

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 14th day of July, 2022, by and between **PAUL WILBURN HOLLAND, a single person**, 3498 Greentree Road, Lexington, Kentucky 40517, 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 **FOUR HUNDRED TWENTY-SEVEN DOLLARS AND 50/100 CENTS (\$427.50)**, 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

Return to:
Cynthia Cannon-Ferguson
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

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 "A"
West Hickman Trunk E
Sewer Improvement Project
(a portion of 3498 Greentree Road)

All that strip or parcel of land situated on the southeast side of Greentree Road, approximately 500 feet southwest of the intersection of Greentree Road and Centre Parkway in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner of Paul Wilburn Holland (3498 Greentree Road, Deed Book 3604, Page 735) and Thomas Glen Canary (3500 Greentree Road, Deed Book 3312, Page 736) said point being in the Greentree Road southeast right-of-way; thence leaving said Canary and with said Greentree Road, North 47°51'00" East, 8.23 feet to the **TRUE POINT OF BEGINNING** in the northeast line of an existing 12-foot sanitary sewer easement (Deed Book 881, Page 241); thence continuing with said Greentree Road, North 47°51'00" East, 4.02 feet to a point; thence leaving said Greentree Road for six (6) new lines through the lands of said Holland:

- 1) South 47°25'18" East, 61.45 feet to a point,
- 2) South 42°31'17" East, 7.64 feet to a point,
- 3) North 47°28'43" East, 0.65 feet to a point,
- 4) South 47°25'18" East, 112.23 feet to a point,
- 5) South 41°04'00" West, 4.00 feet to a point,
- 6) North 47°25'18" West, 181.82 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 724 square feet (gross and net) of permanent easement; and

Permanent Sanitary Sewer Easement "B"
West Hickman Trunk E
Sewer Improvement Project
(a portion of 3498 Greentree Road)

BEGINNING, at the common corner of Paul Wilburn Holland (3498 Greentree Road, Deed Book 3604, Page 735) and Thomas Glen Canary (3500 Greentree Road, Deed Book 3312 Page 736) said point being in the Greentree Road southeast right-of-way; thence leaving said Greentree Road along a reference line, South 45°22' 36" East, 106.60 feet to the **TRUE POINT OF BEGINNING** in the southwest line of an existing 12-foot sanitary sewer easement (Deed Book 881 Page 241); thence for three (3) new lines through the lands of said Holland:

- 1) South 47°25' 18" East, 76.35 feet to a point,
- 2) South 41°04' 00" West, 7.06 feet to a point,
- 3) North 42°09' 00" West, 76.87 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 270 square feet (gross and net) of permanent easement; and

The above Tract "A" and "B", being a portion of the property conveyed to Paul Wilburn Holland, a single person, his heirs and assigns, forever, by General Warranty deed, dated August 7, 2018, of record in Deed Book 3604, Page 735, 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, Grantor has **BARGAINED** and **SOLD** and does 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 "A"
West Hickman Trunk E
Sewer Improvement Project
(a portion of 3498 Greentree Road)

BEGINNING, at a common corner of Paul Wilburn Holland (3498 Greentree Road, Deed Book 3604, Page 735) and Thomas Glen Canary (3500 Greentree Road, Deed Book 3312, Page 736) said point being in the Greentree Road southeast right-of-way; thence leaving said Greentree Road, North 47°51'00" East, 12.25 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Greentree Road, North 47°51'00" East, 10.04 feet to a point; thence leaving said Greentree Road for four (4) new lines through the lands of said Holland:

- 1) South 47°25'18" East, 26.22 feet to a point,
- 2) South 47°28'43" West, 7.03 feet to a point,
- 3) South 42°31'17" East, 35.04 feet to a point,
- 4) North 47°25'18" West, 61.45 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 315 square feet (gross and net) of temporary construction easement; and

Temporary Construction Easement "B"
West Hickman Trunk E
Sewer Improvement Project
(a portion of 3498 Greentree Road)

BEGINNING, at a common corner of Paul Wilburn Holland (3498 Greentree Road, DB 3604, PG 735) and Thomas Glen Canary (3500 Greentree Road, Deed Book 3312, Page 736) said point being in the Greentree Road southeast right-of-way; thence leaving said Greentree Road along reference line, South 57°16'20" East, 71.29 feet to the **TRUE POINT OF BEGINNING**; thence for four (4) new lines through the lands of said Holland:

- 1) North 47°28'43" East, 10.04 feet to a point,
- 2) South 47°25'18" East, 111.11 feet to a point,
- 3) South 41°04'00" West, 10.00 feet to a point,
- 4) North 47°25'18" West, 112.23 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 1,117 square feet (gross and net) of temporary construction easement; and

The above Tract "A" and "B", being a portion of the property conveyed to Paul Wilburn Holland, a single person, his heirs and assigns, forever, by General Warranty deed, dated August 7, 2018, of record in Deed Book 3604, Page 735, 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 Grantor. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

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, all of his right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and does hereby covenant to and with the Grantee, its successors and assigns forever, that he is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that he will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 030-2022, passed by the Lexington-Fayette Urban County Council on January 27, 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.

