

MEMORANDUM OF UNDERSTANDING

County: FAYETTE	Item No.	Parcel No.
Project No:	Project Name: Leestown West Pump Station Decommission	Property Address: 156 Venture Court

Property Owner(s): West Suburban Industrial Park
 811 Corporate Drive, Suite 303
 Lexington, Kentucky 40503

This Memorandum of Understanding contains all the representations and agreements made between the parties hereto and upon which they relied in completing the proposed transaction. The deed conveys a permanent and a temporary construction easement as shown on the attached Exhibit A (15' proposed sanitary sewer easement), Exhibit B (40' temporary construction easement), and the legal description for the proposed sanitary sewer easement and the temporary construction easement. There shall be no compensation for the easements.

The temporary construction easement within this agreement is for the sole purpose of providing the LFUCG contractor and/or sub-contractor the necessary area to accomplish their work. The temporary construction easement does not include rights for utility relocations outside of the right-of-way limits. Any property that is disturbed will be restored to as good a condition or better than when the construction began. The temporary easement shall terminate at the completion of the project. The existing force main easement that runs through the property, and is being abandoned, shall be released through the LFUCG Council.

The LFUCG requests permission to access the property, within the temporary construction easement, for the purposes of performing rock soundings associated with a Geotechnical Investigation.

This Memorandum of Understanding, together with the Construction Plans, the Deed of Conveyance and any other documents referenced in these instruments, represent all the terms and conditions of the agreement between the Lexington-Fayette Urban County Government and the Property Owner(s), which was reached without coercion, threats or other promises by either party.

By their signature on this document, the agent representing the Lexington Fayette Urban County Government certifies that they have no direct, indirect, present or contemplated interest in this property and in no way will benefit from this acquisition.

This Memorandum of Understanding was signed this _____ day of _____, 2013

Signature of agent(s) for Lexington Fayette Urban County Gov.		Signature of Property Owner(s)



EA Partners, PLLC

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
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EXHIBIT "A"
 PERMANENT SANITARY SEWER EASEMENT
 WEST SUBURBAN INDUSTRIAL PARK
 156 VENTURE COURT
 LEXINGTON, FAYETTE COUNTY, KENTUCKY
 JUNE 2013

SCALE 1" = 50'

PROPOSED 8" SANITARY SEWER
 EXISTING SERVICE LATERAL

PERMANENT SANITARY SEWER EASEMENT

POINT OF BEGINNING

N45°12'00"E
 30.50'

S74°39'32"W
 15.25'

S45°12'00"W
 30.50'

N74°39'32"E
 15.25'

