

GRANT OF EASEMENT

This **EASEMENT** is made and entered into this 15 day of April, 2014, by and between **ERIK MILLER AND VALORIE MADDOX, Husband and Wife**, 272 Derby Drive, Lexington, Kentucky 40503 ("Grantor"), which is also the in-care of tax mailing address for the current tax year, and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 ("Grantee");

W I T N E S S E T H:

That for and in consideration of the sum of TWO THOUSAND FOUR HUNDRED SEVENTY FIVE DOLLARS AND NO CENTS (\$2,475.00) and other good and valuable consideration, 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, a perpetual easement and right to access the storm water culvert outlet located on the back corner of the property, over and across the following tract of land located in the confines of Lexington-Fayette County, Kentucky, and more particularly described as follows:

Permanent Easement

**(a portion of 272 Derby Drive)
Derby Drive Stormwater Improvement Project**

Commencing at a crimped pipe on the east right of way line of Derby Drive and the north east property corner of lot 11 and the south east property corner of lot 10 as the record plat for the Southland Village Subdivision Section 2 Unit 1-C is recorded in the office of the Fayette County Clerk, Lexington, Fayette County, Kentucky in Plat Cabinet A, Slide 166; thence, S 80°10' E 97.13 feet to a point along the south property line of lot 10 and lot 11 north property line, the true point of beginning; thence, S 09°17'00"W 60.00 feet to a point in the south property line of lot 11 and the north property line of lot 12; thence, along the south property line of lot 11 and the north property line of lot 12 N 80°10'00" W 21.50 feet to the rear property line of lot 11 and along the east property line of the Southern Railroad; thence, along the rear property line of lot 11 and along the east property line of the Southern Railroad N 09°17'00" E 60.00 feet to

Glenda H. George
LFUCG Department of Law
200 East Main Street, 11th Floor
Lexington, Kentucky 40507

the south property line of lot 10 and north property line lot 11 and leaving the Southern Railroad property line, S 80°17'00" W 21.50 feet to the true point of beginning, containing 1290.0 square feet (0.030 acres).

Being a portion of the same property conveyed to Erik Miller, a single person by deed dated November 30, 2006, of record in Deed Book 2693, Page 730 in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described easement together with all rights, privileges, appurtenances and improvements thereunto belonging unto Grantee, its successors and assigns forever, for the purposes and uses herein designated.

Grantor does hereby covenant to and with said 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 conveyed herein, and that he will **WARRANT GENERALLY** said title.

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 the prior written consent of the Grantee.

The obtaining of this easement was authorized by Resolution No. 131-2014 passed by the Urban County Council on March 20, 2014. Pursuant to KRS 382.135(20(a), this public utility easement is exempt from the requirements related to certificate of consideration. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

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: DOUG BRADLEY ,dc

201404180056

April 18, 2014 9:22:41 AM

Fees	\$17.00	Tax	\$0.00
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Total Paid	\$17.00
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Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

To: Meredith Nelson, Council Clerk
Council Clerk's Office

From: Department of Law


Date: April 24, 2014

Re: Easement and Asset Acquisition Form
(272 Derby Drive)
Log No. 07-CC1947

Enclosed is the original recorded Grant of Easement conveying a permanent easement across the above-referenced property to the Urban County Government for the Derby Drive Stormwater Improvement Project. Please file the easement with the authorizing legislation, Resolution No. 131-2014.

Also enclosed is the completed Asset Acquisition form for the property. After you have signed and dated the form, please forward it to the Department of Finance.

If you have any questions, please let me know.



Glenda Humphrey George
Managing Attorney

Enclosures

cc: Kim Bryan, Department of Finance
Beth Florence, Department of Finance

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