

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 25th day of January, 2021, by and between **2220 DEVONPORT, LLC**, a Kentucky limited liability company, c/o 2220 Devonport, LLC, 710 Barrett Avenue, Suite 201, Louisville, Kentucky 40204, 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 FORTY-EIGHT AND 63/100 DOLLARS (\$248.63)**, 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
Wolf Run B & C Trunk Sewer Replacement Project
(a portion of 2220 Devonport Drive)

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

100

BEGINNING, at the south west corner of 2220 Devonport Drive (2220 Devonport, LLC, Deed Book 3711, Page 442), also being a common corner with 2285 Versailles Road (ZC PHARMACY SUB DET C/O WALGREEN CO ATTN TX DEPT STORE 10801, Deed Book 3180, Page 532) and 2233 Versailles Road (Merryman Investment VII LLC, Deed Book 2669, Page 344); thence along the common line of 2220 Devonport Road and 2285 Versailles Road, N 04°52'01" W, a distance of 18.61 feet; thence leaving said common line, and with a new permanent easement, N 51°51'34" E, a distance of 37.35 feet to a common line with an existing 20' permanent sewer easement; thence along said common easement line, S 05°44'55" E, a distance of 28.28 feet; thence S 66°15'24" W, a distance of 33.46 feet to the **POINT OF BEGINNING**; and

The above described parcel contains 740.5 square feet of permanent easement; and,

Being a portion of the property conveyed to 2220 Devonport, LLC, a Kentucky limited liability company, by deed dated November 4, 2019, of record in Deed Book 3711, Page 442, 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
Wolf Run B & C Trunk Sewer Replacement Project
(a portion of 2220 Devonport Drive)

COMMENCING, at the south west corner of 2220 Devonport Drive (2220 Devonport LLC, Deed Book 3711, Page 442)

also being a common corner with 2285 Versailles Road (ZC PHARMACY SUB DET C/O WALGREEN CO ATTN TX DEPT STORE 10801, Deed Book 3180, Page 532) and 2233 Versailles Road (Merryman Investment VII LLC, Deed Book 2669, Page 344); thence along the common line of 2220 Devonport Drive and 2285 Versailles Road, N 04°52'01" W, a distance of 18.61 feet to the **TRUE POINT OF BEGINNING**; thence leaving said common line and with a temporary easement, N 04°52'01" W, a distance of 11.96 feet; thence N 51°51'34" E, a distance of 25.29 feet; thence S 05°44'55" E, a distance of 11.84 feet; thence S 51°51'34" W, a distance of 25.51 feet to the **POINT OF BEGINNING**; and,

The above described parcel contains 254.0 total area of square feet of temporary construction easement; and,

Being a portion of the property conveyed to 2220 Devonport, LLC, a Kentucky limited liability company, by deed dated November 4, 2019, of record in Deed Book 3711, Page 442, 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.

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 59-2019, passed by the Lexington-Fayette Urban County Council on February 7, 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.

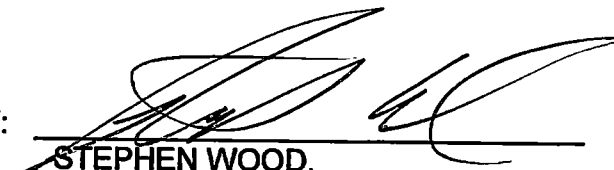
IN TESTIMONY WHEREOF, the Grantor has signed this Deed of Easement, this the day and year first above written.

GRANTOR:

2220 DEVONPORT, LLC, a
Kentucky limited liability company

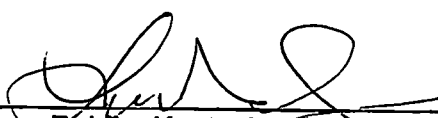
BY: Legendary Capital, LLC, f/k/a
Ironwood Capital, LLC, a
Nevada limited liability company, it's
Manager

BY:

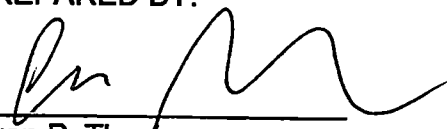

STEPHEN WOOD,
MANAGER

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Stephen Wood, as the Manager of Legendary Capital, LLC, f/k/a Ironwood Capital, LLC, a Nevada limited liability company, as the Manager, for and on behalf of 2220 Devonport, LLC, a Kentucky limited liability company, on this the 25th day of January, 2021.