POINT OF COMMENCING

EXISTING 8" SANITARY SEWER

WEST SUBURBAN INDUSTRIAL PARK
 156 VENTURE COURT

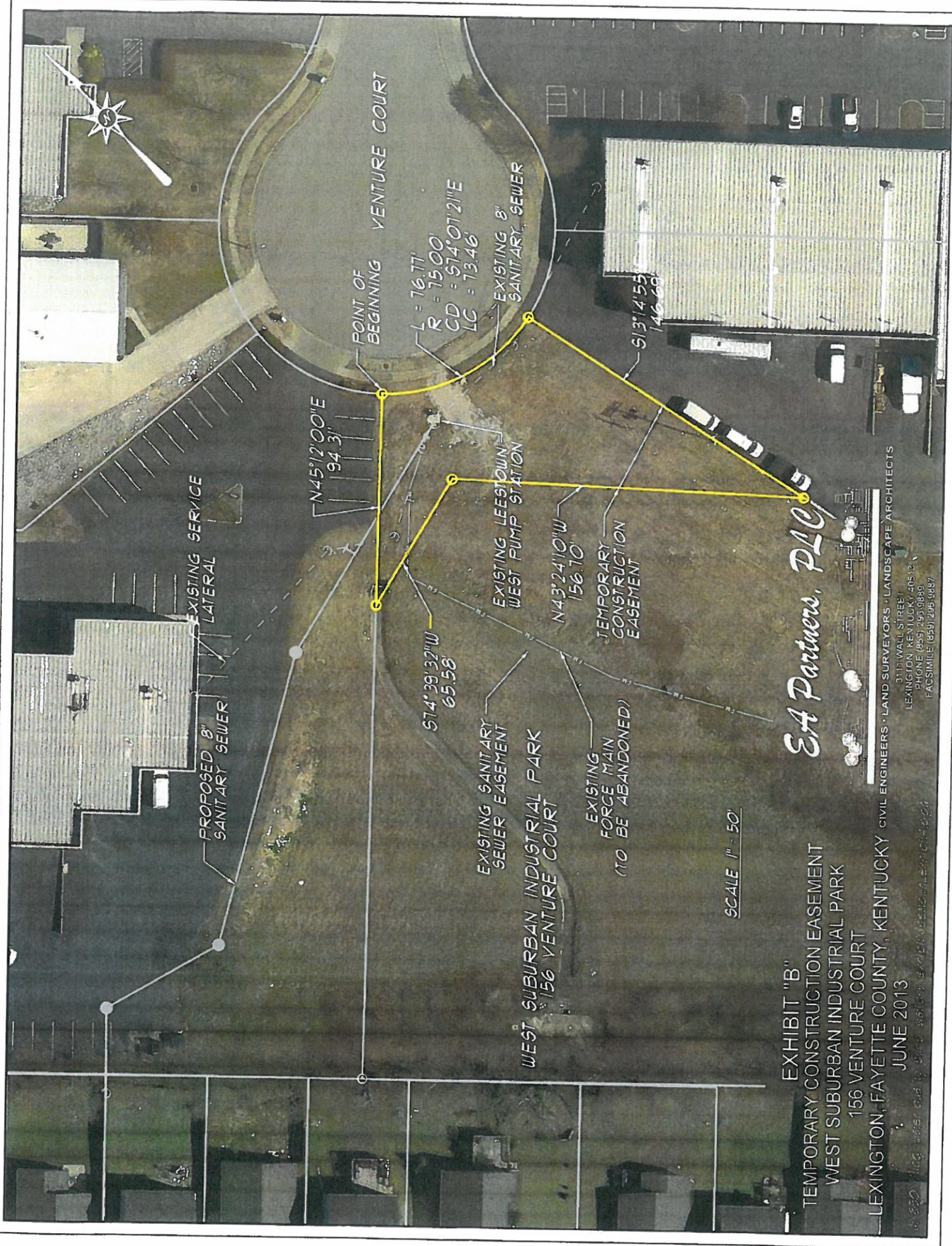
EXISTING LEESTOWN WEST PUMP STATION

EXISTING FORCE MAIN (TO BE ABANDONED)

June 13, 2013

Permanent Sanitary Sewer Easement
West Suburban Industrial Park
156 Venture Court
Lexington, Fayette County, Kentucky

COMMENCING AT A POINT in the existing southern right of way of Venture Court, said point being the grantor's northeastern property corner; thence with the grantor's northern property line South 45 degrees 12 minutes 00 seconds West, 38.40 feet to the **TRUE POINT OF BEGINNING**; thence leaving said property line with the proposed sanitary sewer easement North 74 degrees 39 minutes 32 seconds East, 15.25 feet to a point; thence South 45 degrees 12 minutes 00 seconds West, 30.50 feet to a point; thence South 74 degrees 39 minutes 32 seconds West, 15.25 feet to a point in the grantor's northern property line; thence with said property line North 45 degrees 12 minutes 00 seconds East, 30.50 feet to the **POINT OF BEGINNING** and containing 299 square feet.



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SCALE 1" = 50'

EXHIBIT "B"
 TEMPORARY CONSTRUCTION EASEMENT
 WEST SUBURBAN INDUSTRIAL PARK
 156 VENTURE COURT
 LEXINGTON, FAYETTE COUNTY, KENTUCKY
 JUNE 2013

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS

6-230 McG. West and E. Wall Streets, Lexington, KY 40512-1201

June 13, 2013

Temporary Construction Easement
West Suburban Industrial Park
156 Venture Court
Lexington, Fayette County, Kentucky

BEGINNING AT A POINT in the grantor's northeastern property corner, said point also lying in the southern right of way of Venture Court; thence with said right of way 76.77 feet along a curve to the left having a radius of 75.00 feet and a chord which bears South 74 degrees 07 minutes 21 seconds East, 73.46 feet to a point in the grantor's eastern property line; thence leaving said right of way with said property line South 13 degrees 14 minutes 55 seconds West, 146.69 feet to point; thence leaving said property line with the proposed construction easement North 43 degrees 24 minutes 10 seconds West, 156.70 feet to a point; thence South 74 degrees 39 minutes 32 seconds West, 65.58 feet to a point; grantor's northern property line; thence with said property line North 45 degrees 12 minutes 00 seconds East, 94.31 feet to the **POINT OF BEGINNING** and containing 8,590 square feet.