

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 24th day of February, 2021, by and between **ANAMARIA S. ALBUQUERQUE, a single person**, 1465 Stephen Foster Drive, Lexington, Kentucky 40517, 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 **TWO HUNDRED NINETEEN DOLLARS AND 63/100 DOLLARS (\$219.63)**, 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 Exhibit "A", and more particularly described as follows, to wit:

Permanent Sanitary Sewer Easement
Southeastern Hills Trunk Sewer Improvement Project
(a portion of 1465 Stephen Foster Drive)

All that strip or parcel of land situated on the south side of Stephen Foster Drive east of Crosby Drive in Lexington,

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

Fayette County, Kentucky, and being more fully described and bounded as follows:

BEGINNING at a point in the southerly right of way line of Stephen Foster Drive, said point also being a common corner between lots 49 and 50, Block " D" as shown on the Final Record Plan of Melody Village Unit 2A-B, (Cabinet A, Slide 283);

Thence leaving the southerly right of way line of Stephen Foster Drive and with the easterly property line of Lot 50, S 22° 53' 42" W, 88.71 feet to the **TRUE POINT OF BEGINNING**;

Thence leaving the easterly property line of Lot 50 and with a new permanent sanitary sewer easement line through the lands of Lot 49, S 64° 23' 07" E, 60.07 feet to a point in the westerly property line of Lot 48;

Thence with the westerly property line of Lot 48, S 22° 53' 42" W, 9.24 feet to a point;

Thence leaving the westerly property line of Lot 48, and with an existing WL. Drainage, Sanitary, Storm, and Utility Easement line, N 65° 09' 18" W, 60.04 feet to a point in the easterly property line of the aforesaid Lot 50;

Thence with the easterly property line of Lot 50, N 22° 53' 42" E, 10.04 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 578 square feet (0.013 Acres, more or less) of permanent easement; and

Being a portion of the property conveyed to Winston B. Caster and Anamaria A. Caster, husband and wife, by Deed dated July 7, 2007, of record in Deed Book 2741, Page 312, in the Fayette County Clerk's Office. Said Winston B. Caster conveyed his interest in the property to Anamaria S. Albuquerque (formerly Anamaria A. Caster) formerly married, by Quitclaim Deed, dated December 19, 2020, of record in Deed Book 3812, Page 573, 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
Southeastern Hills Trunk Sewer Improvement Project
(a portion of 1465 Stephen Foster Drive)

All that strip or parcel of land situated on the south side of Stephen Foster Drive east of Crosby Drive in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows:

BEGINNING at a point in the southerly right of way line of Stephen Foster Drive, said point also being a common corner between lots 49 and 50, Block "D" as shown on the Final Record Plan of Melody Village Unit 2A-B, (Cabinet A, Slide 283);

Thence leaving the southerly right of way line of Stephen Foster Drive and with the easterly property line of Lot 50, S 22° 53' 42" W, 78.70 feet to the **TRUE POINT OF BEGINNING**;

Thence leaving the easterly property line of Lot 50 and with a new temporary construction easement line through the lands of Lot 49, S 64° 23' 07" E, 60.07 feet to a point in the westerly property line of Lot 48;

Thence with the westerly property line of Lot 48, S 22° 53' 42" W, 10.01 feet to a point;

Thence leaving the westerly property line of Lot 48, and with a new permanent sanitary sewer easement line, N 64° 23' 07" W, 60.07 feet to a point in the easterly property line of the aforesaid Lot 50;

Thence with the easterly property line of Lot 50, N 22° 53' 42" E, 10.01 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains a total area of 601 square feet (0.014 Acres, more or less) of temporary construction easement;

Being a portion of the property conveyed to Winston B. Caster and Anamaria A. Caster, husband and wife, by Deed dated July 7, 2007, of record in Deed Book 2741, Page 312, in the Fayette County Clerk's Office. Said Winston B. Caster conveyed his interest in the property to Anamaria S. Albuquerque (formerly Anamaria A. Caster) formerly married, by Quitclaim Deed, dated December 19, 2020, of record in Deed Book 3812, Page 573, 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.

