

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 30th day of April, 2019, by and between **DARLANA DANETTE STACY, a single person**, 3905 Waterwood Terrace, 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 **ONE THOUSAND ONE HUNDRED EIGHTY-EIGHT AND 45/100 DOLLARS (\$1,188.45)**, 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
Lansdowne South Trunk Sewer Replacement Project
(a portion of 3905 Waterwood Terrace)

All of that tract or parcel of land being a permanent sewer easement situated north of Wilson Downing Road in

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

(CC-F)

Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Beginning at a point in the southwest corner of the property and being a common corner to 3640 Allante Brook Court property (Deed Book 1592, Page 86), LFUCG Housing Authority and lying in the northern right-of-way line of Wilson Downing Road; thence S 57°58'38" E, 88.50 feet, more or less along the north right-of-way of Wilson Downing Road to **THE POINT OF BEGINNING OF THE PROPOSED PERMANENT SANITARY SEWER EASEMENT**; thence N 06°00'20" W, a distance of 157.86 feet; thence N 28°00'17" E, a distance of 35.76 feet; thence S 06°00'20" E, a distance of 27.47 feet; thence N 83°59'40" E, a distance of 53.02 feet; thence S 22°58'31" W, a distance of 21.19 feet; thence S 04°24'58" E, a distance of 1.46 feet; thence S 83°59'40" W, a distance of 42.72 feet; thence S 06°00'20" E, a distance of 155.67 feet; thence N 57°58'38" W, a distance of 25.39 feet, more or less to the **POINT OF BEGINNING**; and,

The above described parcel contains 4,560.24 square feet of permanent easement; and

Included in the above described proposed permanent sanitary sewer easement area description is an existing sanitary sewer easement of 1,218.29 square feet, resulting in a net increase of 3,341.95 square feet of new easement area; and,

Being a portion of the property conveyed to (1) Nevelynn S. Terry, a single person and (2) Darlana Danette Ross (now known as Darlana Danette Stacy), a single person, by deed dated August 23, 2013, of record in Deed Book 3183, Page 277, in the Fayette County Clerk's Office. Said Nevelynn Stacy Terry died testate on October 15, 2017, by the terms of said Will recorded in Will Book 364, Page 356, in the Fayette County Clerk's Office, the property is vested in Darlana Danette Stacy, her daughter, by the survivorship clause in the aforementioned deed.

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 Access Easement
Lansdowne South Trunk Sewer Replacement Project
(a portion of 3905 Waterwood Terrace)

Five tracts or parcel of land being a temporary construction assess easement situated north of Wilson Downing Road in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Tract No. 1

Beginning at a point in the southwest corner of the property and being a common corner to 3640 Allante Brook Court property (Deed Book 1592, Page 86) LFUCG Housing Authority and lying in the northern right-of-way line of Wilson Downing Road; thence N 27°59'53" E, 160.41 feet, more or less along the common property line with the 3640 Allante Brook Court property; thence S 06°00'20" E, 21.43 feet, more or less along the proposed sanitary sewer easement to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence N 28°00'03" E, a distance of 8.71 feet; thence S 60°53'32" E, a distance of 23.05 feet; thence S 83°59'40" W, a distance of 23.73 feet; thence N 06°00'20" W, a distance of 6.04 feet, more or less to the **POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; and,

The above described parcel contains 172.00 square feet of temporary construction easement; and,

Tract No. 2

Beginning at a point in the southwest corner of the property and being a common corner to 3640 Allante Brook Court property (Deed Book 1592, Page 86) LFUCG Housing Authority and lying in the northern right-of-way line of Wilson Downing Road; thence N 27°59'53" E, 163.58 feet, more or

less along the common property line with the 3640 Allante Brook Court property; thence S 60°53'32" E, 34.95 feet, more or less along the existing sanitary sewer easement to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence N 83°59'40" E, a distance of 12.86 feet; thence S 25°02'30" W, a distance of 7.42 feet; thence N 60°53'32" W, a distance of 11.05 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 40.87 square feet of temporary construction easement; and,

