

**PERMANENT EASEMENT**

This **PERMANENT EASEMENT** is made and entered into this the 17<sup>TH</sup> day of OCTOBER, 2022, by and between **STEPHEN W. PEYTON and NANCY J. PEYTON, husband and wife**, 3709 Ansley Court, Lexington, Kentucky 40509, 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, 11<sup>th</sup> Floor  
200 East Main Street  
Lexington, KY 40507

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 Easement**  
**Joyland Area**  
**Storm Drainage Improvement Project**  
**(a portion of 2112-2114 Lisa Circle)**

All that tract or parcel of land situated on the southeasterly of and adjacent to Lisa Circle in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

**BEGINNING**, at a point on the easterly property line of subject property, common corner to 502-504 Lisa Drive; thence with the easterly line of subject property, S 47°11'39" W 100.08 feet to a point, common corner to 2108-2110 Lisa Circle; thence with the common line of 2108-2110 Lisa Circle, N 21°33'04" W 43.77 feet to a point, thence leaving the common line of 2108-2110 Lisa Circle and traversing through the lands of subject property, N 62°37'50" E 39.54 feet to a point; thence N 46°16'08" E 44.11 feet to a point, thence N 58°10'32" E 2.04 feet to a point in the common line of 502-504 Lisa Drive; thence with the common line of 502-504 Lisa Drive, S 42°48'18" E 30.60 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 0.07 Acres (3,090.1 sq. ft.), more or less, of permanent easement; and,

A portion of the same property conveyed to Stephen W. Peyton and Nancy J. Peyton, husband and wife, by Deed dated August 8, 2022, of record in Deed Book 3963, Page 79, 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 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 same as herein done, and that they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 127-2022, passed by the Lexington-Fayette Urban County Council on March 17, 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 Permanent Easement, this the day and year first above written.



PREPARED BY:



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EVAN P. THOMPSON

Attorney

Lexington-Fayette Urban

County Government

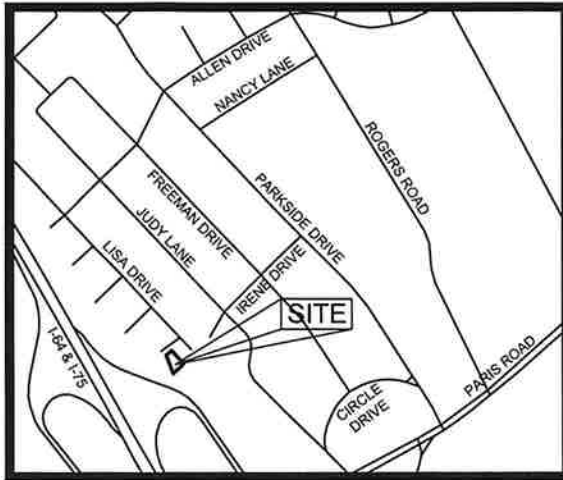
Department of Law, 11th Floor

200 East Main Street

Lexington, Kentucky 40507

(859) 258-3500

X:\Cases\WATER-AIR\22-RE0090\RE\00761381.DOC



**VICINITY MAP**

SCALE: 1"=1000'

