Circle Road), North 20°25'11" West, 139.96 feet to the **POINT OF BEGINNING**, said point being in the southwest line of Lexmark International, Inc. (1101 Russell Cave Road, Deed Book 1571, Page 329, Tract 3, Plat Cabinet R, Slide 874, Lot 4); thence leaving said Lexmark International, Inc. (1101 Russell Cave Road) for two (2) new lines through the lands of said Lexmark International, Inc. (740 W. New Circle Road); thence South 17°25'20" West, 29.80 feet to a point; thence South 00°21'03" East, 150.41 feet to a point in the northwest line of said WLEX Communications, LLC; thence with said WLEX Communications, LLC, South 50°00'12"

West, 51.95 feet to a point; thence leaving said WLEX Communications, LLC for three (3) new lines through the lands of said Lexmark International, Inc. (740 W. New Circle Road); thence North 00°21'03" West, 189.81 feet to a point; thence North 17°25'20" East, 59.34 feet to a point; thence North 05°08'35" East, 3.64 feet to a point in the line with said Lexmark International, Inc. (Tract 3); thence with said Lexmark International, Inc. (1101 Russell Cave Road), South 39°13'02" East, 48.82 feet to the TRUE POINT OF BEGINNING; and,

The above described parcel contains 8,649 square feet (gross) and 4,325 square feet or 0.10 Acres (net), more or less of temporary construction easement; and,

Both parcels above being a portion of the same property conveyed to IBM Information Products Corporation, a Delaware corporation, (now known as Lexmark International, Inc., as evidenced by Certificate of Amendment of Certificate of Incorporation, of record in Corporate Record Book 168, Page 682, in the Fayette county Clerk's office), by Deed dated December 28, 1990, recorded in Deed Book 1571, Page 329 (a portion of Tract 1), 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 easements run with the land for the duration of the improvement project and are binding upon the successors and assigns of the Grantor. The above-described permanent easements run with the land in perpetuity and are binding upon the successors and assigns of the Grantor. The temporary construction easements 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 easements 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 easements 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 388-2019, passed by the Lexington-Fayette Urban County Council on July 9, 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:

LEXMARK INTERNATIONAL, INC., a
Delaware corporation

BY: Thomas C Wade

THOMAS C WADE
(print name)

It's: DIRECTOR, CORPORATE REAL ESTATE

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE at large)

This instrument was acknowledged, subscribed and sworn to before me by Thomas C Wade, as Director of Corporate Real Estate, for and on behalf of Lexmark International, Inc., a Delaware corporation, on this the 24 day of October, 2019.

Anette Eades Anette Ead
Notary Public, Kentucky, State-at-Large

My Commission Expires: 06 / 05 / 2020

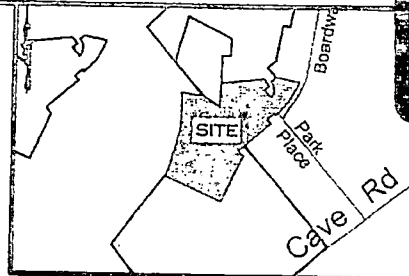
Notary ID # 558134

PREPARED BY:

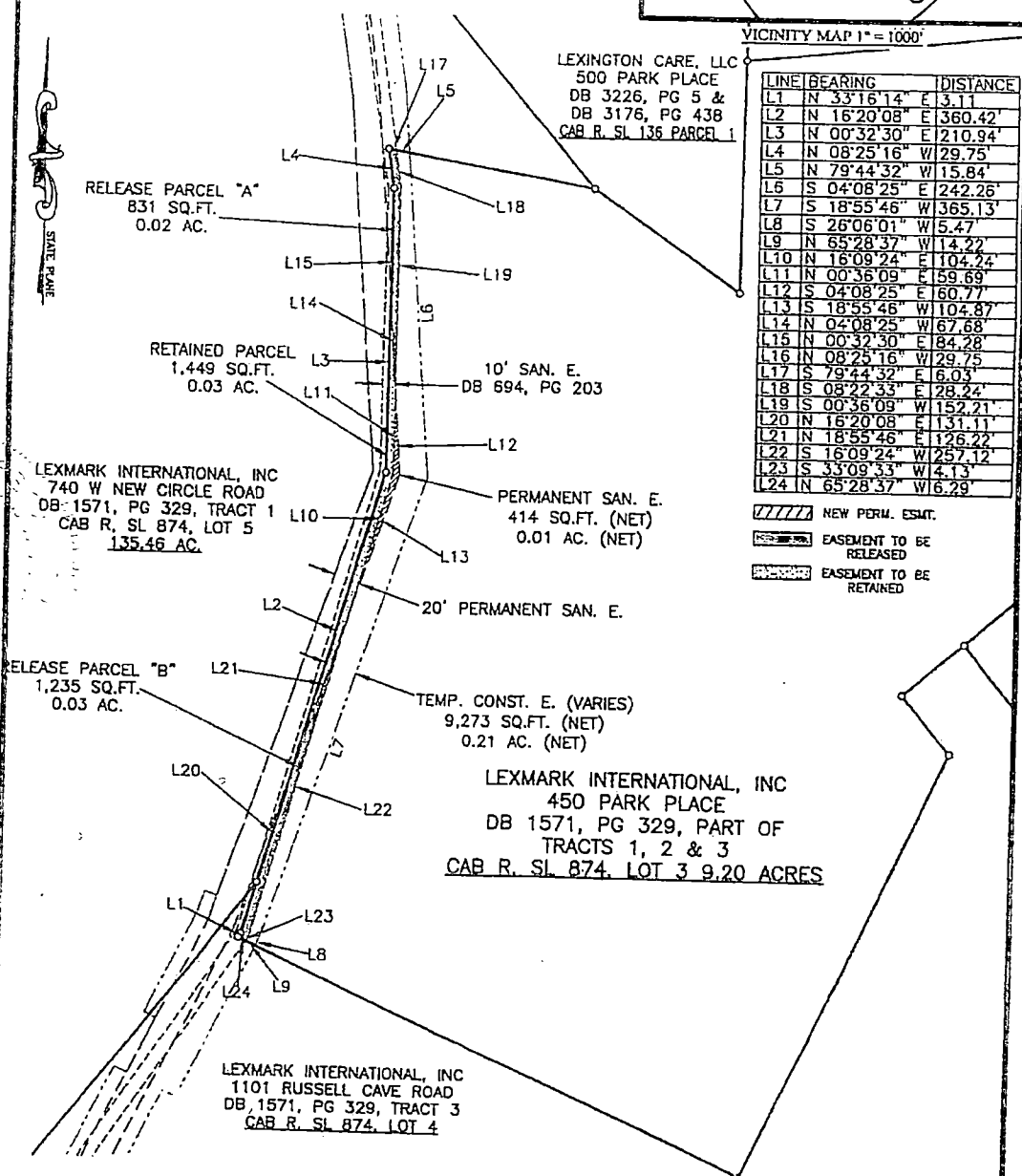
Charles E. Edwards III
CHARLES E. EDWARDS III
Attorney
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

A

VARIABLE PERMANENT SANITARY SEWER
EASEMENT EXHIBIT FOR LFUCG
LEXMARK INTERNATIONAL, INC.,
PROPERTY
450 PARK PLACE
LEXINGTON, FAYETTE COUNTY, KENTUCKY



VICINITY MAP 1" = 1000'

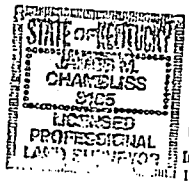
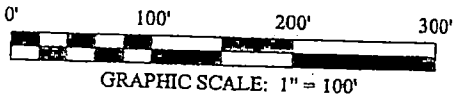


LINE	BEARING	DISTANCE
L1	N 33°16'14" E	3.11
L2	N 16°20'08" E	360.42
L3	N 00°32'30" E	210.94
L4	N 08°25'16" W	29.75
L5	N 79°44'32" W	15.84
L6	S 04°08'25" E	242.26
L7	S 18°55'46" W	365.13
L8	S 26°06'01" W	5.47
L9	N 65°28'37" W	14.22
L10	N 16°09'24" E	104.24
L11	N 00°36'09" E	59.69
L12	S 04°08'25" E	60.77
L13	S 18°55'46" W	104.87
L14	N 04°08'25" W	67.68
L15	N 00°32'30" E	84.28
L16	N 08°25'16" W	29.75
L17	S 79°44'32" E	6.03
L18	S 08°22'33" E	28.24
L19	S 00°36'09" W	152.21
L20	N 16°20'08" E	131.11
L21	N 18°55'46" E	126.22
L22	S 16°09'24" W	257.12
L23	S 33°09'33" W	4.13
L24	N 65°28'37" W	6.29

