

**DEED OF EASEMENT**

This **PERMANENT STORMWATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 24<sup>th</sup> day of OCTOBER, 2022, by and between **TEMBREE N. MURPHY and JOSEPH FAMULARO, wife and husband**, 3475 Lyon Drive, Unit 67, Lexington, Kentucky 40513, which is the in-care of tax mailing address for the current year (hereinafter "Grantors"), 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 **FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$500.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantors have **BARGAINED** and **SOLD** and do hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors

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

and assigns, permanent right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of stormwater 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 Stormwater Easement**  
**Lyon Drive**  
**Stormwater Improvement Project**  
**(a portion of 3475 Lyon Drive, Unit 67)**

Drainage easements for a certain tract or parcel of land located on Ft. Harrods Drive in Lexington, Fayette County, Kentucky approximately 379 feet from the intersection of Lyon Drive and Ft. Harrods Drive and being more particularly described and bounded as follows:

Tract 67A

**BEGINNING**, at a 5/8" iron pin found (IPF) in the east line of a tract owned by Quail Run Townhouses Association, Inc. (formerly Harrods Hill Estates HOA) HOA Lot (Deed Book 1446, Page 43), Unit 2-H, Section 1-A (Plat Cabinet F, Slide 407), having a coordinate of N: 186870.94, E:1547979.11;

Thence a tie bearing of S 24° 26' 13" W, a distance of 66.00 feet to the northeast corner of Lot 67, which is the **TRUE POINT OF BEGINNING**, having a coordinate of N:186810.92, E:1547951.65; thence the following five calls:

- 1) Thence with the line between Lot 67 and the aforementioned H.O.A., S 65°22'41" E, a distance of 86.46 feet to a point, being a common corner of Lots 67 and said H.O.A.;
- 2) Thence with another line between Lot 67 and the H.O.A., S 24°30'36" W, a distance of 5.68 feet (L1) to a point in said line;
- 3) Thence leaving the line between Lot 67 and the H.O.A. and crossing Lot 67, N 67°04'34" W, a distance of 62.82 feet (L2) to a point;

- 4) Thence N 85°20'19" W, a distance of 25.12 feet (L3) to a point in the line of Lot 1 of Harrods Hill Estates, Unit 2-A (Harrods Point, LLC, Deed Book 3117, Page 707);
- 5) Thence with the line between Lot 1 and Lot 67, N 24°24'14" E, a distance of 16.12 feet (L4) to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.0159 Acres (693 sq. ft.) of permanent easement; and

Tract 67A, being a portion of the same property conveyed to Tembree N. Murphy, a single person (now married, Joseph Famularo, her husband), by Deed dated August 24, 2012, of record in Deed Book 3096, Page 256, 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, Grantors have **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 stormwater 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 Exhibit "A" attached hereto, and more particularly described as follows:

**Temporary Construction Easement**  
**Lyon Drive**  
**Stormwater Improvement Project**  
**(a portion of 3475 Lyon Drive, Unit 67)**

**Tract 67B**

**BEGINNING**, at a 5/8" iron pin (IPF) in the east line of a tract owned by Quail Run Townhouses Association, Inc. (formerly Harrods Hill Estates HOA) HOA Lot (Deed Book 1446, Page 43), Unit 2-H, Section 1-A (Plat Cabinet F, Slide 407), having a coordinate of N: 186870.94 E:1547979.11;

Thence a tie bearing of S 24° 26' 13" W, a distance of 66.00 feet to the northeast corner of Lot 67; thence with easement tract 67A, S 24°26'13" W, a distance of 16.12 feet (L10), which is the **TRUE POINT OF BEGINNING**, having a coordinate of N:186796.24, E:1547944.99; thence the following six calls:

- 1) Thence with the line of Lot 67A, S 85°20'19" E, a distance of 25.12 feet (L5) to a point;
- 2) Thence continuing with Lot 67A, S 67°04'34" E, a distance of 62.82 feet (L6) to a point in the line between Lot 67 and the Quail Run HOA;
- 3) Thence with said line between Lot 67 and the H.O.A., S 24°30'36" W, a distance of 3.00 feet (L7) to a point in said line;
- 4) Thence leaving the line between Lots 67 and the H.O.A. and crossing Lot 67, N 67°04'34" W, a distance of 62.26 feet to a point;
- 5) Thence N 85°20'19" W, a distance of 25.64 feet (L8) to a point in the line between Lot 67 and Lot 1 of Harrods Hill Estates, Unit 2-A (Harrods Point, LLC, Deed Book 3117, Page 707);
- 6) Thence with the line between Lot 1 and Lot 67, N 24°26'13" E, a distance of 3.00 feet (L9) to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 0.0060 Acres (264 sq. ft.) of temporary construction easement; and