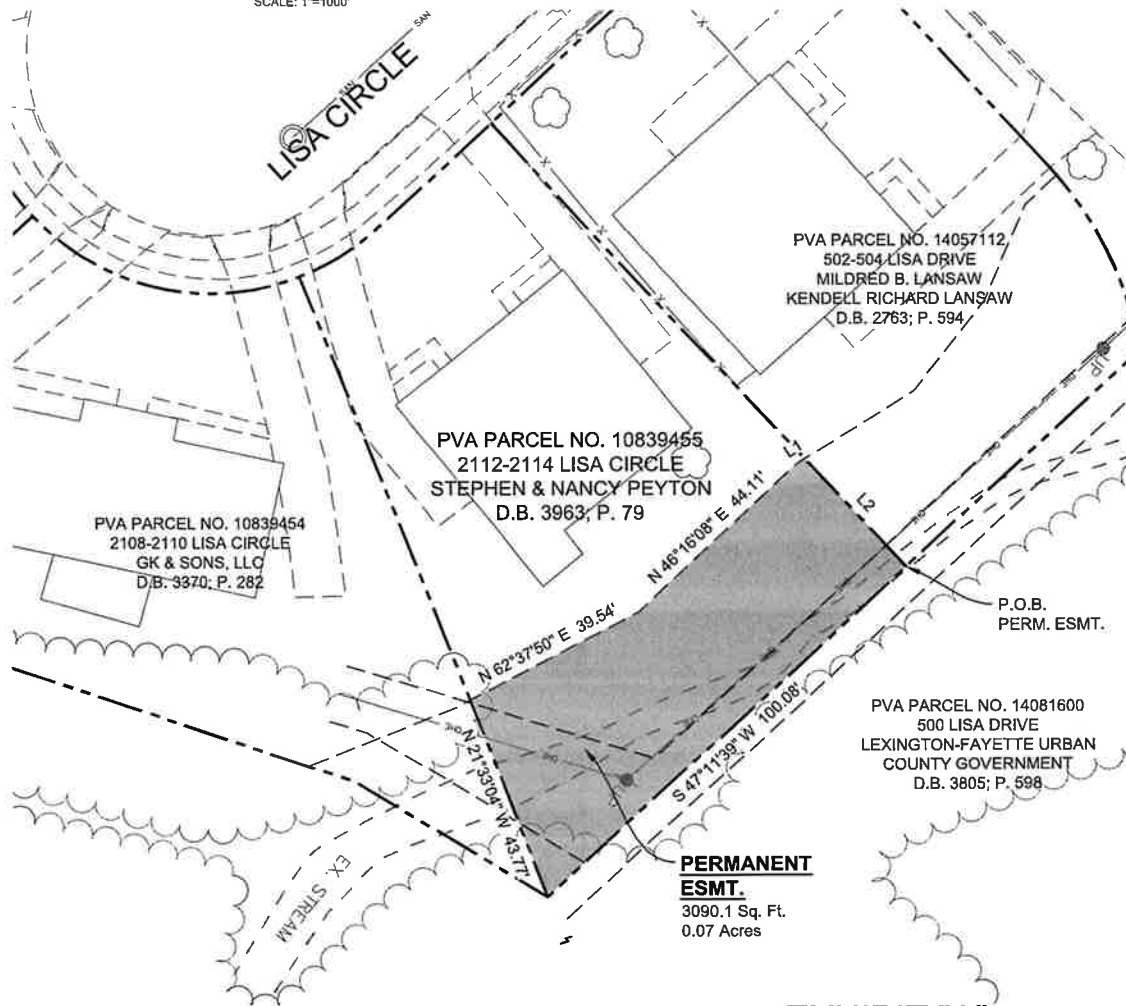


JASON D. BANKS, PLS  
 1211 JESSAMINE STATION | NICHOLASVILLE, KY  
 859.881.0020 | BANKSENGINEERING.NET



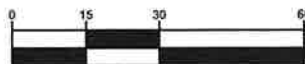
**NOTES**

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY NORTH STATE PLANE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY.
2. SELECT FIELD MEASUREMENTS WERE MADE, HOWEVER, NO BOUNDARY SURVEY WAS PERFORMED.
3. THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE FULL EXTERIOR BOUNDARIES OF THE PROPERTIES SHOWN AND DEPICTED HEREON.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 58°10'32" E	2.04'
L2	S 42°48'18" E	30.60'

**GRAPHIC SCALE**



1 inch = 30 feet

PROJECT: 20230  
 DRAWN BY: CBS  
 DATE: AUGUST 2022  
 DRAWING: 20230\_Easements.dwg

**EXHIBIT "A"**  
 DRAINAGE & DETENTION EASEMENT  
 Lexington-Fayette Urban  
 County Government  
 THROUGH THE PROPERTY OF  
 Stephen & Nancy Peyton  
 PARCEL 10839455  
 D.B. 3963; P. 79  
 2112-2114 Lisa Circle  
 Lexington, Kentucky

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

202210190084

October 19, 2022                      11:50:03    AM

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

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