////// NEW PERM. ESMT.
 EASEMENT TO BE RELEASED
 EASEMENT TO BE RETAINED

LAND SURVEYOR'S CERTIFICATE:
 THE PROPERTY LINES SHOWN ON THIS EASEMENT EXHIBIT ARE BASED ON DEED AND/OR RECORD PLAT DATA FROM THE FAYETTE COUNTY CLERK'S OFFICE AND FIELD LOCATED PROPERTY CORNERS. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DESCRIBED IN 201 KAR 18:150 AND INTEGRATED ENGINEERING HAS NOT PERFORMED A BOUNDARY SURVEY FOR THE PURPOSES OF THIS EXHIBIT. THIS EXHIBIT IS NOT INTENDED TO BE USED FOR LAND TRANSFER.

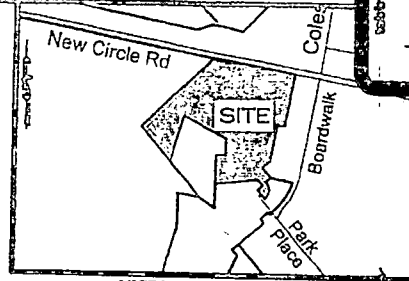
James M. Chambliss
 JAMES M. CHAMBLISS, PLS 3185
 DATE 2/14/19



INTEGRATED ENGINEERING
 Integrated Engineering, PLLC
 166 Prosperous Place, Suite 220
 Lexington, KY, 40509

B

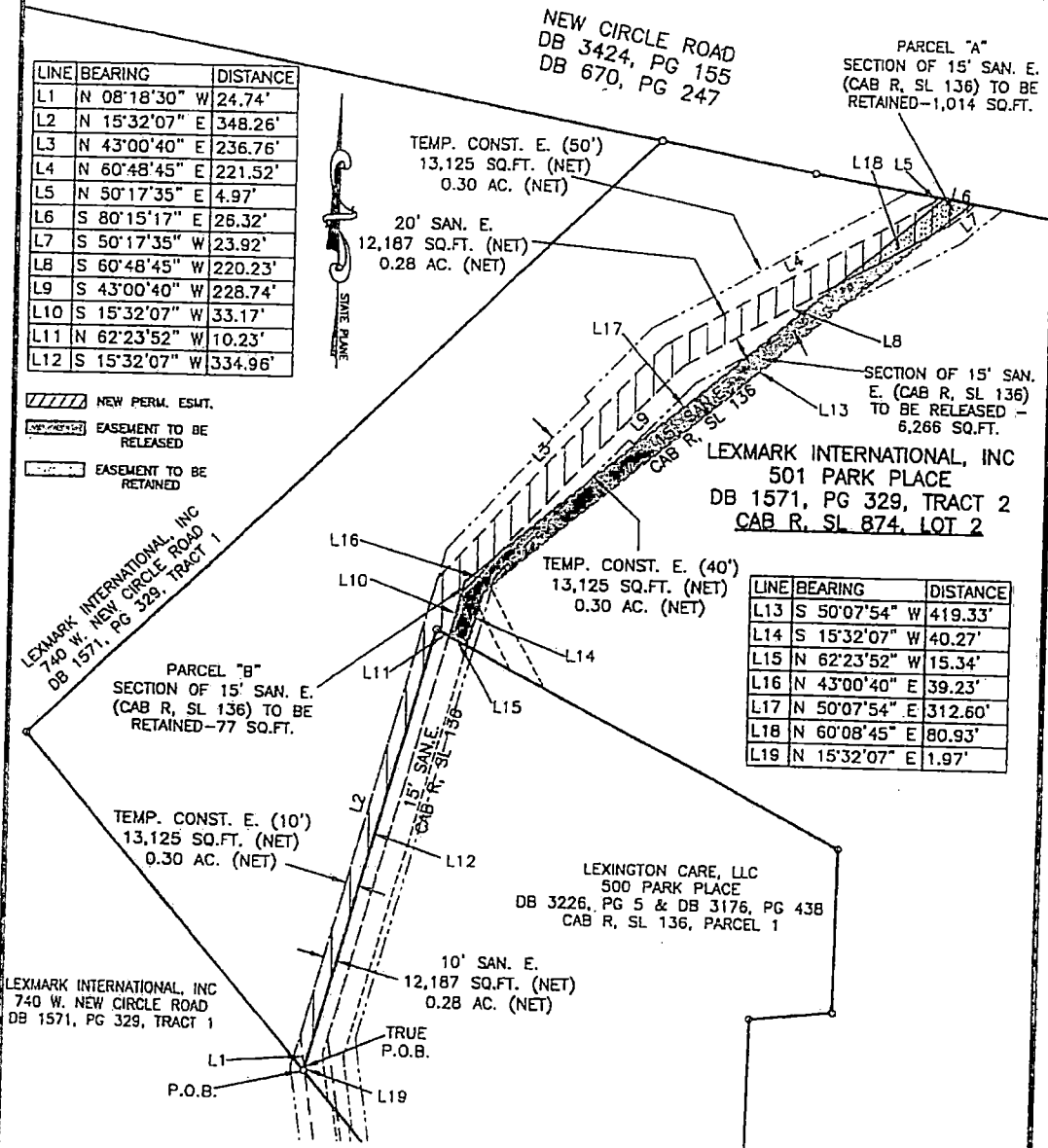
20' PERMANENT SANITARY SEWER EASEMENT
 EXHIBIT FOR LFUCG
 LEXMARK INTERNATIONAL, INC.
 PROPERTY
 501 PARK PLACE
 LEXINGTON, FAYETTE COUNTY, KENTUCKY



