

**EASEMENT**

This **EASEMENT** is made and entered into this 11<sup>th</sup> day of July, 2016, by and between **C. M. GATTON**, a married person, 1000 West State Street, Bristol, Tennessee 37620 and **PINNACLE ONE, LTD.**, a Kentucky limited partnership, 3120 Wall Street, Suite 300, Lexington, Kentucky 40513 ("Grantors") and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 ("Grantee"); The Grantors' address is the in-care of address c/o Pinnacle One, Ltd., 3120 Wall Street, Suite 300, Lexington, Kentucky 40513.

**WITNESSETH:**

That for and in nominal consideration of Ten Dollars (\$10.00) and other good and valuable consideration, 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, the permanent right to lay, construct and install sidewalks and other related improvements, which shall be of such dimension, character, construction and use determined by Grantee, along, through, under and across the following tract of land located in the confines of Lexington-Fayette County, Kentucky, and more particularly described as follows:

**Permanent Sidewalk Easement-1**  
**(a portion of 1733 Harrodsburg Road)**

Commencing at the southeast property corner of "Parcel 1" of the IBM Property as recorded in the city of Lexington, Fayette County, Kentucky as shown by map, plat or deed of record in Plat Cabinet A, Slide 626 and Deed Book 1719, Page 586, in the office of the Fayette County Clerk, also known as 1733 Harrodsburg Road, and the northeast property corner of Lot 1 of the Skycrest Subdivision Unit No. 1 as recorded in the city of Lexington, Fayette County, Kentucky as shown by map, plat or deed of record in Plat

Michael Keith Horn  
LFUCG Department of Law  
200 East Main Street, 11<sup>th</sup> Floor  
Lexington, Kentucky 40507

(M-K)

Cabinet E, Slide 737 and Deed Book 3388, Page 255, in the office of the Fayette County Clerk, also known as 1759 Harrodsburg Road, said corner also being a point in the west right of way of Harrodsburg Road; thence, leaving the northeast property corner of Lot 1 of the Skycrest Subdivision Unit No. 1, along the east property line of "Parcel 1" of the IBM Property and along the west right of way of Harrodsburg Road for four calls: N 48°16' E 101.79 feet; thence, N 48°40' E 100.21 feet; thence, N 50°43' E 100.40 feet; thence, N 53°17' E 16.09 feet to the True Point of Beginning; thence, leaving the right of way of Harrodsburg Road for two calls: N 29°17'03" E 25.29 feet; thence, N 74°41'55" E 28.17 feet to a point in the west right of way of Harrodsburg Road; thence, along the west right of way of Harrodsburg Road S 53°17'00" W 49.33 feet to the True Point of Beginning; containing 254 square feet more or less (0.006 acres), as shown in the attached "EXHIBIT A-1"; and,

Being a portion of the same property conveyed to C.M. Gatton and Pinnacle One, Ltd., a Kentucky limited partnership, by deed, dated March 31, 1994, of record in Deed Book 1719, Page 586, in the Fayette County Clerk's Office.

**Permanent Sidewalk Easement-2**  
**(a portion of 1733 Harrodsburg Road)**

Commencing at the southeast property corner of "Parcel 1" of the IBM Property as recorded in the city of Lexington, Fayette County, Kentucky as shown by map, plat or deed of record in Plat Cabinet A, Slide 626 and Deed Book 1719, Page 586, in the office of the Fayette County Clerk, also known as 1733 Harrodsburg Road, and the northeast property corner of Lot 1 of the Skycrest Subdivision Unit No. 1 as recorded in the city of Lexington, Fayette County, Kentucky as shown by map, plat or deed of record in Plat Cabinet E, Slide 737 and Deed Book 3388, Page 255, in the office of the Fayette County Clerk, also known as 1759 Harrodsburg Road, said corner also being a point in the west right of way of Harrodsburg Road; thence, leaving the northeast property corner of Lot 1 of the Skycrest Subdivision Unit No. 1, along the east property line of "Parcel 1" of the IBM Property and along the west right of way of Harrodsburg Road for five calls: N 48°16' E 101.79 feet; thence, N 48°40' E 100.21 feet; thence, N 50°43' E 100.40 feet; thence, N 53°17' E 100.29 feet; thence, N

54°06' E 35.03 feet to the True Point of Beginning; thence, leaving the west right of way of Harrodsburg Road and the east property line of "Parcel 1" of the IBM Property N 02°31'59" E 21.15 feet to a point in the south right of way of Shaker Drive; thence, along the south right of way of Shaker Drive S 50°44'00" E 17.16 feet to a point in the west right of way of Harrodsburg Road; thence, along the west right of way of Harrodsburg Road for two calls: S 54°16'00" W 7.14 feet; thence, S 54°06'00" W 10.40 feet to the True Point of Beginning; containing 145 square feet more or less (0.003 acres), as shown in the attached "EXHIBIT A-2"; and,

Being a portion of the same property conveyed to C.M. Gatton and Pinnacle One, Ltd., a Kentucky limited partnership, by deed, dated March 31, 1994, of record in Deed Book 1719, Page 586, in the Fayette County Clerk's Office.