PREPARED BY:



EVAN P. THOMPSON

Attorney

Lexington-Fayette Urban

County Government

Department of Law, 11th Floor

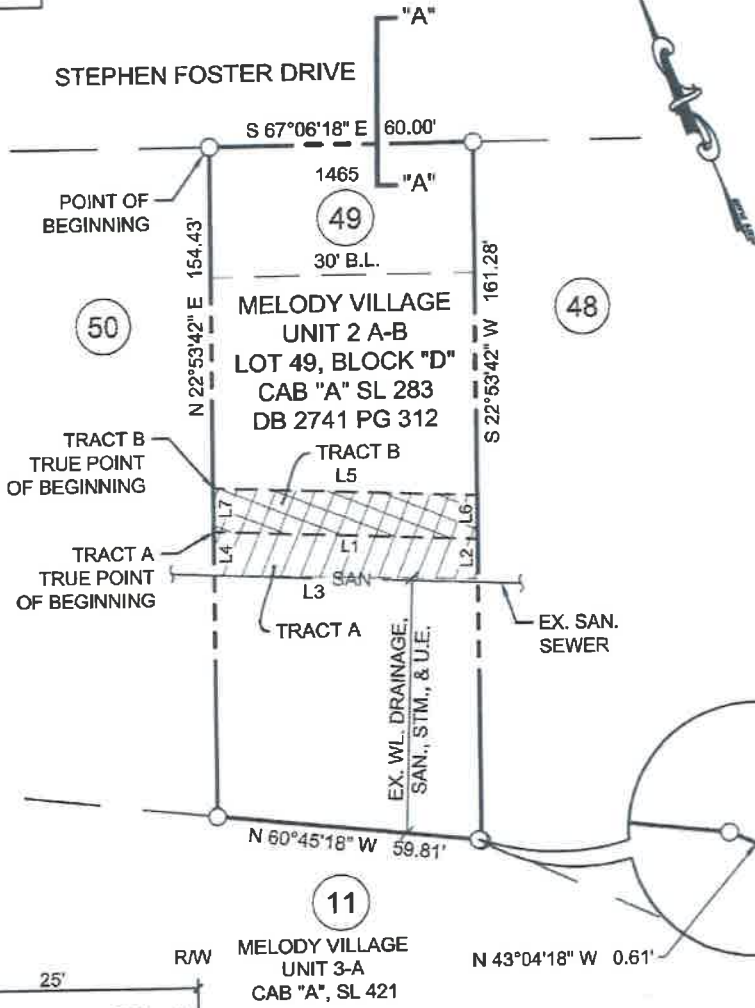
200 East Main Street

Lexington, Kentucky 40507

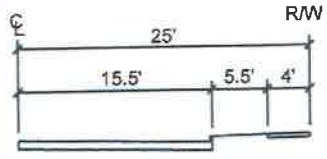
(859) 258-3500

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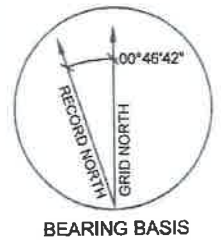
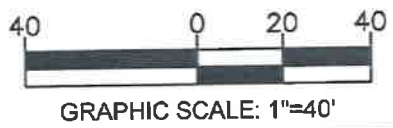
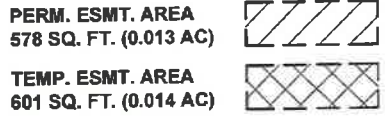
EXHIBIT A



EASEMENT LINE TABLE		
LINE #	LENGTH	BEARING
L1	60.07'	S 64°23'07" E
L2	9.24'	S 22°53'42" W
L3	60.04'	N 65°09'18" W
L4	10.04'	N 22°53'42" E
L5	60.07'	S 64°23'07" E
L6	10.01'	S 22°53'42" W
L7	10.01'	N 22°53'42" E



SECTION "A"- "A"
STEPHEN FOSTER DRIVE
HALF SECTION



NOTES:

1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE RECORD DESCRIPTION (DEED BOOK 2741, PAGE 312) AND CORRESPONDING PLAT (CABINET A, SLIDE 283) OF RECORD IN THE FAYETTE COUNTY CLERK'S OFFICE. THE ORIGIN OF BEARINGS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, STATE PLANE KENTUCKY NORTH AS OBSERVED FROM KYCORS STATION "KYTG" USING A TRIMBLE R10, 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
ANAMARIA A. & WINSTON B. CASTER
1465 STEPHEN FOSTER DRIVE
SOUTHEASTERN HILLS TRUNK SEWER IMPROVEMENTS
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY



FIGURE 1

SEPTEMBER 2020

2815.046

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: MELISSA STELTER ,dc

202103030075

March 3, 2021 9:42:31 AM

Fees	\$56.00	Tax	\$0.00
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Total Paid	\$56.00
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8 Pages

283 - 290