Tract No. 3

Beginning at a point in the east corner of the property and being a common corner to 3917 Waterwood Terrace property (Deed Book 2901, Page 44) Walden Grove Subdivision, Unit 2-B, Lot 3A; thence N 22°58'31" E, 21.19 feet, more or less along the common property line with the 3917 Waterwood Terrace property to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence S 83°59'40" W, a distance of 1.81 feet; thence N 25°02'30" E, a distance of 11.67 feet; thence N 83°59'40" E, a distance of 1.33 feet; thence S 22°58'31" W, a distance of 11.43 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; and,

The above described parcel contains 15.69 square feet of temporary construction easement; and,

Tract No. 4

Beginning at a point in the southwest corner of the property and being a common corner to 3640 Allante Brook Court property (Deed Book 1592, Page 86) LFUCG Housing Authority and lying in the northern right-of-way line of Wilson Downing Road; thence S 57°58'38" E, 88.50 feet, more or less along the north right-of-way of Wilson Downing Road; thence N 06°00'20" W, 25.39 feet, more or less along the proposed sanitary sewer easement to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence N 57°58'37" W, a distance of 12.70 feet; thence N 06°00'20" W, a distance of 88.39 feet; thence N 28°00'03" E, a

distance of 17.88 feet; thence S 06°00'20" E, a distance of 111.03 feet, more or less, to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; and,

The above described parcel contains 997.10 square feet of temporary construction easement; and,

Tract No. 5

Beginning at a point in the southwest corner of the property and being a common corner to 3640 Allante Brook Court property (Deed Book 1592, Page 86) LFUCG Housing Authority and lying in the northern right-of-way line of Wilson Downing Road; thence S 57°58'38" E, 113.89 feet, more or less along the north right-of-way of Wilson Downing Road; thence N 06°00'20" W, 25.39 feet, more or less along the proposed sanitary sewer easement to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence N 06°00'20" W, a distance of 130.27 feet; thence N 83°59'40" E, a distance of 35.25 feet; thence S 10°11'53" E, a distance of 10.03 feet; thence S 83°59'40" W, a distance of 25.98 feet; thence S 06°00'20" E, a distance of 128.10 feet; thence N 57°58'37" W, a distance of 12.70 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY ACCESS EASEMENT**; and,

The above described parcel contains 1,597.98 square feet of temporary construction easement; and,

All of the above tracts being a portion of the property conveyed to (1) Nevelynn S. Terry, a single person and (2) Darlana Danette Ross (now known as Darlana Danette Stacy), a single person, by deed dated August 23, 2013, of record in Deed Book 3183, Page 277, in the Fayette County Clerk's Office. Said Nevelynn Stacy Terry died testate on October 15, 2017, by the terms of said Will recorded in Will Book 364, Page 356, in the Fayette County Clerk's Office, the property is vested in Darlana Danette Stacy, her daughter, by the survivorship clause in the aforementioned deed.

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.