VICINITY MAP 1" = 1000'

LINE	BEARING	DISTANCE
L1	N 08°18'30" W	24.74'
L2	N 15°32'07" E	348.26'
L3	N 43°00'40" E	236.76'
L4	N 60°48'45" E	221.52'
L5	N 50°17'35" E	4.97'
L6	S 80°15'17" E	26.32'
L7	S 50°17'35" W	23.92'
L8	S 60°48'45" W	220.23'
L9	S 43°00'40" W	228.74'
L10	S 15°32'07" W	33.17'
L11	N 62°23'52" W	10.23'
L12	S 15°32'07" W	334.96'

- NEW PERM. ESMT.
- EASEMENT TO BE RELEASED
- EASEMENT TO BE RETAINED

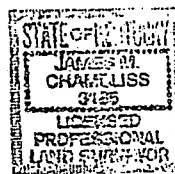
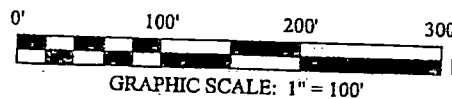


LINE	BEARING	DISTANCE
L13	S 50°07'54" W	419.33'
L14	S 15°32'07" W	40.27'
L15	N 62°23'52" W	15.34'
L16	N 43°00'40" E	39.23'
L17	N 50°07'54" E	312.60'
L18	N 60°08'45" E	80.93'
L19	N 15°32'07" E	1.97'

LAND SURVEYOR'S CERTIFICATE:

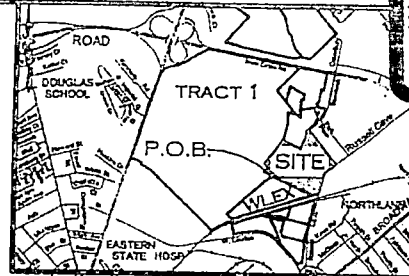
THE PROPERTY LINES SHOWN ON THIS EASEMENT EXHIBIT ARE BASED ON DEED AND/OR RECORD PLAT DATA FROM THE FAYETTE COUNTY CLERK'S OFFICE AND FIELD LOCATED PROPERTY CORNERS. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DESCRIBED IN 201 KAR 18:150 AND INTEGRATED ENGINEERING HAS NOT PERFORMED A BOUNDARY SURVEY FOR THE PURPOSES OF THIS EXHIBIT. THIS EXHIBIT IS NOT INTENDED TO BE USED FOR LAND TRANSFER.

