

GRANT OF EASEMENT

This **EASEMENT** is made and entered into this 6th day of NOV., 2013, by and between **CHARLES McCANN, III**, a single person, 1185 Mt. Rushmore Way, Lexington, Kentucky 40515 ("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");

WITNESSETH:

That for and in consideration of the sum of **Six Thousand One Hundred Fifty-Six Dollars and 80/100 Cents (\$6,156.80)**, 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, the permanent right to lay, construct, operate, repair, reconstruct and remove sanitary sewer improvements and appurtenances thereto, which sanitary sewer improvements 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, and more particularly described as follows:

Permanent Sanitary Sewer Easement
1185 Mt. Rushmore Way
Century Hills Sanitary Sewer Improvement Project

Described on Exhibit A attached hereto and incorporated herein by reference.

FURTHER, for and in consideration of the foregoing sum, 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, the temporary right to excavate, grade, construct, alter, regrade and perform related work

Mail to Grantee
c/o Department of Law, 11th Floor

for the purpose of sanitary sewer construction, repair, installation and relocation through and across the following tract of land located within the confines of Lexington-Fayette County, Kentucky, to-wit:

Temporary Construction Easement
1185 Mt. Rushmore Way
Century Hills Sanitary Sewer Improvement Project

All temporary construction easements, if any, are described on Exhibit B attached hereto and incorporated herein by reference.

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.

The above-described temporary construction easement will expire upon completion of the construction of the improvement project on the land adjacent to this easement, runs with the land for the duration of the improvement project on the adjacent land, and is binding upon the heirs and assigns of the Grantor.

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. 389-2013 passed by the Lexington-Fayette Urban County Council on July 9, 2013. Pursuant to

EXHIBIT A

PERMANENT SANITARY SEWER EASEMENT
&
10-FOOT TEMPORARY CONSTRUCTION EASEMENTS
ON THE PROPERTY OF
CHARLES McCANN, III
(SINGLE)
DEED BOOK 2731, PAGE 703
LOT 31, BLOCK D, UNIT 2-B CENTURY HILLS SUBDIVISION
PLAT CABINET D, SLIDE 786
1185 MT. RUSHMORE WAY
IN LEXINGTON, FAYETTE COUNTY, KENTUCKY

All those tracts or parcels of land situated on the southwesterly side of Mt. Rushmore Way, southeasterly from its intersection with Pimlico Parkway, in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

Permanent Sanitary Sewer Easement:

Beginning at a point in the rear common line of Lot 31, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 786) and Lot 61, Block B, Unit 1-A of Century Hills Subdivision (Plat Cabinet B, Slide 266), said point being approximately 11.9 feet northwesterly from the rear common corner of Lot 31 aforesaid and Lot 31A, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 786) as measured along the common line of Lot 31 and Lot 61 aforesaid, and said point being the southwesterly corner of an existing 12' sanitary sewer easement (Plat Cabinet B, Slide 547); thence along the common line of said Lots 31 and 61, N 36° 15' 04" W 12.00 feet to the northwesterly corner of said existing sanitary sewer easement; thence through Lot 30-A, along the northwesterly line of said existing easement, N 53° 16' 53" E 45.67 feet; thence continuing through Lot 31, N 30° 20' 08" W 24.15 feet to a point in the common line of Lot 31 and Lot 30-A, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 330), said point being approximately 48.2 feet northeasterly from the rear common corner of said lots, as measured along the common line; thence along said common line, N 53° 16' 53" E 20.12 feet; thence again through Lot 31, parallel with and twenty feet northeasterly from the next to last call cited above, S 30° 20' 08" E 26.36 feet to a point in the aforesaid existing sanitary sewer easement; thence continuing through Lot 31, S 36° 40' 44" E 16.11 feet to a point in the common line of Lots 31 and 31A aforesaid; thence along said common line, S 48° 24' 14" W 20.07 feet; thence again through Lot 31, parallel with and twenty feet southwesterly from the next to last call cited above, N 36° 40' 44" W 8.02 feet to a point in the southeasterly line of the above mentioned existing 12' sanitary sewer easement; thence along said line, S 53° 16' 53" W 45.64 feet to the beginning and containing 1414 square feet.