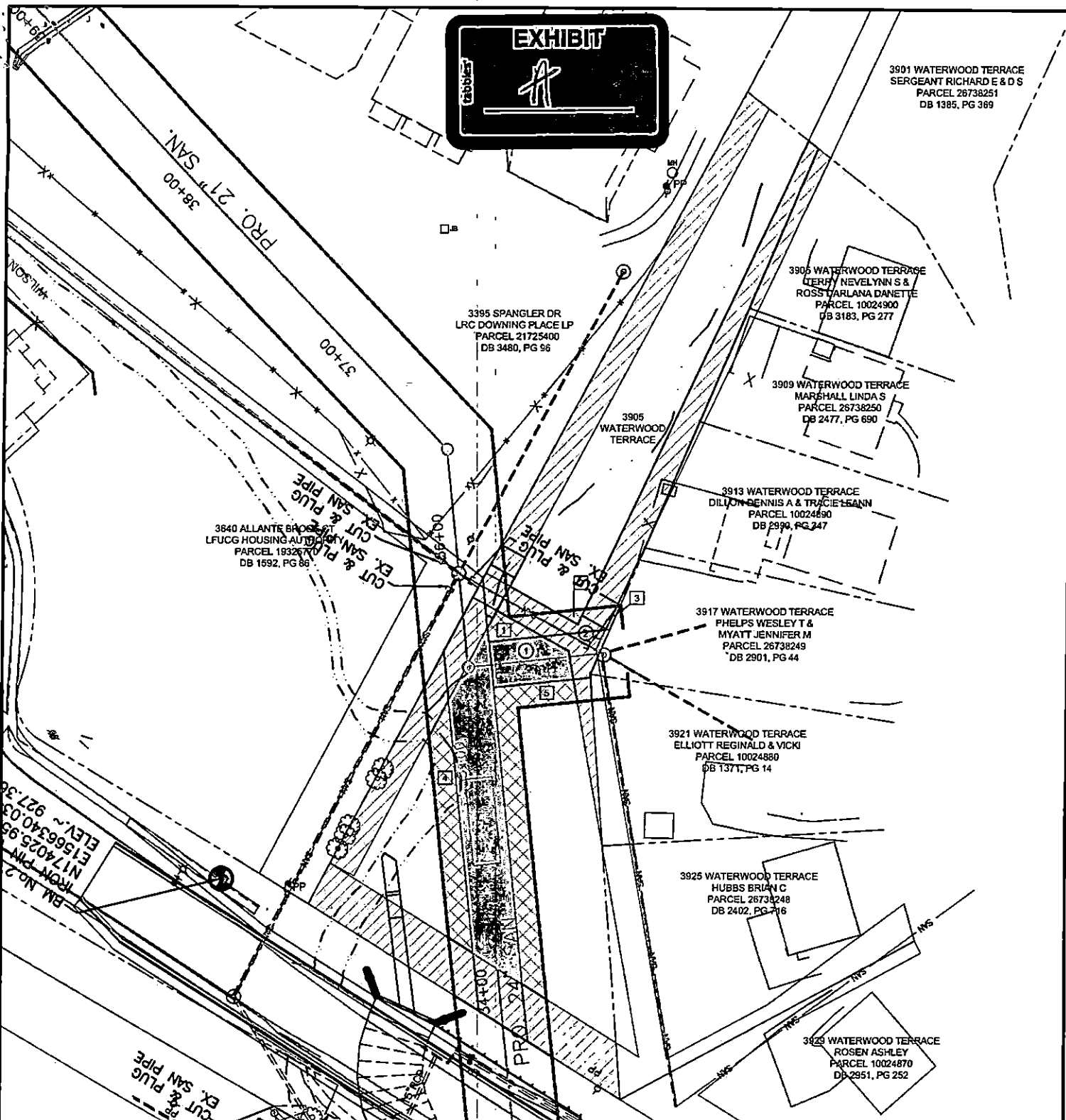
Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of her right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and does hereby covenant to and with the Grantee, its successors and assigns forever, that she is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that she will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 58-2019, passed by the Lexington-Fayette Urban County Council on February 7, 2019. Pursuant to KRS

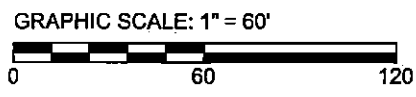
EXHIBIT

A

3901 WATERWOOD TERRACE
 SERGEANT RICHARD E & D S
 PARCEL 26738251
 DB 1385, PG 369



BASIS OF BEARINGS:
 NAD 83 KY NORTH



- ① PERMANENT EASEMENT TRACT NO.
- 1 TEMPORARY CONSTRUCTION EASEMENT TRACT NO.
- ⚠ EXISTING EASEMENT TO BE RELEASED TRACT NO.

- EXISTING EASEMENT AREA
- TEMPORARY CONSTRUCTION EASEMENT
- NEW PERMANENT EASEMENT AREA
- EX. EASEMENT AREA TO BE RELEASED



SANITARY SEWER EASEMENT 3905 WATERWOOD TERRACE



DATE - 1/22/2018	PROJECT NO. 1016-001
DRAWN - kmf	
PROJECT NAME - LANSDOWNE SOUTH TRUNK SEWER REPLACEMENT	
PROJECT LOCATION - LEXINGTON, KENTUCKY	

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: EMILY GENTRY ,dc

201905060206

May 6, 2019

13:51:08 PM

Fees	\$32.00	Tax	\$.00
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Total Paid	\$32.00
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9 Pages

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