**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.

Grantors do hereby covenant to and with said Grantee, its successors and assigns forever, that they are lawfully seized in fee simple of said property and have a good right to sell and convey the interests herein conveyed, and that they will **WARRANT GENERALLY** said title.

The parties do hereby certify pursuant to KRS 382.135 that the consideration stated herein is the full actual consideration paid for the property transferred herein and that the estimated fair cash value of the property conveyed is \$3,400.00. Grantee joins this Deed for the sole purpose of certifying the consideration, as authorized by Resolution No.343-2016 passed by the Lexington-Fayette Urban County Council on June 16, 2016. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

**IN TESTIMONY WHEREOF**, the parties have signed this Easement, the day and year first above written.

GRANTORS:

C. M. Gatton  
C. M. GATTON

PINNACLE ONE, LTD., a Kentucky partnership

BY: HAYMAKER PROPERTIES, INC., General Partner

By: Timothy L. Haymaker  
TIMOTHY L. HAYMAKER,  
PRESIDENT

BY: CLS PROPERTIES, INC., General Partner

By: Carol S. Moses  
CAROL S. MOSES,  
DIRECTOR

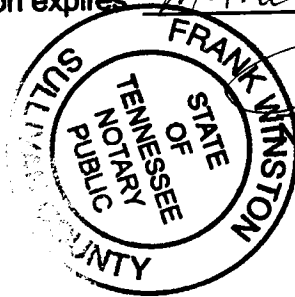
GRANTEE:  
LEXINGTON-FAYETTE URBAN COUNTY  
GOVERNMENT

BY: Jim Gray  
JIM GRAY, MAYOR

STATE OF TENNESSEE )  
 )  
COUNTY OF SULLIVAN )

The foregoing Easement and consideration certificate were subscribed, sworn to and acknowledged before me by C. M. Gatton, a married person, on this the 18 day of July, 2016.

My commission expires: MARCH 22, 2017



Frank Winston  
Notary Public, State-at-Large, ~~Kentucky~~  
TENNESSEE

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

The foregoing Easement and consideration certificate was subscribed, sworn to and acknowledged before me by Timothy L. Haymaker in his capacity as President of Haymaker Properties, Inc., a Kentucky corporation, in its capacity as a General Partner of Pinnacle One, Ltd., a Kentucky limited partnership, on this the 11<sup>th</sup> day of July, 2016.

My commission expires: 11-10-2016

Loak C. Solway  
Notary Public, Kentucky, State-at-Large  
476414

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF JEFFERSON- Fayette )

The foregoing Easement and consideration certificate was subscribed, sworn to and acknowledged before me by Carol S. Moses in her capacity as Director of CLS Properties, Inc., a Kentucky corporation, in its capacity as a General Partner of Pinnacle One, Ltd., a Kentucky limited partnership, on this the 12<sup>th</sup> day of July, 2016.

My commission expires: 11-10-2016

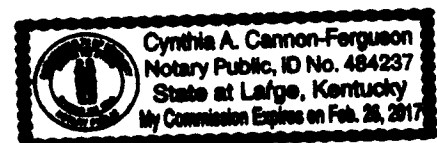
Loak C. Solway  
Notary Public, Kentucky, State-at-Large  
476414

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

The foregoing Certificate of Consideration was subscribed, sworn to and acknowledged before me by Jim Gray, as Mayor, for and on behalf of the Lexington-Fayette Urban County Government, on this the 11<sup>th</sup> day of July, 2016.