James M. Chambliss
 JAMES M. CHAMBLISS, PLS 3185
 DATE 01/14/19



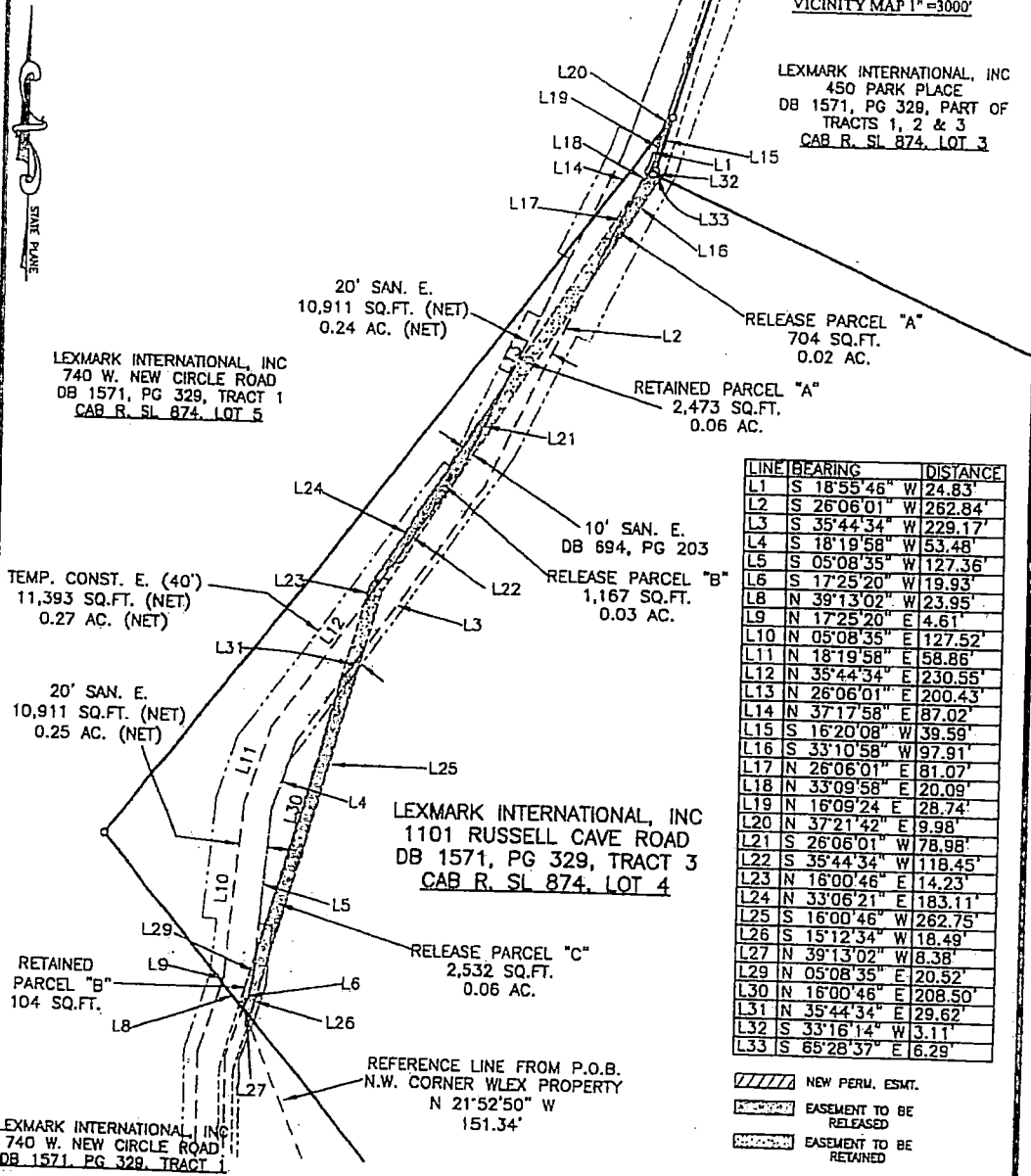
C

20' PERMANENT SANITARY SEWER EASEMENT
 EXHIBIT FOR LFUGG
 LEXMARK INTERNATIONAL, INC.
 PROPERTY
 1101 RUSSELL CAVE ROAD
 LEXINGTON, FAYETTE COUNTY, KENTUCKY



VICINITY MAP 1" = 3000'

LEXMARK INTERNATIONAL, INC.
 450 PARK PLACE
 DB 1571, PG 329, PART OF
 TRACTS 1, 2 & 3
 CAB R. SL 874, LOT 3

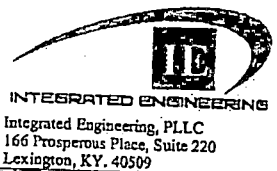
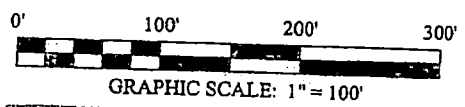