Tract 67B, being a portion of the same property conveyed to Tembree N. Murphy, a single person (now married, Joseph Famularo, her husband), by Deed dated August 24, 2012, of record in Deed Book 3096, Page 256, 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 Grantors. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantors. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

Grantors 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.

Grantors do hereby release and relinquish unto the Grantee, its successors and assigns forever, all of their 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 they are lawfully seized in fee simple of said property and have good right to sell and convey the easements as herein done, and they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 458-2022, passed by the Lexington-Fayette Urban County Council on August 30, 2022. 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 Grantors have signed this Deed of Easement, this the day and year first above written.

GRANTORS:

BY: [Signature]  
TEMBREE N. MURPHY

BY: [Signature]  
JOSEPH FAMULARO

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This instrument was acknowledged, subscribed and sworn to before me by  
Tembree N. Murphy and Joseph Famularo, wife and husband, on this the 24<sup>TH</sup> day of  
OCTOBER, 2022.

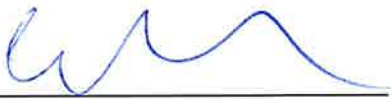


[Signature]  
Notary Public, Kentucky, State-at-Large

My Commission Expires: 05 / 10 / 2025

Notary ID # KYNP27704

PREPARED BY:



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EVAN P. THOMPSON,  
Attorney Sr.  
Lexington-Fayette Urban  
County Government  
Department of Law, 11th Floor  
200 East Main Street  
Lexington, Kentucky 40507  
(859) 258-3500

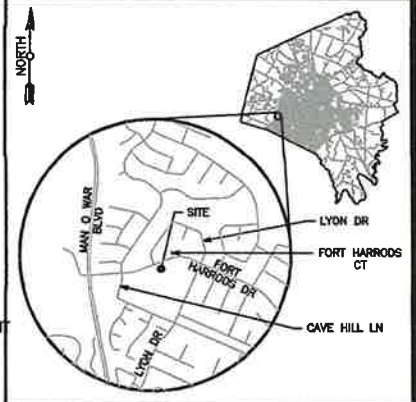
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**SURVEY NOTES**

1. THE PURPOSE OF THIS PLAT IS TO ESTABLISH A EASEMENT TRACTS 67A AND 67B ON LOT 67.
2. KENTUCKY STATE PLANE NORTH ZONE COORDINATE SYSTEM AND NORTH AMERICAN VERTICAL DATUM 1988.
3. NO PROPERTY CORNERS WERE SET FOR THIS PROPERTY.
4. THIS IS NOT A BOUNDARY SURVEY PER KAR 18:150.
5. PROPERTY SHOWN IS NOT INCLUDED IN THE FLOODPLAIN AS SHOWN ON NFIP PANEL 2100670114E, DATED MARCH 3, 2014.

**LEGEND:**

- DB PG DEED BOOK & PAGE
- PC PG PLAT CABINET & PAGE
- △ CALCULATED CORNER
- IPF IRON PIN FOUND
- IPS IRON PIN SET
- PFND PINCHED PIPE FOUND
- NWS MAG NAIL & WASHER SET
- PPF POWER POLE FOUND
- ROW RIGHT-OF-WAY
- PROPERTY LINE
- - - PROPERTY LINE: ADJOINING
- · - · - EASEMENT LINE
- · - · - MINIMUM BUILDING SETBACK LINE
- · - · - SANITARY SEWER
- · - · - STORM DRAIN LINE & STRUCTURE
- · - · - TEMPORARY CONSTRUCTION EASEMENT
- ▨ PERMANENT DRAINAGE EASEMENT



**LAND SURVEYOR'S CERTIFICATION:**

I DO HEREBY CERTIFY THAT THIS EASEMENT PLAT WAS PREPARED UNDER MY DIRECTION AND BELIEF, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE BOUNDARIES OF THE PROPERTY BEING TRANSFERRED ARE TRUE AND ACCURATE.