EXHIBIT B

Temporary Construction Easement - Tract 1:

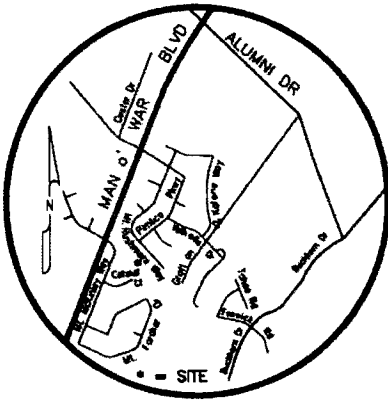
Beginning at the northeasterly corner of the above described permanent sanitary sewer easement, said point being in the common line of Lot 31, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 786) and Lot 30-A, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 330); thence along said common line, N 53° 16' 53" E 10.06 feet; thence through Lot 31 aforesaid, parallel with and ten feet northeasterly from the northeasterly line of the above described permanent sanitary sewer easement, for two calls, S 30° 20' 08" E 26.93 feet and S 36° 40' 44" E 14.70 feet to a point in the common line of Lot 31 aforesaid and Lot 31A, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 786); thence along said common line, S 48° 24' 14" W 10.04 feet; thence again through Lot 31 aforesaid, along the northeasterly line of the above described permanent sanitary sewer easement, for two calls, N 36° 40' 44" W 16.11 feet and N 30° 20' 08" W 26.36 feet to the beginning and containing a total area of 420 square feet, inclusive of 120 square feet of existing easement, leaving a net area of 300 square feet of new temporary construction easement.

Temporary Construction Easement - Tract 2:

Beginning at the northwesterly corner of the above described permanent sanitary sewer easement, said point being in the common line of Lot 31, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 786) and Lot 30-A, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 330); thence through Lot 31 aforesaid, parallel with and twenty feet southwesterly from the northeasterly line of the above described permanent sanitary sewer easement, for two calls, S 30° 20' 08" E 25.23 feet and S 36° 40' 44" E 18.94 feet to a point in the common line of Lot 31 aforesaid and Lot 31A, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 786); thence along said common line, S 48° 24' 14" W 10.04 feet; thence again through Lot 31 aforesaid, parallel with and thirty feet southwesterly from the northeasterly line of the above described permanent sanitary sewer easement, for two calls, N 36° 40' 44" W 20.35 feet and N 30° 20' 08" W 24.67 feet to a point in the common line of Lots 31 and 30-A aforesaid; thence along said common line, N 53° 16' 53" E 10.06 feet to the beginning and containing a total area of 446 square feet, inclusive of 120 square feet of existing easement, leaving a net area of 326 square feet of new temporary construction easement.

Being a permanent sanitary sewer easement and ten-foot wide temporary construction easements on a portion of the same property conveyed to grantor by deed dated May 25, 2007, and of record in Deed Book 2731, Page 703; being designated as Lot 31, Block D, Unit 2-B of Century Hills Subdivision as per the Corrected Amended Final Record Plan of record in Plat Cabinet D, Slide 786. All of the above referenced instruments are of record in the Fayette County Clerk's office.

EXHIBIT "C"