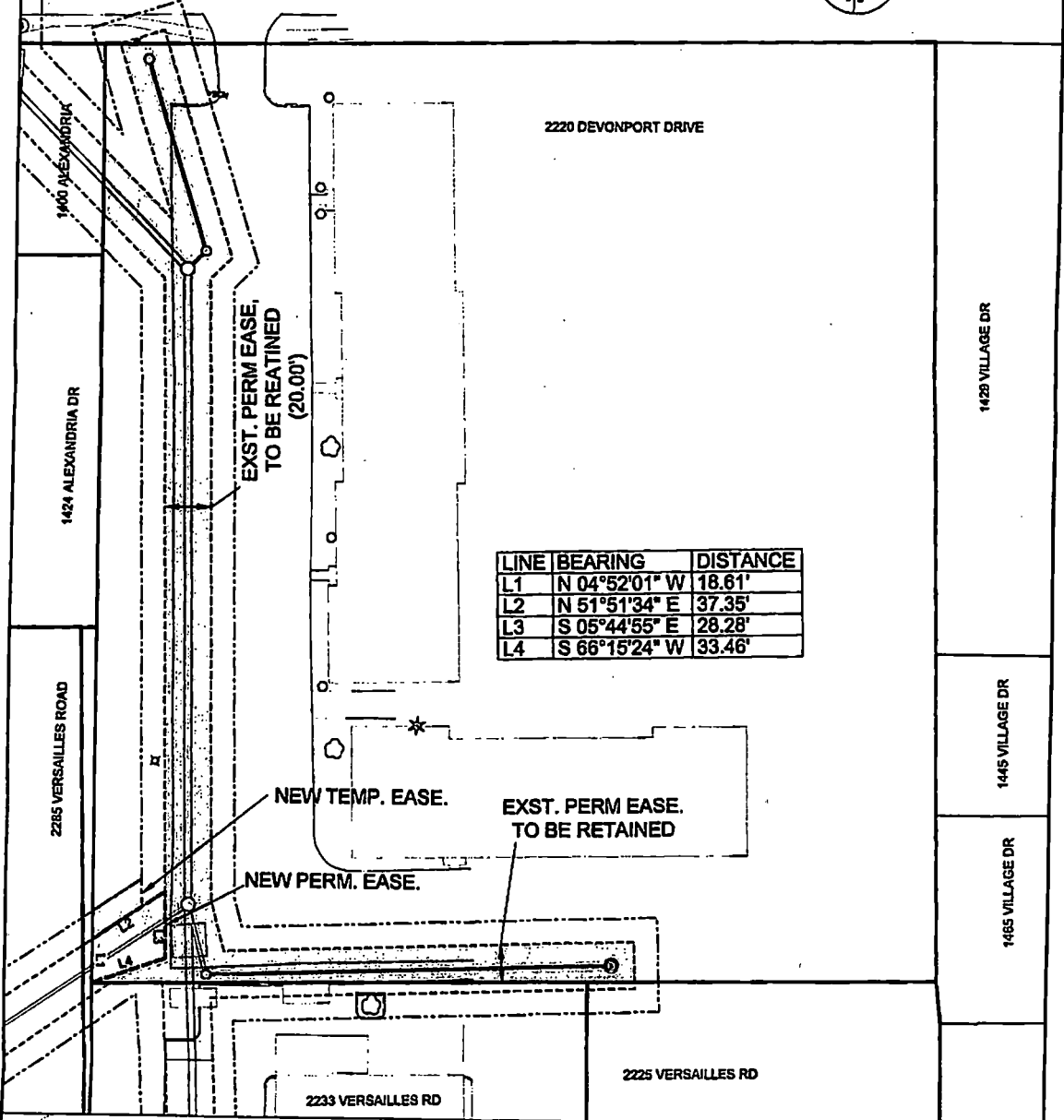


Notary Public, Kentucky, State-at-Large
My Commission Expires: 7/10/2022
Notary ID # 626440

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

DEVONPORT DRIVE



LINE	BEARING	DISTANCE
L1	N 04°52'01" W	18.61'
L2	N 51°51'34" E	37.35'
L3	S 05°44'55" E	28.28'
L4	S 66°15'24" W	33.46'

SURVEY EXHIBIT

2220 DEVONPORT
 LEXINGTON FAYETTE CO., KY
 VILLAGE SQUARE LOT 7, BLOCK A
 PLAT CABINET A SLIDE 119
 DATE MARCH 2020

AIM3D
 LAND SURVEYING | GEOSPATIAL | REALITY CAPTURE
 288 EAST SHORT STREET, (STE 140)
 LEXINGTON KY, 40507
 OFFICE: 606-258-1044
 WEB: www.aim3d.us
 EMAIL: jadr@aim3d.us

STATE of KENTUCKY
 JUSTIN D. DRURY
 3843
 LICENSED PROFESSIONAL LAND SURVEYOR



SURVEY NOTES

- 1- THE BASIS OF BEARINGS FOR THIS SURVEY IS KENTUCKY STATE PLANE NORTH (NAD83). GEOID MODEL 12-B.
- 2- THIS SURVEY IS SUITABLE AS AN URBAN CLASS SURVEY.

LEGEND

- NEW SEWER LINE
- EASEMENT (PERMANENT)
- EASEMENT (TEMPORARY)
- EASEMENT (RELEASED)
- PROPERTY LINE

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

202101290186

January 29, 2021 11:54:58 AM

Fees	\$53.00	Tax	\$.00
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Total Paid	\$53.00
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7 Pages

506 - 512