

FAYETTE CO, KY FEE \$56.00

SUSAN LAMB
COUNTY CLERK

PRESENTED/LODGED: 05/30/2024 08:24:28 AM

EMILY GENTRY, DEPUTY CLERK 202405300057

BK: DB 4075
PG: 203-209



PERMANENT EASEMENT

This **PERMANENT EASEMENT** is made and entered into this the 24th day of May, 2024, by and between **CONNIE W. ELLIS and PEGGY H. ELLIS, husband and wife**, 2036 St. Teresa Drive, Lexington, Kentucky 40502, which is the in-care of tax mailing address for the current year ("Grantors"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 ("Grantee").

WITNESSETH:

That for and in consideration of the sum of **ONE THOUSAND DOLLARS AND 00/100 CENTS (\$1,000.00)**, 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 and assigns, the permanent to right to excavate, grade, construct, alter, re-grade and

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

perform related work for the purpose of sanitary sewer improvements and construction, installation, maintenance 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 Easement
Plainview Trunk
Sewer Improvement Project
(a portion of 2695 Tanner Court)

All that tract or parcel of land situated on the Tanner Court cul-de-sac north right-of-way, in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at the common corner of Connie W. Ellis and Peggy H. Ellis (2965 Tanner Court, Deed Book 2502, Page 486) and Carmileta Rose (2961 Tanner Court, Deed Book 1010, Page 182), said point being in the Tanner Court cul-de-sac north right-of-way, having NAD 83 Kentucky State Plane North Zone (2011) coordinates of North 183,531.22 and East 1,579,779.18;

Thence leaving said Tanner Court and with said Rose, North 02°19'31" East, 84.27 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing with said Rose, North 02°19'31" East, 22.50 feet to a point;

Thence leaving said Rose for two (2) new lines through the lands of said Ellis:

1. South 80°16'07" East, 110.63 feet to a point,
2. South 88°01'49" West, 110.02 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 1,235 square feet (gross and net), more or less of permanent easement; and,

A portion of the same property conveyed to Connie W. Ellis and Peggy H. Ellis, husband and wife, by Deed dated October 21, 2004, of record in Deed Book 2502, Page 486, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD said easement together with all rights, appurtenances, and improvements thereunto belonging unto said Grantee, its successors and assigns, for the purposes and uses herein designated.

The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantors. 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 as 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 interest 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 same as herein done, and that they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 006-2024, passed by the Lexington-Fayette Urban County Council on January 23, 2024. 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 Permanent Easement, this the day and year first above written.

GRANTORS:

BY: Connie W. Ellis
CONNIE W. ELLIS

BY: Peggy H. Ellis
PEGGY H. ELLIS

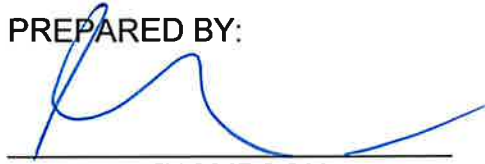
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Connie W. Ellis and Peggy H. Ellis, husband and wife, on this the 24th day of May, 2024.



Michael Louis Clayborne
Notary Public, Kentucky, State-at-Large
My Commission Expires: 05/10/2025
Notary ID # KYNP27704

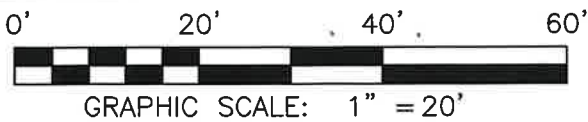
PREPARED BY:

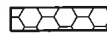
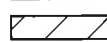


EVAN P. THOMPSON

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

4853-6885-5738, v. 1



 TEMP. CONST. ESMT.
 PERM. SAN. ESMT.



PERM. SAN. E.
 1,235 SQ.FT.
 (GROSS & NET)

CS PATCHEN OAKS LLC
 251 CHIPPENDALE CIR.
 DB 3486 PG 541

SAN. SEWER & U.E.
 PC H SLD 429

U.E.
 PC B SLD 128

L2

L1

L3

TRUE
 P.O.B.

CARMILETA ROSE
 2691 TANNER CT.
 DB 1010 PG 182

N 02°19'31" E 84.27'

CONNIE W. ELLIS
 PEGGY H. ELLIS
 2695 TANNER CT.
 DB 2502 PG 486

DAVID RUDD
 2699 TANNER CT.
 DB 3883 PG 281

N:183531.22
 E:1579779.18

P.O.B.

TANNER CT.

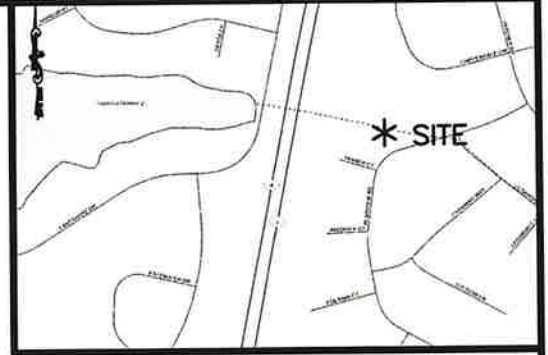
REV. DATE:
 04/23/24

1 Perimeter Drive Suite 300
 Lexington, KY 40517
 Phone (859) 368-0145
 www.primeeng.com



PLAINVIEW TRUNK SANITARY SEWER PROJECT
 SANITARY SEWER EASEMENTS
 CONNIE W. ELLIS & PEGGY H. ELLIS
 2695 TANNER COURT
 LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2

P:\2024\KYO1WD-22468 Plainview Trunk Sanitary Sewer\500-CAD\520-Survey\524-Working\Drawings\Easements\22468 Proposed Easements.dwg
 Day & Time: Apr 23, 2024 - 1:45pm
 Login Name: jchambless



VICINITY MAP N.T.S.

LINE	BEARING	DISTANCE
L1	S 80°16'07" E	110.63'
L2	N 02°19'31" W	22.50'
L3	S 88°01'49" W	110.02'

EX. PERM ESMT.=N/A

PROP. PERM. ESMT.(GROSS)=1,235 SQ.FT.
 PROP. PERM. ESMT.(NET)=1,235 SQ.FT.

PROP. TEMP. ESMT.(GROSS)=N/A
 PROP. TEMP. ESMT.(NET)=N/A

LAND SURVEYOR'S CERTIFICATE:

THE PROPERTY LINES SHOWN ON THIS EASEMENT EXHIBIT ARE BASED ON DEED AND/OR RECORD PLAT DATA FROM THE FAYETTE COUNTY CLERK'S OFFICE. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DEFINED IN 201 KAR 18:150 AND PRIME AE GROUP HAS NOT PERFORMED A BOUNDARY SURVEY FOR THE PURPOSES OF THIS EXHIBIT. THIS EXHIBIT IS NOT INTENDED TO BE USED FOR LAND TRANSFER.

James M. Chambliss, PLS

Digitally signed by James M. Chambliss,
 PLS
 Date: 2024.04.23 13:48:57 -04'00'

JAMES M. CHAMBLISS, PLS 3185

DATE



REV. DATE:
 04/23/24
 31 Perimeter Drive Suite 300
 Lexington, KY 40517
 Phone (859) 368-0145
 www.primeeng.com

PLAINVIEW TRUNK SANITARY SEWER PROJECT
 SANITARY SEWER EASEMENTS
 CONNIE W. ELLIS & PEGGY H. ELLIS
 2695 TANNER COURT
 LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 2 OF 2