

FAYETTE CO, KY FEE \$59.00

SUSAN LAMB
COUNTY CLERK

PRESENTED/LODGED: 05/22/2024 10:03:22 AM

EMILY GENTRY, DEPUTY CLERK

202405220140

BK: DB 4073

PG: 496-503



DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 16th day of May, 2024, by and between **PRELLA INVESTMENTS, LLC**, a Kentucky **limited liability company**, 100 Clubhouse Drive, Nicholasville, Kentucky 40356, 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 **ONE THOUSAND FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$1,500.00)**, 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**

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

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, repair, maintenance 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
Floyd Drive Trunk
Sewer Improvement Project
(a portion of 658 Gay Place)

A certain parcel of land near Gay Place, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the southwest corner of the Meadows Subdivision, Unit 14-B, Lot 11, of record at Plat Cabinet E, Slide 685, of the Fayette County Clerk's records, as conveyed to Gardenia Breeze, LLC in Deed Book 3829, Page 618 and in the line of New Circle Road Industrial Area Subdivision, Lot 42 of record at Plat Cabinet C, Slide 278, as conveyed to MKR Properties, LLC in Deed Book 3492, Page 699; thence with the line of said Lot 11 for one (1) call:

1. N 50°03'29" W, a distance of 5.32 feet to **THE TRUE POINT OF BEGINNING**; thence with a new easement line for one (1) call:
2. S 60°02'41" W, a distance of 95.84 feet to a point on the eastern line of Lot 13, of said Meadows Subdivision as conveyed to Donna Dennie and Davis Caraballo in Deed Book 3978, Page 535; thence with the line of said Lot 13 for one (1) call:
3. N 31°31'14" W, a distance of 27.49 feet; thence with a new easement line for one (1) call:

4. N 60°29'17" E, a distance of 86.78 feet to a point in the line of said Lot 11; thence with the line of said Lot 11 for one (1) call:
5. S 50°03'29" E, a distance of 28.55 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 2,476.94 square feet of permanent easement; and,

Being a portion of the property conveyed to Prella Investments, LLC, a Kentucky limited liability company, by Deed dated September 26, 2022, of record in Deed Book, 3975, Page 492, 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, repair, maintenance 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
Floyd Drive Trunk
Sewer Improvement Project
(a portion of 658 Gay Place)

A certain parcel of land near Gay Place, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the southwest corner of the Meadows Subdivision, Unit 14-B, Lot 11, of record at Plat Cabinet E, Slide 685 of the Fayette County Clerk's records as conveyed to Gardenia Breeze, LLC in Deed Book 3829, Page 618 and in the line of New Circle Road Industrial Area Subdivision, Lot 42, of record at Plat Cabinet C, Slide 278 as conveyed to

MKR Properties, LLC in Deed Book 3492, Page 699; thence with the line of said Lot 11 for one (1) call:

1. N 50°03'29" W, a distance of 33.87 feet to the TRUE POINT OF BEGINNING; thence with the northern line of the above-described permanent sewer line easement for one (1) call:
2. S 60°29'17" W, a distance of 86.78 feet to a point on the eastern line of Lot 13, of said Meadows Subdivision as conveyed to Donna Dennie and Davis Caraballo in Deed Book 3978, Page 535; thence with the line of said Lot 13 for one (1) call:
3. N 31°31'14" W, a distance of 10.01 feet; thence with a new temporary easement line for one (1) call:
4. N 60°29'17" E, a distance of 83.38 feet to a point in the line of said Lot 11; thence with the line of said Lot 11 for one (1) call:
5. S 50°03'29" E, a distance of 10.68 feet to the TRUE POINT OF BEGINNING; and,

The above-described parcel contains 850.84 square feet of temporary construction easement; and,

Being a portion of the property conveyed to Prella Investments, LLC, a Kentucky limited liability company, by Deed dated September 26, 2022, of record in Deed Book, 3975, Page 492, 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.

TOGETHER with the right to use the above-described easements during the time the sanitary sewer is being constructed, repaired or reconstructed, with the right of

ingress and egress upon said easements as may be reasonably necessary for the construction and maintenance of said project.

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 or maintenance thereof.

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 its 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 it is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 629-2023, passed by the Lexington-Fayette Urban County Council on December 5, 2023. 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:

PRELLA INVESTMENTS, LLC, a
Kentucky limited liability company

BY: 
WILLIAM ALYACOUB,
MEMBER

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by William Alyacoub, as a Member for and on behalf of Prella Investments, LLC, a Kentucky limited liability company, on this the 16TH day of May, 2024.



