

**DEED OF EASEMENT**

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 2<sup>nd</sup> day of September, 2020, by and between **MICHAEL P. SEYDA and SONYA P. SEYDA, husband and wife**, 1940 Maywick Court, Lexington, Kentucky 40504, 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 **THREE HUNDRED FORTY-FIVE DOLLARS AND 57/100 DOLLARS (\$345.57)**, 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, permanent right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer 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 Sanitary Sewer Easement**  
**Wolf Run Trunks D & E Sewer Replacement Project**  
**(a portion of 1940 Maywick Court)**

Return to:  
Charles E. Edwards III  
LFUCG, Dept. of Law, 11<sup>th</sup> Floor  
200 East Main Street  
Lexington, KY 40507

**BEGINNING**, at a point on the existing permanent utility easement boundary, approximately 53' at a bearing S 24°00'00" W from the point where the existing permanent easement boundary meets the western property line shared with William & Mary Chapman, thence 24.21 feet at a bearing S 24°00'00" W along the existing permanent utility easement boundary to a point, thence 31.38 feet at a bearing N 31°42'06" W to a point, thence 20.00 feet at a bearing N 58°17'54" E to a point, thence 17.74 feet at a bearing S 31°42'06" E to the existing permanent utility easement boundary back to the **POINT OF BEGINNING**; and,

The above described parcel contains 491.14 square feet of permanent easement; and

Being a portion of the property conveyed to Michael P. Seyda and Sonya P. Seyda, husband and wife, by Deed dated March 321, 2004, of record in Deed Book 2450, Page 629, 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 sanitary sewer placement 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**  
**Wolf Run D & E Trunk Sewer Replacement Project**  
**(a portion of 1940 Maywick Court)**

**BEGINNING**, at a point on the existing permanent utility easement boundary, approximately 53' at a bearing S 24°00'00" W from the point where the existing permanent easement boundary meets the western property line shared with William & Mary Chapman, thence 24.21 feet at a

bearing S 24°00'00" W along the existing permanent utility easement boundary to a point, thence 31.38 feet at a bearing N 31°42'06" W to a point, thence 20.00 feet at a bearing N 58°17'54" E to a point, thence 17.74 feet at a bearing S 31°42'06" E to the existing permanent utility easement boundary back to the **POINT OF BEGINNING**; and,

The above described parcel contains a total area of 891.14 square feet of temporary construction easement;

Being a portion of the property conveyed to Michael P. Seyda and Sonya P. Seyda, husband and wife, by Deed dated March 321, 2004, of record in Deed Book 2450, Page 629, 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 do 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 that they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 256-2020, passed by the Lexington-Fayette Urban County Council on June 11, 2020. 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:   
MICHAEL P. SEYDA

BY:   
SONYA P. SEYDA

[Intentionally Left Blank]



**EXHIBIT**

tabbiter  
A

**PARCEL LINE DATA**

LINE #	BEARING	DISTANCE
L1	N24°00'00"E	12.10'
L2	N31°42'06"W	20.91'
L3	S58°17'54"W	40.00'
L4	S31°42'06"E	48.20'
L5	N24°00'00"E	12.10'
L6	S31°42'06"E	17.74'
L7	N58°17'54"E	20.00'
L8	N31°42'06"W	31.38'
L9	S24°00'00"W	24.21'





1900 GARDEN SPRINGS DR.  
PARCEL NO. 10003960  
DB 1389 PG 428  
JOHN A. PALUMBO II

1940 MAYWICK CT.  
PARCEL NO. 21758500  
DB 2450 PG 629  
MICHAEL & SONYA SEYDA

**NOTES:**

1. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A PROPOSED CONVEYANCE FOR A SANITARY SEWER EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
2. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.

**LEGEND:**

-  - EXISTING PERMANENT UTILITY EASEMENT (484,1945 SQ FT)
-  - 10' TEMPORARY CONSTRUCTION EASEMENT (891,1420 SQ FT)
-  - NEW 20' PERMANENT UTILITY EASEMENT (491,1420 SQ FT)
-  - PROPOSED SEWER LINE

**EXHIBIT "A"**  
UTILITY EASEMENT EXHIBIT  
MAY 11, 2020  
MICHAEL & SONYA SEYDA  
PROPERTY  
1940 MAYWICK CT  
LEXINGTON, KY 40504

SCALE: 1"= 40'



LFUCG  
DIVISION OF WATER QUALITY  
WOLF RUN TRUNK SEWER LINES D & E

200 E MAIN STREET  
LEXINGTON, KY 40507



engineering | architecture | geospacial  
www.grwinc.com

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: EMILY GENTRY ,dc

202009100291

September 10, 2020                      11:15:46    AM

Fees	\$53.00	Tax	\$ .00
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Total Paid	\$53.00
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7 Pages

573 - 579

MAYOR LINDA GORTON



**LEXINGTON**

SUSAN B. SPECKERT  
COMMISSIONER  
DEPARTMENT OF LAW

To: Abigail Allan, Council Clerk  
Council Clerk's Office

From: Department of Law

Date: September 18, 2020

Re: Permanent and Temporary Construction Easement  
1940 Maywick Court

Our File No. 20-RE0185  
Wolf Run Trunks D & E Sewer  
Replacement Project

Enclosed is the original recorded Permanent and Temporary Construction Easement for the above-referenced property to the Urban County Government for the Wolf Run Trunks D & E Sewer Replacement Project. Please file the easement with the authorizing legislation, Resolution No. 256-2020.

Please note that the attached asset acquisition form is for the permanent easement only.

If you have any questions, please let me know.

Sincerely,

Evan P. Thompson  
Attorney

**Enclosure**

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