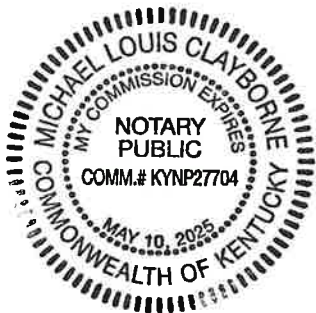
IN TESTIMONY WHEREOF, the Grantor has signed this Deed of Easement, this the day and year first above written.

GRANTOR:

BY: *Paul Wilburn Holland*
PAUL WILBURN HOLLAND

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Paul Wilburn Holland, a single person, on this the 14th day of July, 2022.

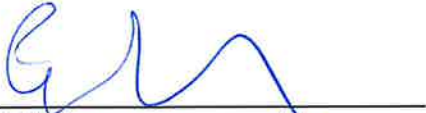


Michael Clayborne
Notary Public, Kentucky, State-at-Large

My Commission Expires: 05 / 10 / 2025

Notary ID # KYNP27704

PREPARED BY:



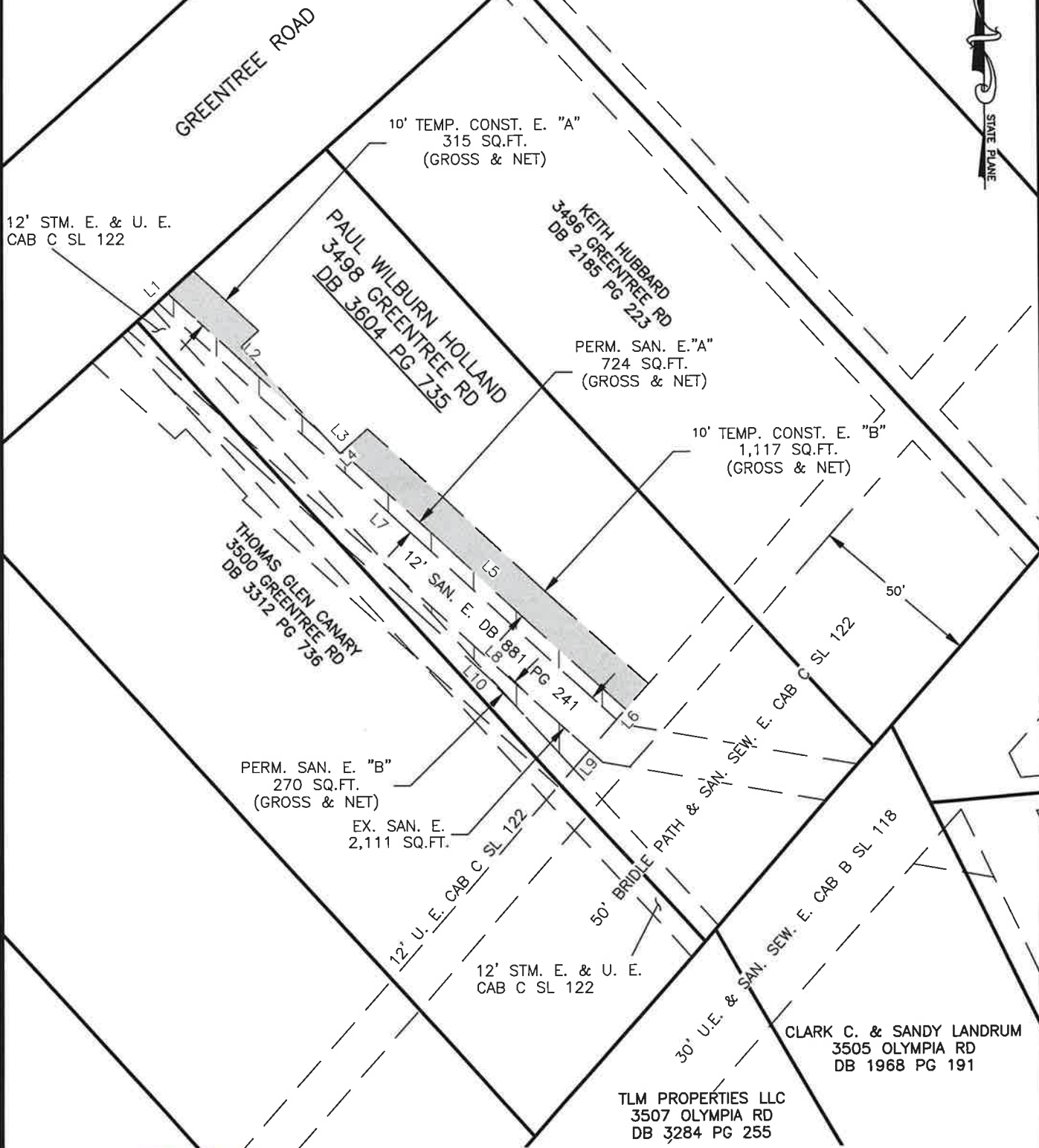
EVAN P. THOMPSON,
Attorney Sr.
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

