

**GRANT OF EASEMENT**

This EASEMENT is made and entered into this 7 day of November, 2013, by and between **JANICE L. TRAYLOR**, a single person, 1369 Grafton Drive, 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 **Eleven Thousand Sixty-Eight Dollars and 80/100 Cents (\$11,068.80)**, 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**  
**1369 Grafton Drive**  
**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, 11<sup>th</sup> 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**  
**1369 Grafton Drive**  
**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 she is lawfully seized in fee simple of said property and has good right to sell and convey the easements conveyed herein, and that she 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

KRS 382.135(2)(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.

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

**GRANTOR:**

BY:   
JANICE L. TRAYLOR

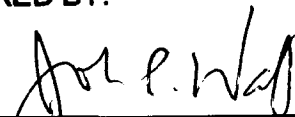
COMMONWEALTH OF KENTUCKY     )  
  )  
COUNTY OF FAYETTE             )

The foregoing Easement was subscribed, sworn to and acknowledged before me by Janice L. Traylor, a single person, on this the 7<sup>th</sup> day of NOVEMBER, 2013.

My commission expires: DEC. 5, 2015

  
Notary Public, State-At-Large, Kentucky

**PREPARED BY:**



John P. Watz, Esq.  
HENRY WATZ RAINE &  
MARINO, PLLC  
401 West Main Street, Suite 316  
Lexington, Kentucky 40507  
(859) 258-3500  
X:\Cases\WATER-AIR\13-RE0632\REV\00411969.DOC

**EXHIBIT A**

PERMANENT SANITARY SEWER EASEMENTS  
&  
10-FOOT TEMPORARY CONSTRUCTION EASEMENTS  
ON THE PROPERTY OF  
JANICE L. TRAYLOR  
(SINGLE)  
DEED BOOK 2876, PAGE 121  
LOT 90, BLOCK D, UNIT 2-E CENTURY HILLS SUBDIVISION  
PLAT CABINET C, SLIDE 27  
1369 GRAFTON DRIVE  
IN LEXINGTON, FAYETTE COUNTY, KENTUCKY

All those tracts or parcels of land situated on the southwesterly side of Grafton Drive at its terminus, southwesterly from its intersection with Valhalla Drive, in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

**Permanent Sanitary Sewer Easement - Tract 1:**

Beginning at the rear common corner of Lot 90, Block D, Unit 2-E of Century Hills Subdivision (Plat Cabinet C, Slide 27) and Lot 26, Block B, Unit 1-B of Century Hills Subdivision (Plat Cabinet B, Slide 323), said point being in the northwesterly line of the Squires Road Bike Trail; thence along the common line of Lots 90 and 26, N 36° 15' 04" W 13.36 feet to a point in the northwesterly line of an existing 12-foot sanitary sewer easement (Plat Cabinet C, Slide 27); thence through Lot 90 along the northwesterly line of said existing easement, parallel with and twelve feet northwesterly from the northwesterly line of the aforesaid Squires Road Bike Trail, N 27° 38' 16" E 16.07 feet; thence again through Lot 90 for three calls, N 78° 03' 20" W 19.47 feet, N 11° 56' 40" E 20.00 feet and S 78° 03' 20" E 25.09 feet to a point in the northwesterly line of the aforesaid existing easement, said point being twelve feet northwesterly from the northwesterly line of the aforesaid Squires Road Bike Trail; thence continuing through Lot 90, along the northwesterly line of said existing easement, N 27° 38' 16" E 36.18 feet; thence again through Lot 90 for two calls, N 13° 03' 29" W 119.60 feet and N 53° 20' 30" W 20.01 feet to a point in the common line of Lot 90 aforesaid and Lot 38A, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 790), said point being approximately 119.1 feet northeasterly from the rear common corner of said lots as measured along the common line; thence along the common line of Lots 90 and 38A, N 27° 30' 04" E 20.26 feet; thence through Lot 90, parallel with and twenty feet northeasterly from the last two calls through Lot 90, in reverse order, S 53° 20' 30" E 30.57 feet and S 13° 03' 29" E 122.09 feet to a point in the northwesterly line of the aforesaid Squires Road Bike Trail; thence along said line, S 27° 38' 16" W 95.63 feet to the beginning and containing 4380 square feet.

