

GRANT OF EASEMENT

This **EASEMENT** is made and entered into this the 1 day of July, 2016, by and between **BYE PROPERTIES, LLC**, 989 Turkey Foot Road, Lexington, Kentucky 40502, which is the in-care of tax mailing address for the current year (hereinafter "Grantor"), 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 **TWO HUNDRED THIRTY-FIVE AND 75/100 DOLLARS (\$235.75)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, the permanent right to lay, construct, operate, repair, reconstruct and remove a sanitary sewer, improvements and appurtenances thereto, which sanitary sewer and appurtenances 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, depicted on Exhibit "A" attached hereto, and more particularly described as follows:

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

Permanent Sanitary Sewer Easement & Temporary Construction Easement
A Portion of 1115 Manchester Street
(UK Trunk "A" RMP Project)

All that tract or parcel of land situated on the north side of Manchester Street and on the east side of the Norfolk Southern Railroad main line bridge crossing, as shown on plat entitled Sanitary Sewer Easement Plat for BYE Properties, LLC and prepared by MSE of Kentucky, Inc. dated July 2015 and more fully described as follows:

Beginning at a point in the north right-of-way of Manchester Street, said point being 93.30 feet east of the centerline of the Norfolk Southern Railroad spur crossing of Manchester Street; thence with the westerly line of said twenty foot sanitary sewer easement N 05 degrees 09 minutes 49 seconds E – 5.10 feet; thence N 36 degrees 22 minutes 06 seconds E – 32.94 feet to a point in an existing 10 foot sanitary sewer easement (by prescription); thence S 53 degrees 37 minutes 54 seconds E – 20.00 feet; thence S 36 degrees 22 minutes 06 seconds W – 27.36 feet across said 10 foot existing easement; thence S 05 degrees 09 minutes 49 seconds W – 7.50 feet to the north right-of-way line of Manchester Street; thence N 62 degrees 37 minutes 33 seconds W – 21.60 feet with said right-of-way to the beginning and containing 729.5 square feet; together with a ten-foot wide temporary construction easement lying on the northerly and easterly side of the above described permanent sanitary sewer easement and a temporary construction easement of varying width (maximum 10 feet) lying on the westerly side of the above described permanent sanitary sewer easement. The temporary construction easement shall terminate and revert to grantor at the completion of the construction project.

The permanent easement described above contains a net area of 504.0 square feet when the existing, prescribed permanent easement area is deducted from the described area.

Being a twenty-foot wide permanent sanitary sewer easement and temporary construction easement on a portion of the same property conveyed to BYE Properties, LLC by deed dated January 1, 2007 and recorded in Deed Book 2699, Page 714. All of the above referenced

instruments are of record in the Fayette County Clerk's office.

TO HAVE AND TO HOLD the above-described easement 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 prior written consent of the Grantee.

Grantor does hereby release and relinquish unto 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 easement as herein done, and that they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 265-2016, passed by the Lexington-Fayette Urban County Council on the 12th day of May, 2016. Pursuant to KRS 382.135(2)(a), this public utility easement is exempt from the requirements related to certificate of consideration. Pursuant to KRS 142.050, this public utility easement is exempt from real estate transfer tax.

IN TESTIMONY WHEREOF, the Grantor has signed this Grant of Easement, the day and year first above written.

GRANTOR:

Bye Properties LLC

Steven B. Young, Member

BYE PROPERTIES, LLC

STEVEN B. YOUNG, MEMBER

COMMONWEALTH OF KENTUCKY)

COUNTY OF FAYETTE)

The foregoing Grant of Easement was subscribed, sworn to and acknowledged before me by Steven B. Young, in his capacity as a member of BYE Properties, LLC, on this the 1 day of JULY, 2016.

Daniel McFadden # 558447
Notary Public, Kentucky, State at Large

My Commission Expires: 6 / 18 / 2020

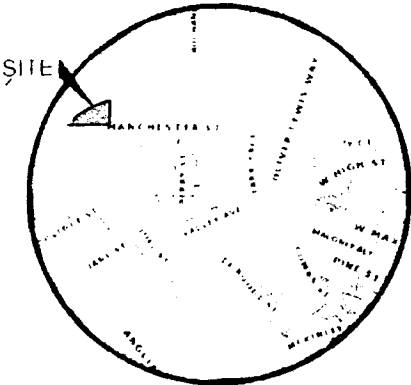
PREPARED BY:

Charles E. Edwards III

CHARLES E. EDWARDS III

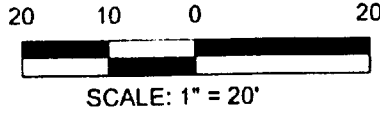
Attorney
Lexington-Fayette Urban County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