*Timothy D. Woodcock*

STATE of KENTUCKY  
**TIMOTHY D. WOODCOCK**  
 3124  
 LICENSED PROFESSIONAL LAND SURVEYOR

LOT 1  
 HARRODS POINT LLC  
 2160 FT HARRODS DR  
 HARRODS HILL ESTATES  
 UNIT 2-A  
 DB 3117 / PG 707  
 PC D-487  
 PARCEL 22786445

POB ESMTS 67A AND 67B  
 N:186870.94  
 E:1547979.11

H.O.A.  
 QUAIL RUN TOWNHOUSES  
 (FORMERLY HARRODS HILL ESTATES)  
 DB 1446 PG 43)

POB PERM ESMT TRACT 67A  
 N:186810.92  
 E:1547951.65

LINE	BEARING	DISTANCE
L1	S 24°30'36" W	5.68'
L2	N 67°04'34" W	62.82'
L3	N 85°20'19" W	25.12'
L4	N 24°24'14" E	16.12'
L5	S 85°20'19" E	25.12'
L6	S 67°04'34" E	62.82'
L7	S 24°30'36" W	3.00'
L8	N 85°20'19" W	25.64'
L9	N 24°26'13" E	3.00'
L10	S 24°26'13" W	16.12'
L11	S 24°26'13" W	3.00'

TEMP ESMT TRACT 67B  
 N:186796.24  
 E:1547944.99

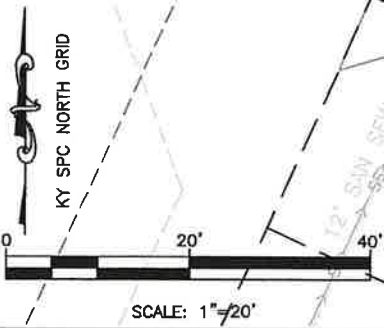
RIDGEWOOD APTS OF LEX  
 C/O ELON PROPERTY MGMT  
 /2170 FT HARRODS DR  
 HARRODS HILL ESTATES  
 DB 1350 / PG 681  
 PC F-381  
 PARCEL 22786450

PERMANENT ESMT TRACT 67A  
 693 SQ FT  
 0.0159 AC

TEMPORARY ESMT TRACT 67B  
 264 SQ FT  
 0.0060 AC

LOT 66  
 MCMURRY LARRY T & MARY ANN  
 3475 LYON DR UNIT 66  
 HARRODS HILL ESTATES  
 DB 2235 / PG 462  
 PC F-407  
 PARCEL 20041910

LOT 67  
 MURPHY TEMBREE N  
 3475 LYON DR UNIT 67  
 HARRODS HILL ESTATES  
 U-2H S-1-C  
 DB 3096 / PG 256  
 PC F-407  
 PARCEL 20041920



SCALE: 1"=20'



ABBIE JONES CONSULTING  
 PROFESSIONAL LAND SURVEYING & ENGINEERING  
 1022 FONTAINE RD.  
 LEXINGTON, KY 40502  
 859.559.3443  
 www.abbie-jones.com

**TEMPORARY CONSTRUCTION AND PERMANENT DRAINAGE EASEMENT EXHIBIT TRACTS 67A AND 67B**

LOCATED AT: LOCATED AT: LOT 67 HARROD HILLS ESTATES,  
 UNIT 2-H, SECTION 1-C  
 3475 LYON DRIVE, UNIT 67, LEXINGTON, KY, FAYETTE COUNTY  
 CLIENT: BELL ENGINEERING, 2480 FORTUNE DRIVE SUITE 350,  
 LEXINGTON, KY 40509

OWNER: TEMBREE MURPHY, 3475 LYON DRIVE LEXINGTON, KY 40513

PROJECT: 2022-007, SCALE: 1"=20', DATE: 08/25/2022, SIZE: 8.5x11, SHT: 1 OF 1  
 CAD: JME, PLS: TDW, PLS QC: AMJ



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: MELISSA STELTER ,dc

202210280038

October 28, 2022                      9:33:07      AM

Fees	\$59.00	Tax	\$ .00
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Total Paid	\$59.00
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9 Pages

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