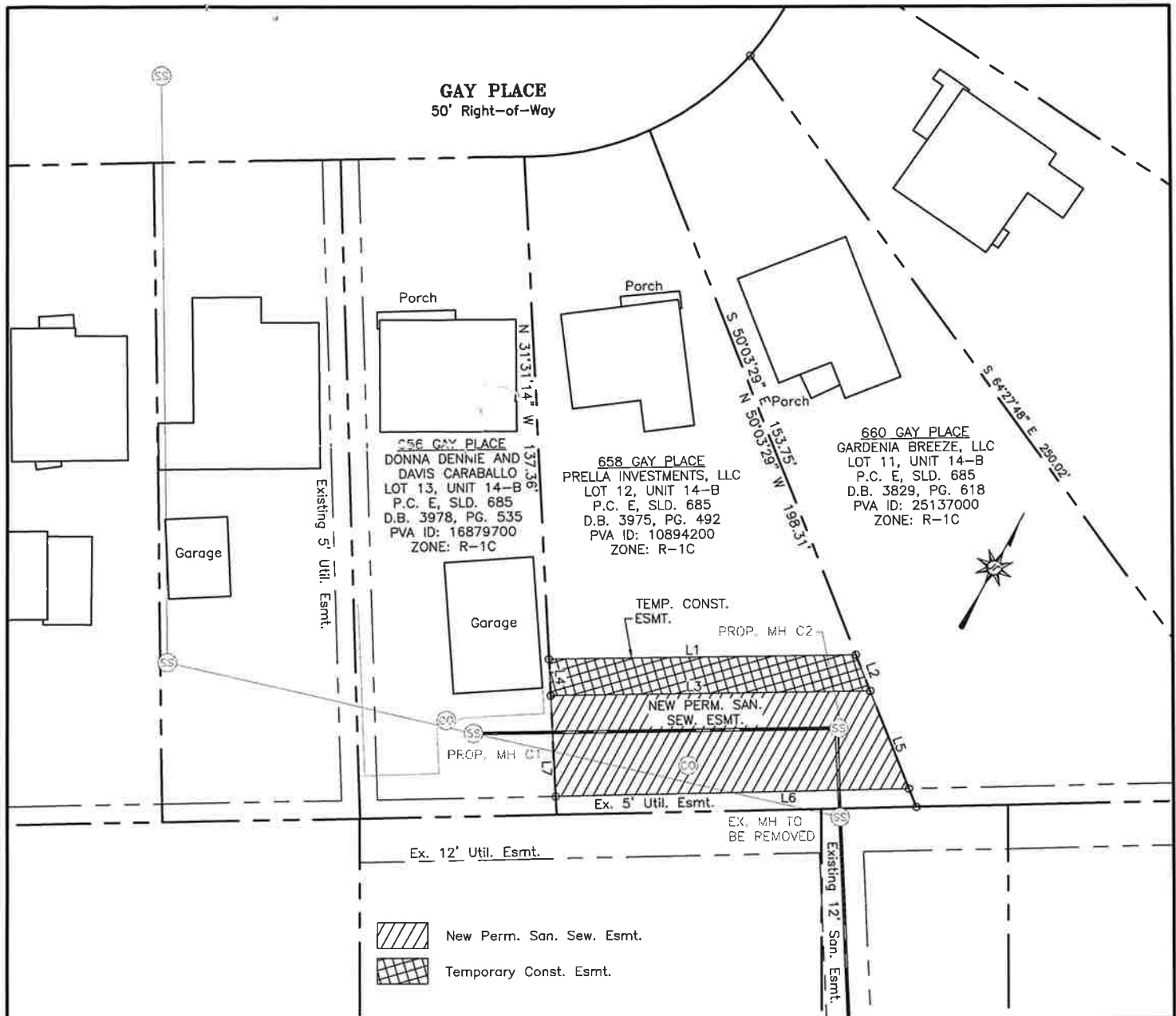

Notary Public, Kentucky, State-at-Large
My Commission Expires: 05 / 10 / 2025
Notary ID # KYNP27704



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

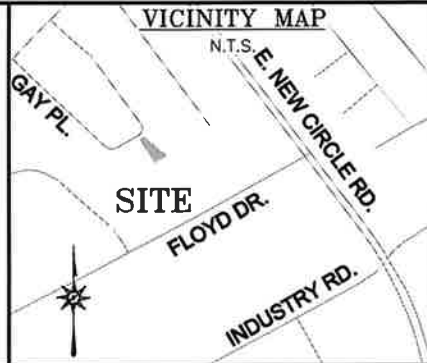
4868-4063-7854, v. 1



 New Perm. San. Sew. Esmt.
 Temporary Const. Esmt.

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 60°29'17" E	83.38'
L2	S 50°03'29" E	10.68'
L3	S 60°29'17" W	86.78'
L4	N 31°31'14" W	10.01'
L5	S 50°03'29" E	28.55'
L6	S 60°02'41" W	95.84'
L7	N 31°31'14" W	27.49'



NOTES:

1. SOURCE OF TITLE: PRELLA INVESTMENTS, LLC, DEED BOOK 3975, PAGE 492.
2. THE BASIS OF BEARINGS ARE KENTUCKY STATE PLANE GRID NORTH ZONE (NAD 83), U.S. SURVEY FEET.

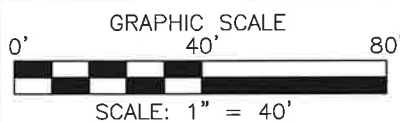
AREAS:

NEW PERMANENT SEWER EASEMENT: 2476.94 S.F.
 EX. UTIL. EASEMENT TO BE RETAINED: 483.43 S.F.
 TOTAL PERMANENT EASEMENTS: 2960.37 S.F.
 TOTAL NEW SEWER EASEMENTS: 2476.94 S.F.
 TEMP. CONSTRUCTION EASEMENT: 850.84 S.F.
 TOTAL CONSTRUCTION EASEMENTS: 850.84 S.F.



Environmental, Civil Engineering Consultants, Land Surveying
 128 E. Reynolds Rd, Suite 150, Lexington, KY 40517
 Ph.(859) 559-0516 - Fax: (859) 523-0095
 www.visionengr.com

OWNER:
 PRELLA INVESTMENTS, LLC
 100 CLUBHOUSE DRIVE
 NICHOLASVILLE, KY 40356



FLOYD DRIVE TRUNK SEWER IMPROVEMENTS
EXHIBIT SHOWING SANITARY SEWER EASEMENT TO BE ACQUIRED FROM PRELLA INVESTMENTS, LLC
658 GAY PLACE
LEXINGTON, KENTUCKY 40505
09/12/2023
SHEET 1 OF 1