LINE	BEARING	DISTANCE
L1	S 18°55'46\"	W 24.83'
L2	S 26°06'01\"	W 262.84'
L3	S 35°44'34\"	W 229.17'
L4	S 18°19'58\"	W 53.48'
L5	S 05°08'35\"	W 127.36'
L6	S 17°25'20\"	W 19.93'
L8	N 39°13'02\"	W 23.95'
L9	N 17°25'20\"	E 4.61'
L10	N 05°08'35\"	E 127.52'
L11	N 18°19'58\"	E 58.86'
L12	N 35°44'34\"	E 230.55'
L13	N 26°06'01\"	E 200.43'
L14	N 37°17'58\"	E 87.02'
L15	S 16°20'08\"	W 39.59'
L16	S 33°10'58\"	W 97.91'
L17	N 26°06'01\"	E 81.07'
L18	N 33°09'58\"	E 20.09'
L19	N 16°09'24\"	E 28.74'
L20	N 37°21'42\"	E 9.98'
L21	S 26°06'01\"	W 78.98'
L22	S 35°44'34\"	W 118.45'
L23	N 16°00'46\"	E 14.23'
L24	N 33°06'21\"	E 183.11'
L25	S 16°00'46\"	W 262.75'
L26	S 15°12'34\"	W 18.49'
L27	N 39°13'02\"	W 8.38'
L29	N 05°08'35\"	E 20.52'
L30	N 16°00'46\"	E 208.50'
L31	N 35°44'34\"	E 29.62'
L32	S 33°16'14\"	W 3.11'
L33	S 65°28'37\"	E 16.29'

LAND SURVEYOR'S CERTIFICATE:

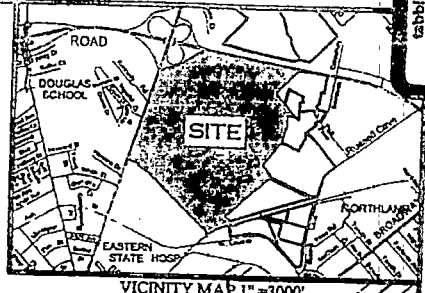
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JAMES M. CHAMBUSS
 JAMES M. CHAMBUSS, PLS 3185
 DATE 1/14/19