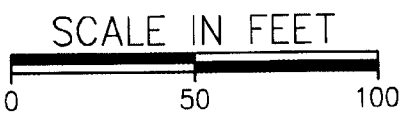


VICINITY MAP
Not To Scale

PROPERTY OWNER'S ADDRESS
CHARLES McCANN, III
1185 MT. RUSHMORE WAY
LEXINGTON, KY 40515

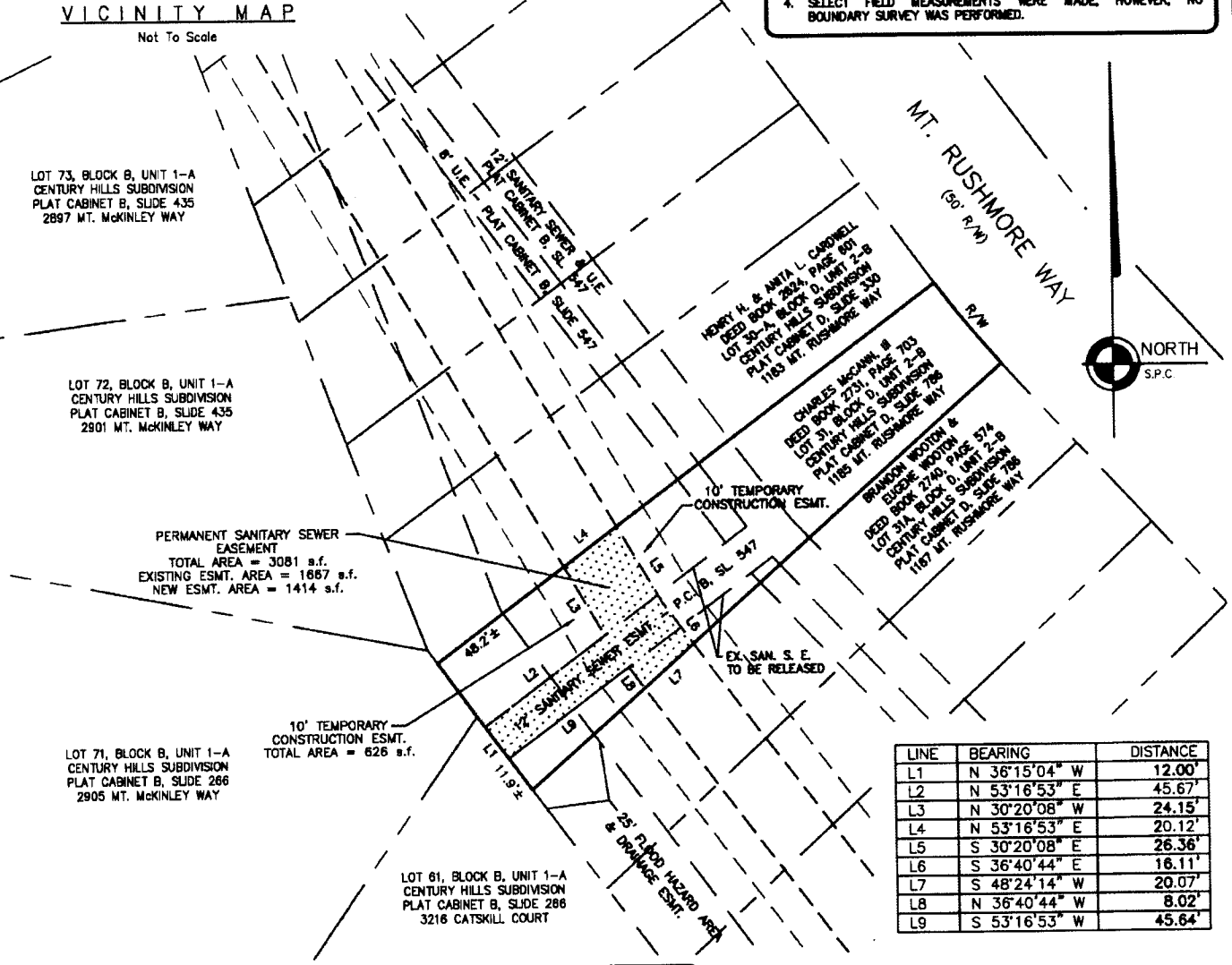
LEGEND

- APPROXIMATE SUBJECT PROPERTY LINE
- - - APPROXIMATE ADJOINING 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 PROPERTY IS SUBJECT TO ALL EASEMENTS, LEASES, RIGHTS-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.
4. SELECT FIELD MEASUREMENTS WERE MADE, HOWEVER, NO BOUNDARY SURVEY WAS PERFORMED.



LOT 73, BLOCK B, UNIT 1-A
CENTURY HILLS SUBDIVISION
PLAT CABINET B, SLIDE 435
2897 MT. MCKINLEY WAY

LOT 72, BLOCK B, UNIT 1-A
CENTURY HILLS SUBDIVISION
PLAT CABINET B, SLIDE 435
2901 MT. MCKINLEY WAY

LOT 71, BLOCK B, UNIT 1-A
CENTURY HILLS SUBDIVISION
PLAT CABINET B, SLIDE 266
2905 MT. MCKINLEY WAY

LOT 61, BLOCK B, UNIT 1-A
CENTURY HILLS SUBDIVISION
PLAT CABINET B, SLIDE 266
3216 CATSKILL COURT

PERMANENT SANITARY SEWER EASEMENT
TOTAL AREA = 3081 s.f.
EXISTING ESMT. AREA = 1667 s.f.
NEW ESMT. AREA = 1414 s.f.

10' TEMPORARY CONSTRUCTION ESMT.
TOTAL AREA = 626 s.f.

LINE	BEARING	DISTANCE
L1	N 36°15'04" W	12.00'
L2	N 53°16'53" E	45.67'
L3	N 30°20'08" W	24.15'
L4	N 53°16'53" E	20.12'
L5	S 30°20'08" E	26.36'
L6	S 36°40'44" E	16.11'
L7	S 48°24'14" W	20.07'
L8	N 36°40'44" W	8.02'
L9	S 53°16'53" W	45.64'

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.

Reda J. Smith 8/15/13

REDA J. SMITH, PLS # 3323
CDP ENGINEERS, INC.
3250 BLAZER PKWY
LEXINGTON, KY 40509

DATE

SANITARY SEWER EASEMENT PLAT

CHARLES McCANN, III
(SINGLE)
PROPERTY
1185 MT. RUSHMORE WAY
LEXINGTON, FAYETTE COUNTY, KENTUCKY

CDP ENGINEERS
3250 Blazer Parkway
Lexington KY 40609
T 859.264.7500 F 859.264.7501

SCALE: 1" = 50'

DATE: AUGUST 6, 2013

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

201401290052

January 29, 2014 10:04:20 AM

Fees	\$26.00	Tax	\$0.00
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Total Paid	\$26.00
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7 Pages

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