

FAYETTE CO, KY FEE \$62.00

SUSAN LAMB
COUNTY CLERK

PRESENTED/LODGED: 12/16/2024 09:29:50 AM

BOBBIE MARSTELLA, DEPUTY CLERK 202412160051

BK: DB 4108

PG: 201-209



DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 12th day of December, 2024, by and between **LAKEVIEW ISLANDS SECURITY AND MAINTENANCE ASSOCIATION, INC.**, a Kentucky corporation, P.O. Box 910518, Lexington, Kentucky 40591-0518, 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 **SIX THOUSAND DOLLARS AND 00/100 CENTS (\$6,000.00)**, 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, maintenance, 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
Plainview Trunk
Sewer Improvement Project
(a portion of Lakeshore Drive (private) Right-of-Way)

All those tract or parcels of land situated approximately 250 feet south of the intersection of Lakeshore Drive and west of New Circle Road, in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at the common corner of JP One Financial, LLC (700 Lakeshore Drive, Deed Book 3731, Page 200) and Elizabeth A. Buckley and Edward J. Richardson (827 Lakeshore Drive, Deed Book 1989, Page 180), said point being in the Lakeshore Drive west right-of-way (Deed Book 1148, Page 17 and Plat Cabinet B, Slide 243);

Thence leaving said Buckley and Richardson and with said Lakeshore Drive, South 12°32'14" West, 109.89 feet to the **TRUE POINT OF BEGINNING**, having NAD 83 (2011) Kentucky State Plane North Zone U.S Survey Feet coordinates of North 183,865.73 and East 1,579,390.85;

Thence leaving said JP One Financial for five (5) new lines through said Lakeshore Drive:

1. South 70°12'19" East, 34.58 feet to a point,
2. South 11°52'14" West, 16.16 feet to a point,
3. South 12°05'14" West, 4.03 feet to a point,
4. North 70°12'19" West, 34.80 feet to a point,
5. North 12°32'14" East, 20.16 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 694 square feet (gross and net) more or less of permanent easement; and

Being a portion of the same property conveyed to Lakeview Islands Security & Maintenance Association, Inc., a Kentucky corporation, by Deed dated April 26, 1977, of

record in Deed Book 1171, Page 644 and further shown as a private street, in Lakeview Islands Subdivision, Unit 2, of record in Plat Cabinet B, Slide 243 and by Deed, dated May 20, 1976, of record in Deed Book 1148, Page 17 and re-recorded in Deed Book 1157, Page 411, all references 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 do 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, maintenance, 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
Plainview Trunk
Sewer Improvement Project
(a portion of Lakeshore Drive (private) Right-of-Way)

All those tract or parcels of land situated approximately 250 feet south of the intersection of Lakeshore Drive and west of New Circle Road, in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

Tract A

BEGINNING, at the common corner JP One Financial, LLC (700 Lakeshore Drive, Deed Book 3731, Page 200) and Elizbeth A. Buckley and Edward J. Richardson (827 Lakeshore Drive, Deed Book 1989, Page 180), said point being in the Lakeshore Drive west right-of-way (Deed Book 1148, Page 17 and Plat Cabinet B, Slide 243);

Thence leaving said Buckley and Richardson and with said Lakeshore Drive, South 12°32'14" West, 99.81 feet to the **TRUE POINT OF BEGINNING**, having NAD 83 (2011)

Kentucky State Plane North Zone U.S Survey Feet
coordinates of North 183,875.57 and East 1,579,393.04;

Thence leaving said JP One Financial for three (3) new lines
through said Lakeshore Drive:

1. South 70°12'19" East, 34.46 feet to a point,
2. South 11°52'14" West, 10.10 feet to a point,
3. North 70°12'19" West, 34.58 feet to a point in
the line with said JP One Financial;

Thence with said JP One Financial, North 12°32'14" East,
10.08 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 346 square feet (gross
and net) more or less of temporary construction easement;
and

Tract B

BEGINNING, at the common corner of JP One Financial,
LLC (700 Lakeshore Drive, Deed Book 3731, Page 200) and
Elizabeth A. Buckley and Edward J. Richardson (827
Lakeshore Drive, Deed Book 1989, Page 180), said point
being in the Lakeshore Drive west right-of-way (Deed Book
1148, Page 17 and Plat Cabinet B, Slide 243);

Thence leaving said Buckley and Richardson and with said
Lakeshore Drive, South 12°32'14" West, 130.05 feet to the
TRUE POINT OF BEGINNING, having NAD 83 (2011)
Kentucky State Plane North Zone U.S Survey Feet
coordinates of North 183,846.05 and East 1,579,386.47;

Thence leaving said JP One Financial for three (3) new lines
through said Lakeshore Drive:

