

GRANT OF EASEMENT

This **EASEMENT** is made and entered into this 2nd day of OCTOBER, 2015, by and between **SOUTHLAND CHRISTIAN CHURCH OF LEXINGTON, KENTUCKY, INC.**, a non-profit Kentucky corporation, 5001 Harrodsburg Road, Nicholasville, Kentucky 40356, ("Grantor"), which is also the in-care of tax mailing address for the current year, and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 ("Grantee");

WITNESSETH:

That for and in consideration of the sum of **Ten Dollars and 00/100 Cents (\$10.00)**; mutual promises related to other easements across the subject property and maintenance of items related to same; and Grantee's acceptance of ownership of and responsibility for maintenance of the water line running through the below described easement (to the extent and under the conditions agreed to by Grantor and Grantee in a prior agreement dated June 17, 2014), owned by Grantor and to which Grantee will connect for water service for the new Senior Center; 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 construct, install, operate, improve, rebuild, reconstruct, maintain and repair a water transmission and distribution line or lines, with necessary fittings and attached facilities, including laterals which may run from the below-described easement over, through, under and across the following tract of land located in the confines of Lexington-Fayette County, Kentucky, and more particularly described as follows:

Michael Keith Horn
Department of Law
200 E. Main Street, 11th Floor
Lexington, Ky. 40507

(MCH)

Permanent Water Line Easement
(a portion of 2349 Richmond Road)
Southland Christian Church of
Lexington, Kentucky, Inc.

Depicted on Exhibit A attached hereto and more particularly described as follows:

COMMENCING at the North East property corner of 2349 Richmond Road (Southland Christian Church P.C. R Sld. 99), said point also being in the common line with 1560 E. New Circle Road (Freedom Real Prop. LLC), thence leaving the line with 1560 E. New Circle Road, and a along a common line with 2397 Richmond Road (Home Depot USA) S 36°03'05" W a distance of 317.27 to the **TRUE POINT OF BEGINNING** of a new Water line Easement.

Thence, leaving said common line, N 56°16'49" W a distance of 18.09'

Thence N 33°46'43" W a distance of 80.17'

Thence N 53°34'04" W a distance of 193.78'

Thence N 31°23'19" E a distance of 172.77', to a point in the common line between 2349 Richmond Road (Southland Christian Church P.C. R Sld. 99), and 212 St. Ann Drive (LFUCG).

Thence, along said common line N 63°50'46" W a distance of 20.00'

Thence, leaving said common line, S 31°23'26" W a distance of 169.19'

Thence N 53°34'04" W a distance of 195.55'

Thence S 36°25'56" W a distance of 20.00'

Thence S 53°34'04" E a distance of 225.90'

Thence S 36°20'52" W a distance of 534.34'

Thence N 87°21'49" W a distance of 104.12'

Thence N 83°59'28" W a distance of 205.02'

Thence N 81°41'30" W a distance of 114.06'

Thence S 49°50'01" W a distance of 23.00', to a point in the common line with 2299 Richmond Road (Lexington Mall Properties INC P.C. M Sld. 997). Thence, along said common line, S 41°56'48" E a distance of 20.00'. Thence, leaving said common line,

N 47°01'57" E a distance of 12.83'.

Thence S 81°41'30" E a distance of 106.31'

Thence S 83°59'28" E a distance of 206.01'

Thence S 87°21'49" E a distance of 118.17'

Thence N 38°18'24" E a distance of 35.06'

Thence N 35°57'12" E a distance of 508.45'

Thence S 53°34'04" E a distance of 159.94'
Thence S 33°46'43" E a distance of 80.38'
Thence S 56°02'07" E a distance of 21.52', to a point in the
common line between 2349 Richmond Road (Southland
Christian Church P.C. R Sld. 99), and 2397 Richmond Road
(Home Depot USA).
Thence, along said common line, N 36°03'05" E a distance
of 20.00' to the **TRUE POINT OF BEGINNING**.

Being a water line easement on a portion of the same property
conveyed to Southland Christian Church of Lexington,
Kentucky, Inc., a non-profit Kentucky corporation, by Deed
dated September 27, 2010, of record in Deed Book 2970,
Page 462, in the Fayette County Clerk's Office.

ADDITIONALLY, Grantee hereby agrees to be responsible for the repair of any
other waterlines on the 2349 Richmond Road property (not situated beneath or inside
any building). Grantee's responsibility is limited to repair of an actual waterline and will
not include repaving, replanting or any repair of surface of any kind that is disturbed by
a broken line or must be disturbed to effectuate repair. This obligation to repair, under
the same conditions and qualifications, shall also apply to the waterline running
between the properties located at 2399 Richmond Road and 2401 Richmond Road; if
Kentucky American Water Company has not taken over responsibility for this line by
March 1, 2017, the line shall be dedicated to the Grantee.

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.

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.

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 easement herein, and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution No. 413-2014 passed by the Lexington-Fayette Urban County Council on July 8, 2014. 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 Grant of Easement, the day and year first above written.

GRANTOR:

SOUTHLAND CHRISTIAN CHURCH OF
LEXINGTON KENTUCKY, INC., a
non-profit Kentucky corporation

BY: 

DAVID BUNDY,
PRESIDENT

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)


The foregoing Easement was subscribed, sworn to and acknowledged before me by David Bundy, as President on behalf of Southland Christian Church of Lexington, Kentucky, Inc., a non-profit Kentucky corporation, on this the 2ND day of OCTOBER, 2015.

My commission expires: 2.23.2019



Notary Public, State-at-Large, Kentucky


PREPARED BY:



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

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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: SHEA BROWN ,dc

201510050028

October 5, 2015 8:40:50 AM

Fees	\$23.00	Tax	\$0.00
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Total Paid	\$23.00
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6 Pages

336 - 341



Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

To: Martha Allen, Council Clerk
Council Clerk's Office

From: Department of Law

Date: October 20, 2015

Re: Grant of Easement
2299 Richmond Road (a portion of)
2349 Richmond Road (a portion of)
Southland Christian Church of Lexington, Kentucky, Inc.
Log No. 13-CC-0793

Enclosed is the original recorded Grants of Easement for the above referenced properties for the Senior Citizens Center project. Please file the Easements with the authorizing legislation, Resolution No. 413-2014.

Also enclosed are the completed Asset Acquisition forms for these properties. After you have signed and dated the forms, please forward to the Department of Finance.

If you have any questions, please let me know.

Keith Horn
Managing Attorney

Enclosures

cc: Kim Bryan, Department of Finance
Beth Florence, Department of Finance

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