My commission expires: 2/26/17

Cynthia A. Cannon-Ferguson  
Notary Public, Kentucky, State-at-Large



PREPARED BY:

Michael Keith Horn

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

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# EXHIBIT

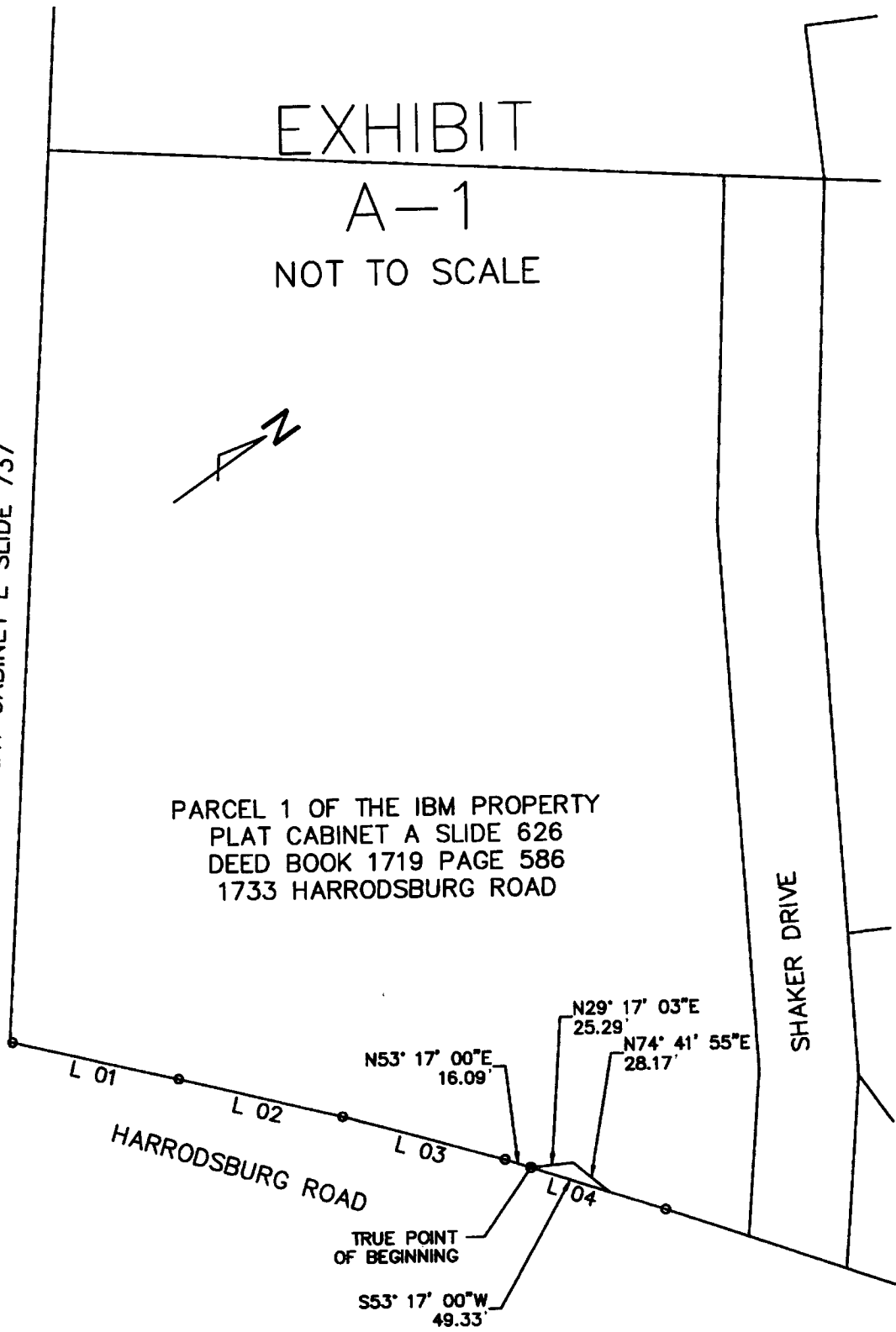
## A-1

NOT TO SCALE

SKYCREST SUBDIVISION UNIT NO.1  
PLAT CABINET E SLIDE 737



PARCEL 1 OF THE IBM PROPERTY  
PLAT CABINET A SLIDE 626  
DEED BOOK 1719 PAGE 586  
1733 HARRODSBURG ROAD



LINE TABLE		
LINE	BEARING	DISTANCE
L01	N48°16'00"E	101.79'
L02	N48°40'00"E	100.21'
L03	N50°43'00"E	100.40'
L04	N53°17;00"E	100.29'

NOTE:  
BEARINGS AND DISTANCES ARE  
BASED ON PLAT CABINET A SLIDE  
626.