X:\Cases\WATER-AIR\22-RE0011\RE\00758263.DOC



GRAPHIC SCALE: 1" = 40'

NEW PERM. ESMT.
 TEMP. CONST. ESMT.



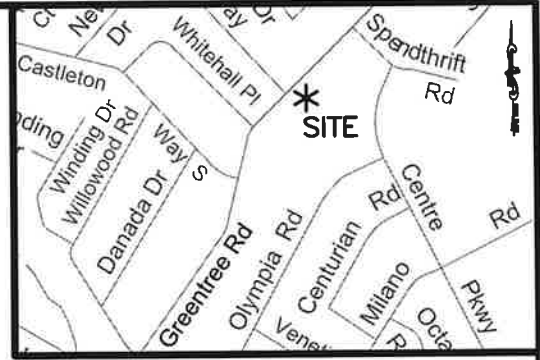
K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements - Kurt_SSM.dwg
 Day & Time: Nov 11, 2021 - 9:47am Login Name: kurt.hesselbach



WEST HICKMAN TRUNK E SEWER PROJECT
 PERMANENT SANITARY SEWER EASEMENT
 PAUL WILBURN HOLLAND
 3498 GREENTREE ROAD
 LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2

K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements - Kurt_SSM.dwg
 Day & Time: Nov 11, 2021 - 9:48am Login Name: kurt.hesselboch

LINE	BEARING	DISTANCE
L1	N 47°51'00" E	4.02'
L2	S 47°25'18" E	61.45'
L3	S 42°31'17" E	7.64'
L4	N 47°28'43" E	0.65'
L5	S 47°25'18" E	112.23'
L6	S 41°04'00" W	4.00'
L7	N 47°25'18" W	181.82'
L8	S 47°25'18" E	76.35'
L9	S 41°04'00" W	7.06'
L10	N 42°09'00" W	76.87'



VICINITY MAP N.T.S.

EX. PERM. ESMT.= 2,111 SQ. FT.
 PROP. PERM. ESMT. (GROSS)=994 SQ.FT.
 PROP. PERM. ESMT. (NET)=994 SQ.FT.

 PROP. TEMP. ESMT. (GROSS)=1,432 SQ.FT.
PROP. TEMP. ESMT. (NET)=1,432 SQ. FT.

LAND SURVEYOR'S CERTIFICATE:

THE PROPERTY LINES SHOWN ON THIS EASEMENT EXHIBIT ARE BASED ON DEED AND/OR RECORD PLAT DATA FROM THE FAYETTE COUNTY CLERK'S OFFICE. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DESCRIBED IN 201 KAR 18:150 AND INTEGRATED ENGINEERING HAS NOT PERFORMED A BOUNDARY SURVEY FOR THE PURPOSES OF THIS EXHIBIT. THIS EXHIBIT IS NOT INTENDED TO BE USED FOR LAND TRANSFER.

JAMES M. CHAMBLISS, PLS 3185 _____ DATE



WEST HICKMAN TRUNK E SEWER PROJECT
 PERMANENT SANITARY SEWER EASEMENT
 PAUL WILBURN HOLLAND
 3498 GREENTREE ROAD
 LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 2 OF 2

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

202207210065

July 21, 2022 9:49:49 AM

Fees	\$62.00	Tax	\$0.00
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Total Paid	\$62.00
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10 Pages

376 - 385