D

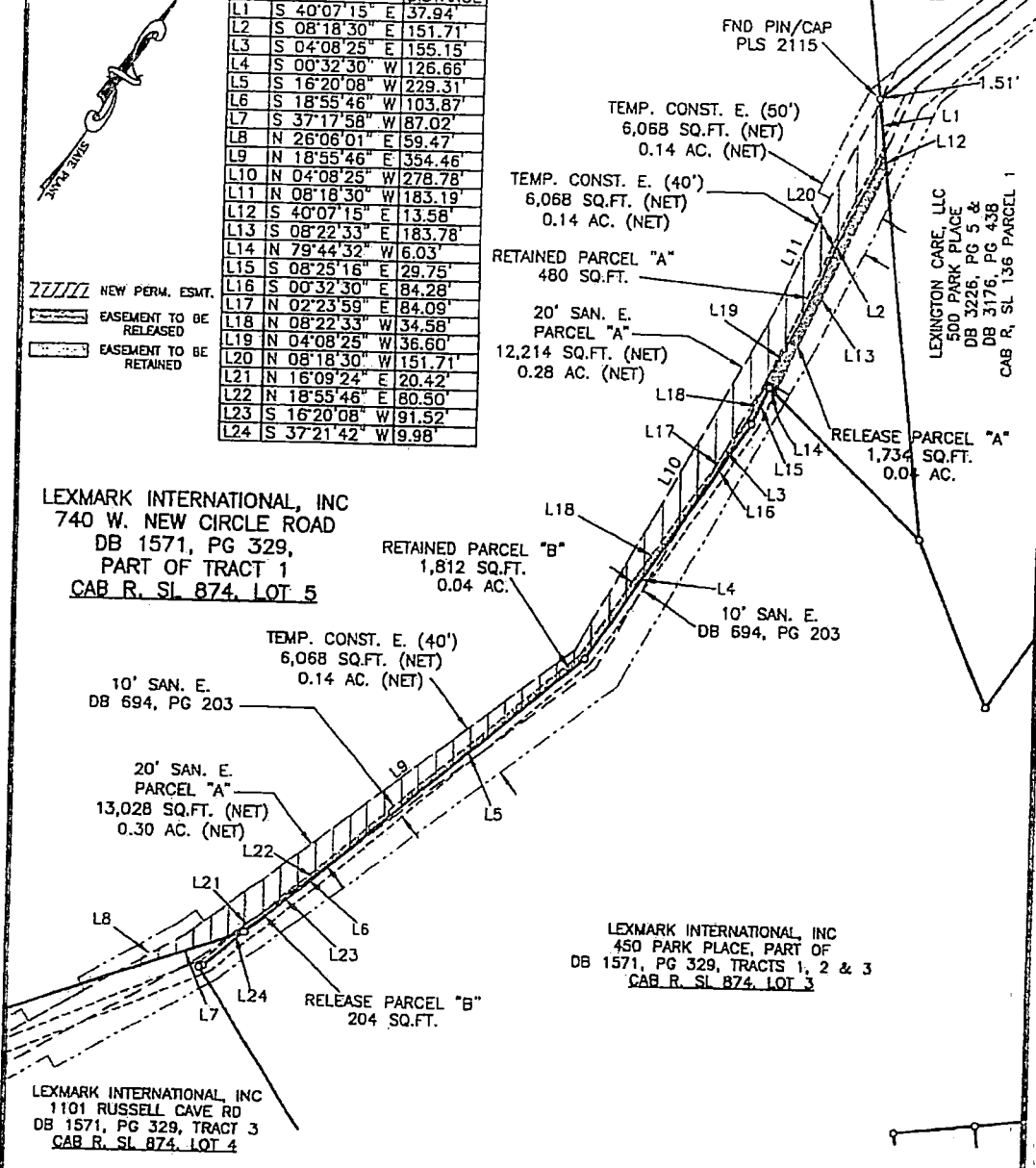
20' PERMANENT SANITARY SEWER EASEMENT
 EXHIBIT FOR LFUCG
 LEXMARK INTERNATIONAL, INC.
 PROPERTY
 740 W. NEW CIRCLE ROAD TRACT 1 (1 OF 2)
 LEXINGTON, FAYETTE COUNTY, KENTUCKY



LINE	BEARING	DISTANCE
L1	S 40°07'15\"	E 37.94'
L2	S 08°18'30\"	E 151.71'
L3	S 04°08'25\"	E 155.15'
L4	S 00°32'30\"	W 126.66'
L5	S 16°20'08\"	W 229.31'
L6	S 18°55'46\"	W 103.87'
L7	S 37°17'58\"	W 87.02'
L8	N 26°06'01\"	E 59.47'
L9	N 18°55'46\"	E 354.46'
L10	N 04°08'25\"	W 278.78'
L11	N 08°18'30\"	W 183.19'
L12	S 40°07'15\"	E 13.58'
L13	S 08°22'33\"	E 183.78'
L14	N 79°44'32\"	W 6.03'
L15	S 08°25'16\"	E 29.75'
L16	S 00°32'30\"	E 84.28'
L17	N 02°23'59\"	E 84.09'
L18	N 08°22'33\"	W 34.58'
L19	N 04°08'25\"	W 36.60'
L20	N 08°18'30\"	W 151.71'
L21	N 16°09'24\"	E 20.42'
L22	N 18°55'46\"	E 80.50'
L23	S 16°20'08\"	W 91.52'
L24	S 37°21'42\"	W 19.98'

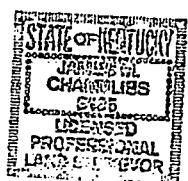


LEXMARK INTERNATIONAL, INC
 740 W. NEW CIRCLE ROAD
 DB 1571, PG 329,
 PART OF TRACT 1
 CAB R. SL 874, LOT 5



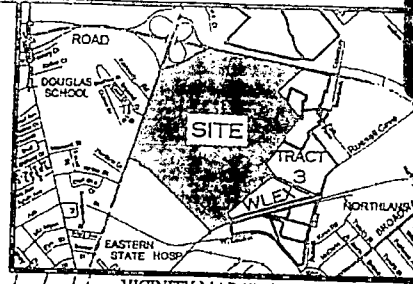
LAND SURVEYOR'S CERTIFICATE:
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James M. Chambliss
 JAMES M. CHAMBLISS, PLS 3185
 DATE 2/14/19