# EXHIBIT

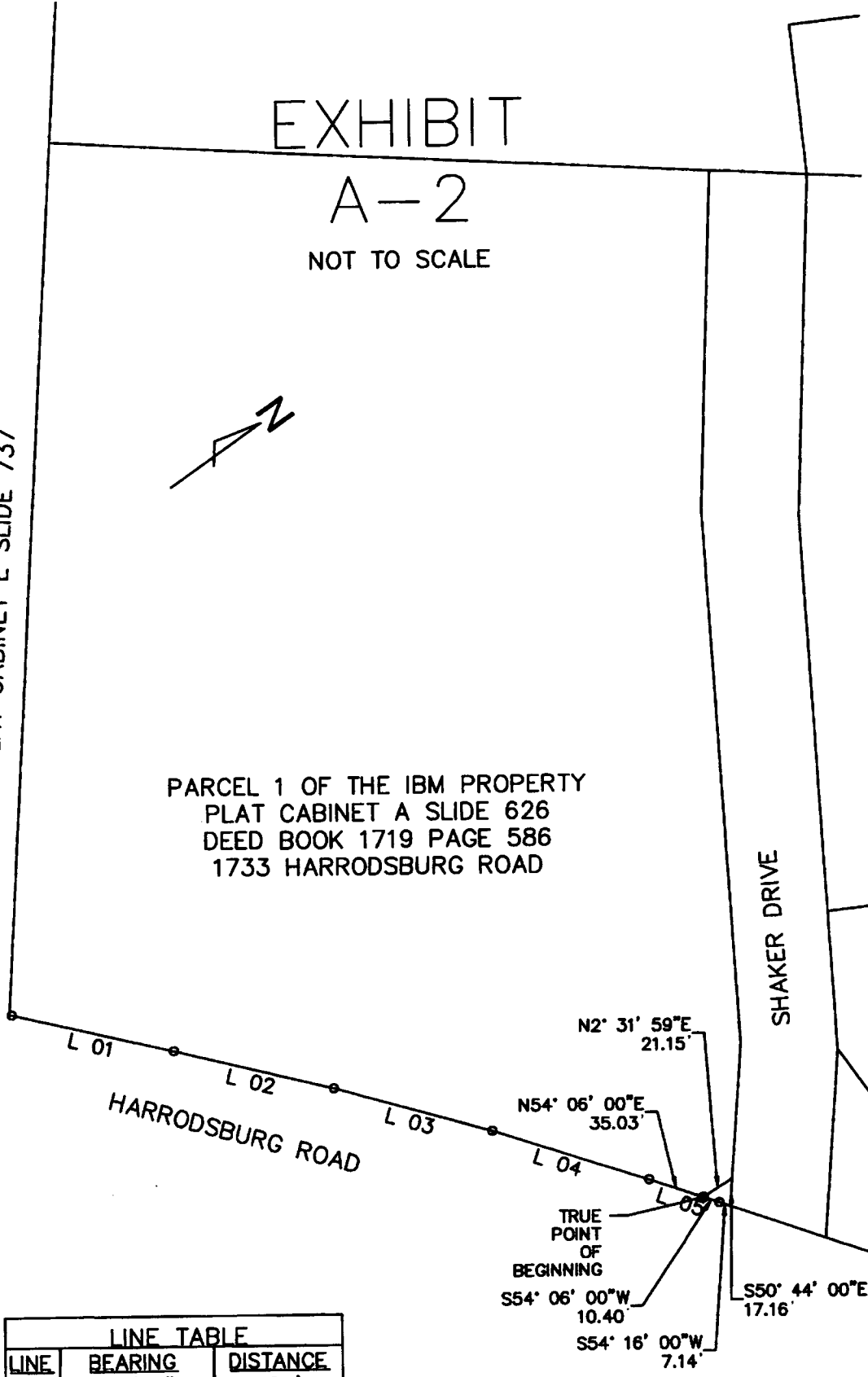
## A-2

NOT TO SCALE

SKYCREST SUBDIVISION UNIT NO.1  
PLAT CABINET E SLIDE 737



PARCEL 1 OF THE IBM PROPERTY  
PLAT CABINET A SLIDE 626  
DEED BOOK 1719 PAGE 586  
1733 HARRODSBURG ROAD



LINE TABLE		
LINE	BEARING	DISTANCE
L01	N48°16'00"E	101.79'
L02	N48°40'00"E	100.21'
L03	N50°43'00"E	100.40'
L04	N53°17'00"E	100.29'
L05	N54°06'00"E	45.43'

NOTE:  
BEARINGS AND DISTANCES ARE  
BASED ON PLAT CABINET A SLIDE  
626.



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

201607280043

July 28, 2016

8:59:04

AM

Fees	\$32.00	Tax	\$ .00
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Total Paid	\$32.00
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9 Pages

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