1. South 70°12'19" East, 34.80 feet to a point,
2. South 12°05'14" West, 10.09 feet to a point,
3. North 70°12'19" West, 34.88 feet to a point in
the line with said JP One Financial;

Thence with a said JP One Financial, North 12°32'14" East,
10.08 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 348 square feet (gross
and net) more or less of temporary construction easement;
and

Tracts A and B, being a portion of the same property conveyed to Lakeview Islands Security & Maintenance Association, Inc., a Kentucky corporation, by Deed dated April 26, 1977, of record in Deed Book 1171, Page 644 and further shown as a private street, in Lakeview Islands Subdivision, Unit 2, of record in Plat Cabinet B, Slide 243 and by Deed, dated May 20, 1976, of record in Deed Book 1148, Page 17 and re-recorded in Deed Book 1157, Page 411, all references 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.

TOGETHER with the right to use the above-described easements during the time the sanitary sewer is being constructed, repaired or reconstructed, with the right of ingress and egress upon said easements as may be reasonably necessary for the construction and maintenance of said project.

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, or maintenance thereof.

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 it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 006-2024, passed by the Lexington-Fayette Urban County Council on January 23, 2024. 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:

LAKEVIEW ISLANDS SECURITY AND
MAINTENANCE ASSOCIATION, INC.,
A Kentucky corporation

BY:




JAKE MICHUL,
PRESIDENT

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Jake Michul, as President, for and on behalf of Lakeview Islands Security and Maintenance Association, Inc., a Kentucky corporation, on this the 12th day of December, 2024.

CHERYL L. VOLL
Notary Public, ID No. KYNP50865
State at Large, Kentucky
My Commission Expires JUNE 04, 2028




Notary Public, Kentucky, State-at-Large

My Commission Expires: ____/____/____

Notary ID# _____

PREPARED BY:



TIFFANY HOLSKEY,
Attorney
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500



ELIZABETH A. BUCKLEY
EDWARD J. RICHARDSON
DB 1989 PG 180

JP ONE FINANCIAL LLC
700 LAKESHORE DR.
DB 3731 PG 200

TRUE P.O.B.
N:183865.73
E:1579390.85

TEMP. CONST. ESMT.
PERM. SAN. ESMT.



P.O.B.

10' U.E.
PC H SLD 164
25' SAN. & STORM SEWER E.
PC H SLD 164
S 12°32'14" W 109.89'

LAKESHORE DRIVE (PRIVATE) RIGHT
OF WAY
PC B SLD 243

10' TEMP. CONST. E. "A"
346 SQ.FT.
(GROSS & NET)

10' U.E.
PC H SLD 164
25' SAN. & STORM SEWER E.
PC H SLD 164

20' PERM. SAN. E.
694 SQ.FT.
(GROSS & NET)

BORE PIT

10' TEMP. CONST. E. "B"
348 SQ.FT.
(GROSS & NET)

RESERVOIR #2

30' U.E. & WATER LINE E.
CAB B SL 243

NEW CIRCLE ROAD

REV. DATE:
9/23/24



1 Perimeter Drive Suite 300
Lexington, KY 40517
Phone (859) 368-0145
www.primeeng.com

PLAINVIEW TRUNK SANITARY SEWER PROJECT
SANITARY SEWER EASEMENTS
LAKESHORE ISLAND SECURITY AND
MAINTENANCE ASSOCIATION
LAKESHORE DRIVE RIGHT OF WAY



VICINITY MAP N.T.S.

LINE	BEARING	DISTANCE
L1	N 12°32'14" E	20.16'
L2	S 70°12'19" E	34.80'
L3	S 11°52'14" W	16.16'
L4	S 70°12'19" E	34.58'
L5	S 12°05'14" W	4.03'

EX. PERM ESMT.=N/A

PROP. PERM. ESMT.(GROSS)=694 SQ.FT.
PROP. PERM. ESMT.(NET)=694 SQ.FT.

PROP. TEMP. ESMT.(GROSS)=693 SQ.FT.
PROP. TEMP. ESMT.(NET)=693 SQ.FT.

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. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DEFINED IN 201 KAR 18:150 AND PRIME AE GROUP 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

Digitally signed by James M.
Chambliss, PLS
Date: 2024.09.24 12:42:59 -04'00'

JAMES M. CHAMBLISS, PLS 3185

DATE



REV. DATE:
9/23/24

651 Perimeter Drive Suite 300
Lexington, KY 40517
Phone (859) 368-0145
www.primeeng.com

PLAINVIEW TRUNK SANITARY SEWER PROJECT
SANITARY SEWER EASEMENTS
LAKESHORE ISLAND SECURITY AND
MAINTENANCE ASSOCIATION
LAKESHORE DRIVE RIGHT OF WAY

LEXINGTON, FAYETTE COUNTY, KENTUCKY- PAGE 2 OF 2