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VICINITY MAP
NOT TO SCALE

PROPERTY OWNER ADDRESS
 BYE PROPERTIES LLC
 989 TURKEY FOOT RD
 LEXINGTON KY 40502

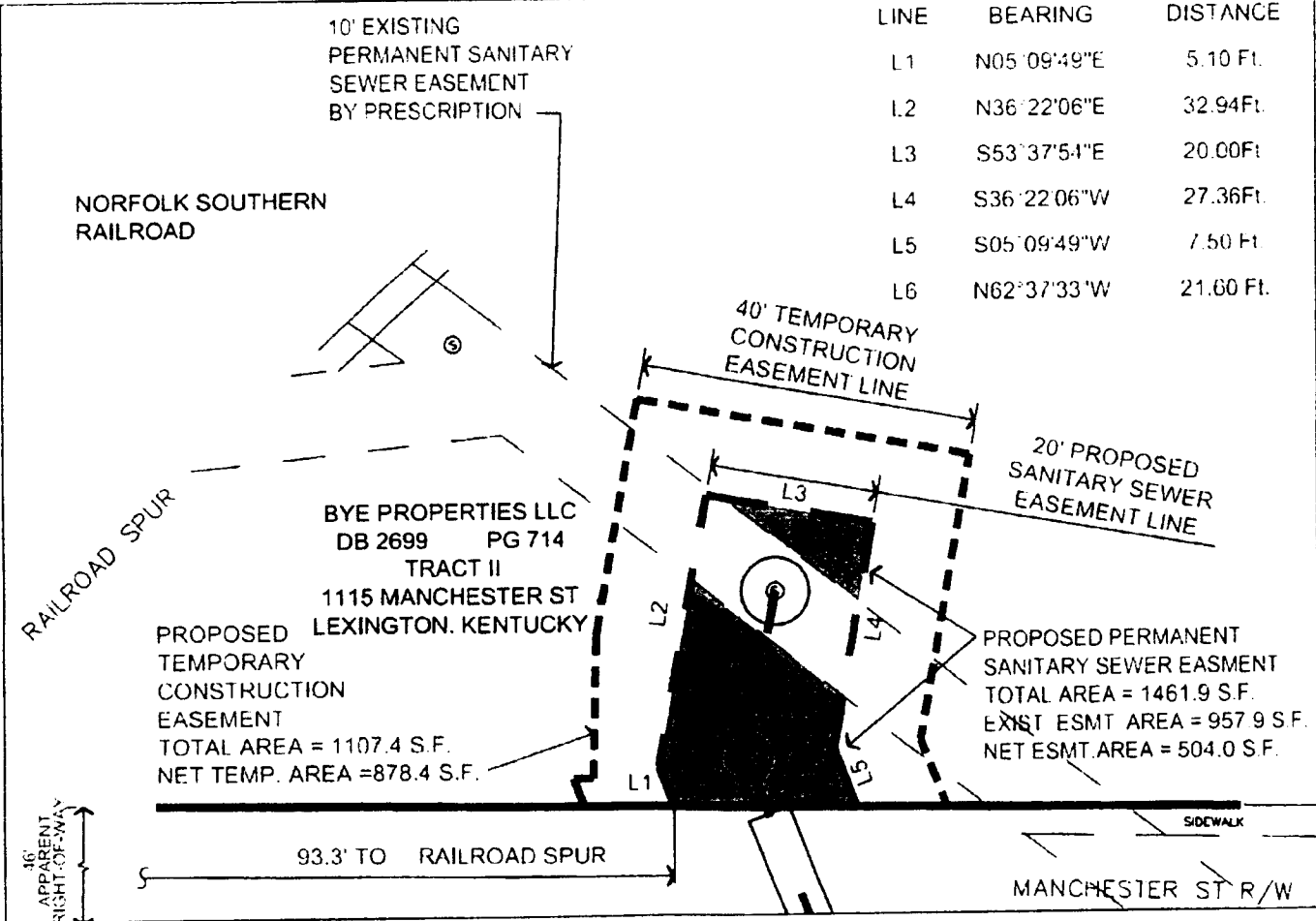


LEGEND

- APPROXIMATE SUBJECT PROPERTY LINE
- APPROXIMATE ADJACENT PROPERTY LINE
- PROPOSED SANITARY SEWER EASEMENT LINE
- EXISTING EASEMENT LINE
- TEMPORARY CONSTRUCTION EASEMENT LINE

NOTES:

1. THE PURPOSE OF THIS PLAT IS TO RECORD THE PERMANENT SANITARY SEWER EASEMENT AS SHOWN.
2. THIS FACILITY IS SUBJECT TO ALL EASEMENTS, LEASES, RIGHT OF WAYS, ETC. OF RECORD AND/OR IN EXISTENCE.
3. THE BEARINGS CITED HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, KY NORTH ZONE, US SURVEY FEET, NAD 83.



LINE	BEARING	DISTANCE
L1	N05°09'49"E	5.10 Ft.
L2	N36°22'06"E	32.94 Ft.
L3	S53°37'54"E	20.00 Ft.
L4	S36°22'06"W	27.36 Ft.
L5	S05°09'49"W	7.50 Ft.
L6	N62°37'33"W	21.60 Ft.

LAND SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS RECORD PLAT WAS PREPARED UNDER MY DIRECTION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE BEARINGS AND DISTANCES AS SHOWN ON THIS PLAT ARE TRUE AND ACCURATE

Walter L. Bowman 6/2/16
 DATE

WALTER L. BOWMAN PLS KY, 1804
 3561 CEPHAS WAY
 LEXINGTON, KY, 40503

SANITARY SEWER EASEMENT PLAT

BYE PROPERTIES LLC
 PROPERTY
 1115 MANCHESTER ST
 LEXINGTON, FAYETTE COUNTY,
 KENTUCKY



DATE: JULY 1, 2016

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: PATTY DAVIS ,dc

201607190018

July 19, 2016 8:39:02 AM

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

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