

**GRANT OF EASEMENT**

This **EASEMENT** is made and entered into this 7 day of August, 2015, by and between **HOME PLACE – THE SAVANNA VIEW HOMEOWNERS ASSOCIATION, INC.**, a Kentucky non-profit corporation, 141 Prosperous Place, Suite 21-B, Lexington, Kentucky 40509 (“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 nominal consideration of the sum of **THREE HUNDRED THIRTY DOLLARS AND 09/100 CENTS (\$330.00)**, 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 excavate, grade, construct, alter, re-grade and perform related work for the purpose of roadway improvements and construction, installation and relocation through and across the following tract of land located in the confines of Lexington-Fayette County, Kentucky, and more particularly described as follows:

**Permanent Easement**  
**(a portion of 1185 Deer Haven Lane)**

**Polo Club Boulevard Road Improvement Project**  
**(Deerhaven Lane to Todds Road)**

**TRACT A**

Being a tract of land lying in Fayette County along Polo Club Boulevard approximately 1730' north of the intersection of Polo Club Boulevard and Todds Road (KY 1927), and more particularly described as follows:

Mail to:  
Hon. Glenda Humphrey George  
Department of Law, 11<sup>th</sup> Floor  
200 East Main Street  
Lexington, Kentucky 40507

(CC-F)

Beginning at a point in the existing right of way line of Deer Haven Lane 32.45 feet left of Deer Haven Lane station 47+70.00; thence with the proposed permanent easement line N 40°01'19" W a distance of 98.07' to a point in the proposed permanent easement line 130.00 feet left of Deer Haven Lane station 47+80.00; thence N 70°41'26" E a distance of 33.54' to a point 115.00 feet left of Deer Haven Lane station 48+10.00; thence S 56°11'33" E a distance of 83.75' to a point in the existing right of way line 32.61 feet left of Deer Haven Lane station 48+25.00; thence with the existing right of way line S 44°32'46" W a distance of 16.96' to a point 32.73 feet left of Deer Haven Lane station 48+08.04; thence with the existing right of way line S 43°41'37" W a distance of 38.04' to the POINT OF BEGINNING.

The above described parcel contains 3,800.52 square feet (0.087 acres); and,

Being a portion of the property conveyed to Home Place-The Savanna View Homeowners Association, Inc., a Kentucky non-profit corporation, by deed dated September 9, 2008, of record in Deed Book 2831, Page 387, in the Fayette County Clerk's Office.

#### TRACT B

Being a tract of land lying in Fayette County along Polo Club Boulevard approximately 1760' north of the intersection of Polo Club Boulevard and Todds Road (KY 1927), and more particularly described as follows:

Beginning at a point in the existing right-of-way line of Polo Club Boulevard and Deer Haven Lane, 70.00 feet left of Polo Club Boulevard station 515+43.71; thence with the existing right-of-way line of Deer Haven Lane, S 44°32'46" W a distance of 87.15' to a point in the proposed permanent easement line 32.42 feet left of Deer Haven Lane station 48+50.00; thence with the proposed permanent easement line, N 11°48'25" W a distance of 35.70' to a point 62.00 feet left of Deer Haven Lane station 48+70.00; thence N 30°04'26" E a distance of 46.71' to a point 105.00 feet left of Polo Club Boulevard station 515+75.00; thence N64°36'31" E a distance of 35.00' to a point in the existing right-of-way line 70.00 feet left of Polo Club Boulevard station 515+75.00; thence with the existing right-of-way line, S 25°23'29" E a distance of 31.29' to the POINT OF BEGINNING.

The above described parcel contains 2,907.92 square feet (0.067 acres); and,

Being a portion of the property conveyed to Home Place-The Savanna View Homeowners Association, Inc., a Kentucky non-profit corporation, by deed dated September 9, 2008, of record in Deed Book 2831, Page 387, in the Fayette County Clerk's Office.