INTEGRATED ENGINEERING
 Integrated Engineering, PLLC
 166 Prosperous Place, Suite 220
 Lexington, KY, 40509

20' PERMANENT SANITARY SEWER EASEMENT
 EXHIBIT FOR LFUGG
 LEXMARK INTERNATIONAL, INC.
 PROPERTY
 740 W. NEW CIRCLE ROAD TRACT 1 (2 OF 2)
 LEXINGTON, FAYETTE COUNTY, KENTUCKY



LEXMARK INTERNATIONAL, INC
 740 W. NEW CIRCLE ROAD
 DB 1571, PG 329, TRACT 1

RELEASE PARCEL "C"
 1,216 SQ.FT.
 0.03 AC.

20' SAN. E.
 PARCEL "B"
 3,587 SQ.FT. (NET)
 0.08 AC. (NET)

RETAINED PARCEL "C"
 737 SQ.FT.

TEMP. CONST. E. (40')
 4,324 SQ.FT. (NET)
 0.10 AC. (NET)

LEXMARK INTERNATIONAL, INC
 1101 RUSSELL CAVE ROAD
 DB 1571, PG 329, TRACT 3
 CAB R. SL 874, LOT 4

WLEX COMMUNICATIONS, LLC
 1065 RUSSELL CAVE RD
 DB 2079, PG 259, TRACT 1

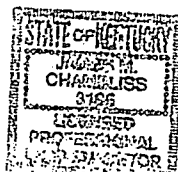
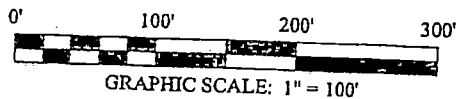
LINE	BEARING	DISTANCE
L1	S 39°13'02" E	23.95'
L2	S 17°25'20" W	37.94'
L3	S 00°21'03" E	150.26'
L4	S 50°00'12" W	25.97'
L5	N 00°21'03" W	179.96'
L6	N 17°25'20" E	54.24'
L7	S 39°13'02" E	8.38'
LB	S 15°12'34" W	41.61'
L9	S 00°35'38" E	144.58'
L10	S 50°00'12" W	8.17'

||||| NEW PERM. ESMT.
 EASEMENT TO BE RELEASED
 EASEMENT TO BE RETAINED

LAND SURVEYOR'S CERTIFICATE:

THE PROPERTY LINES SHOWN ON THIS EASEMENT EXHIBIT ARE BASED ON DEED AND/OR RECORD PLAT DATA FROM THE FAYETTE COUNTY CLERK'S OFFICE AND FIELD LOCATED PROPERTY CORNERS. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DESCRIBED IN 201 KAR 18:150 AND INTEGRATED ENGINEERING HAS NOT PERFORMED A BOUNDARY SURVEY FOR THE PURPOSES OF THIS EXHIBIT. THIS EXHIBIT IS NOT INTENDED TO BE USED FOR LAND TRANSFER.

James M. Chambliss PLS 3185
 JAMES M. CHAMBLISS, PLS 3185
 DATE



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

201910250310

October 25, 2019 15:08:05 PM

Fees	\$68.00	Tax	\$.00
------	---------	-----	--------

Total Paid	\$68.00
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THIS IS THE LAST PAGE OF THE DOCUMENT

21 Pages

460 - 480

MAYOR LINDA GORTON



LEXINGTON

SUSAN B. SPECKERT
COMMISSIONER
DEPARTMENT OF LAW

To: Abigail Allan, Council Clerk
Council Clerk's Office

From: Department of Law

Date: October 31, 2019

Re: Deed of Conveyance and Permanent Sanitary Sewer and
Temporary Construction Easement
450 and 501 Park Place, 1101 Russell Cave Road and
740 W. New Circle Road

Our File No. 19-RE0360
Lexmark Trunk A & B
Sewer Improvement Project

Enclosed is the original recorded Deed of Conveyance and Permanent Sanitary Sewer and Temporary Construction Easement for the above property to the Urban County Government for the Lexmark Trunk A & B Sewer Improvement Project. Please file the easement with the authorizing legislation, Resolution No. 388-2019.

Please note that the attached asset acquisition form is only for the permanent easements acquired.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles E. Edwards, III".

Charles E. Edwards, III
Attorney

Enclosure

X:\Cases\jWATER-AIR\19-RE0360\MEMO\00671374.DOC