**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, regrade and perform related work for the purpose of roadway improvements and construction, 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 1185 Deer Haven Lane)**

**Polo Club Boulevard Road Improvement Project**  
**(Deerhaven Lane to Todds Road)**

**TRACT C**

Being a tract of land lying in Fayette County along Polo Club Boulevard approximately 1675' north of the intersection of Polo Club Boulevard and Todds Road (KY 1927), and more particularly described as follows:

Beginning at a point in the existing right-of-way line of Deer Haven Lane 34.17 feet of Deer Haven Lane station 46+10.67; thence with the proposed easement line, N 37°22'E a distance of 39.52' to a point 38.00 feet left of Deer Haven Lane station 46+50.00; thence N 42°14" E a distance of 121.61' to a point in the proposed permanent easement line 40.00 feet left of Deer Haven Lane station 47+70.77; thence with the proposed permanent easement line, S 40°19" E a distance of 7.59' to a point in the existing right-of-way line 32.45 feet left of Deer Haven Lane station 47+70.00; thence with the existing right-of-way line, S 43°37" W a distance of 160.02' to the POINT OF BEGINNING.

The above described parcel contains 783.67 square feet (0.018 acres); and,

Being a portion of the property conveyed to Home Place-The Savanna View Homeowners Association, Inc., a Kentucky non-profit corporation, by deed dated September 9, 2008, of

record in Deed Book 2831, Page 387, in the Fayette County Clerk's Office.

TRACT D

Being a tract of land lying in Fayette County along Polo Club Boulevard approximately 1750' north of the intersection of Polo Club Boulevard and Todds Road (KY 1927), and more particularly described as follows:

Beginning at a point in the existing right-of-way line of Deer Haven Lane 32.61 feet left of Deer Haven Lane station 48+25.00; thence with the proposed permanent easement line, N 56°33' W a distance of 10.56' to a point in the proposed temporary easement line 43.00 feet left of Deer Haven Lane station 48+23.11; thence with the proposed temporary easement line, N 36°30'56" E a distance of 37.76' to a point in the proposed permanent easement line 48.00 feet left of Deer Haven Lane station 48+60.53; thence with the proposed permanent easement line, S 11°48'E a distance of 18.80' to a point in the existing right-of-way line 32.42 feet left of Deer Haven Lane station 48+50.00; thence with the existing right-of-way line, S 44°32'46" W a distance of 25.00' to the POINT of BEGINNING.

The above described parcel contains 394.86 square feet (0.009 acres); and,

Being a portion of the property conveyed to Home Place-The Savanna View Homeowners Association, Inc., a Kentucky non-profit corporation, by deed dated September 9, 2008, of record in Deed Book 2831, Page 387, in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** the above-described easement 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 easement will expire upon completion of the construction of the improvement project on the land adjacent to this easement, runs with the land for the duration of the improvement project on the adjacent land, and is binding upon the heirs and assigns of the Grantor.

Grantor does hereby covenant to and with said 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 conveyed herein, and that it will **WARRANT GENERALLY** said title.

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.

The obtaining of this easement was authorized by Resolution No. 16-2015 passed by the Lexington-Fayette Urban County Council on January 29, 2015. Pursuant to KRS 382.135(2)(a), this public utility easement is exempt from the requirements related to certificate of consideration. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

**IN TESTIMONY WHEREOF**, the Grantor has signed this Easement, the day and year first above written.

GRANTOR:

HOME PLACE –THE SAVANNA VIEW  
HOMEOWNERS ASSOCIATION, INC.,  
a Kentucky non-profit corporation

BY: Nora Lawson  
NORA LAWSON, PRESIDENT


COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

The foregoing Easement was subscribed, sworn to and acknowledged before me by Nora Lawson, as President on behalf of Home Place –The Savanna View Homeowners Association, Inc., a Kentucky non-profit corporation, on this the 7 day of August, 2015.

My commission expires: 7-29-2017

  
\_\_\_\_\_  
Notary Public, State-At-Large, Kentucky  
494244



PREPARED BY:  
  
\_\_\_\_\_  
Glenda Humphrey George,  
Managing Attorney  
Lexington-Fayette Urban County  
Government  
200 West Main Street, 11<sup>th</sup> Floor  
Lexington, Kentucky 40507  
(859) 258-3500  
X:\Cases\WATER-AIR\15-RE0234\RE00495025.DOC

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

201508100260

August 10, 2015                      12:19:27    PM

Fees	\$26.00	Tax	\$ .00
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Total Paid	\$26.00
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7 Pages

323 - 329