**Permanent Sanitary Sewer Easement - Tract 2:**

Beginning at a point in the common line of Lot 90, Block D, Unit 2-E of Century Hills Subdivision (Plat Cabinet C, Slide 27) and Lot 89, Block D, Unit 2-E of Century Hills Subdivision (Plat Cabinet B, Slide 790), said point being approximately 18.4 feet southwesterly from the front common corner of said lots in the southwesterly right-of-way of Grafton Drive, and said point being in the northeasterly line of an existing 12-foot sanitary sewer easement (Plat Cabinet C, Slide 27; Plat Cabinet B, Slide 790); thence through Lot 90, along the northeasterly line of said existing sanitary sewer easement, S 57° 20' 08" E 22.13 feet to a point in the northwesterly line of Squires Road Bike Trail; thence along said line, S 27° 38' 16" W 12.05 feet to a point in the southwesterly line of the aforesaid existing easement; thence again through Lot 90, along the southwesterly line of said existing easement, N 57° 20' 08" W 15.90 feet; thence continuing through Lot 90, crossing said existing easement, S 27° 53' 25" W 118.84 feet to a point in the northeasterly line of an existing flood hazard area and drainage easement (Plat Cabinet C, Slide 27); thence again through Lot 90, along the northeasterly line of the last abovementioned existing easement, N 18° 59' 41" W 16.44 feet; thence again through Lot 90, parallel with and twelve feet northwesterly from the next to last call cited above, N 27° 53' 25" E 95.67 feet to a point in the westerly line of the aforementioned existing 12-foot sanitary sewer easement; thence continuing through Lot 90, along the westerly line of said existing easement, N 14° 34' 06" E 13.56 feet to a bend point in said existing easement; thence continuing through Lot 90, along the southwesterly line of said existing easement, N 57° 20' 08" W 3.89 feet to a point in the common line of Lots 90 and 89 aforesaid; thence along said common line, N 77° 08' 16" E 16.82 feet to the beginning and containing 1728 square feet.

The above described permanent sanitary sewer easements designated Tract 1 and Tract 2 contain a total area of 6108 square feet which is inclusive of 1410 square feet of existing easement, leaving a net area of 2098 square feet of new easement.

It is expressly understood that the existing residence on subject property is excluded from the above-described permanent sanitary sewer easement designated as Tract 2, including all overhangs and appurtenances.

## EXHIBIT B

### **Temporary Construction Easement - Tract 1:**

Beginning at the most northerly corner of the above described permanent sanitary sewer easement designated as Tract 1, said point being in the common line of Lot 90, Block D, Unit 2-E of Century Hills Subdivision (Plat Cabinet C, Slide 27) and Lot 38A, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 790); thence along said common line, N 27° 30' 04" E 10.13 feet; thence through Lot 90 aforesaid, parallel with and ten feet northerly and easterly from the northerly and easterly line of the above described permanent sanitary sewer easement designated as Tract 1, for two calls, S 53° 20' 30" E 35.85 feet and S 13° 03' 29" E 114.13 feet to a point in the northwesterly line of the Squires Road Bike Trail; thence along said line, S 27° 38' 16" W 15.34 feet to a corner with the above described permanent sanitary sewer easement designated as Tract 1; thence again through Lot 90, along the easterly and then northerly line of the above described permanent sanitary sewer easement designated as Tract 1, for two calls, N 13° 03' 29" W 122.09 feet and N 53° 20' 30" W 30.57 feet to the beginning and containing 1513 square feet, inclusive of 184 square feet of existing easement, leaving a net area of 1329 square feet of new temporary construction easement.

### **Temporary Construction Easement - Tract 2:**

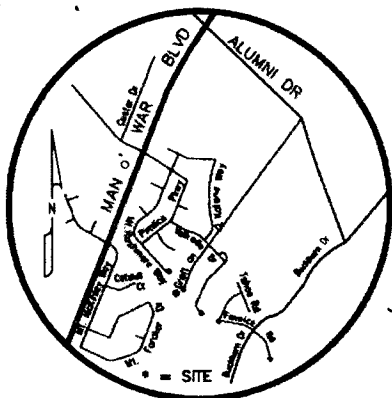
Beginning at the most westerly corner of the above described permanent sanitary sewer easement designated as Tract 1, said point being in the common line of Lot 90, Block D, Unit 2-E of Century Hills Subdivision (Plat Cabinet C, Slide 27) and Lot 38A, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 790); thence through Lot 90 aforesaid, along the southerly and westerly line of the above described permanent sanitary sewer easement designated as Tract 1, for two calls, S 53° 20' 30" E 20.01 feet and S 13° 03' 29" E 119.60 feet to a point in the northwesterly line of the above described permanent sanitary sewer easement designated as Tract 1, said point being twelve feet at right angles from the northwesterly line of the Squires Road Bike Trail and said point being in the northwesterly line of an existing 12-foot sanitary sewer easement (Plat Cabinet C, Slide 27); thence continuing through Lot 90, along the northwesterly line of the above described permanent sanitary sewer easement and the northwesterly line of said existing sanitary sewer easement designated as Tract 1, S 27° 38' 16" W 36.18 feet; thence again through Lot 90 and continuing with the line of the above described permanent sanitary sewer easement designated as Tract 1, N 78° 03' 20" W 25.09 feet; thence continuing through Lot 90, N 11° 56' 40" E 10.00 feet; thence again through Lot 90, parallel with and ten feet northerly, westerly and then southerly from the northerly, westerly and then southerly line of the above described permanent sanitary sewer easement designated as Tract 1, for four calls, S 78° 03' 20" E 17.51 feet, N 27° 38' 16" E 24.89 feet, N 13° 03' 29" W 112.23

feet and N 53° 20' 30" W 14.73 feet to a point in the common line of Lots 90 and 38A aforesaid; thence along said common line, N 27° 30' 04" E 10.13 feet to the beginning and containing 1852 square feet.

**Temporary Construction Easement - Tract 3:**

Beginning at a point where the northwesterly line of the above described permanent sanitary sewer easement designated as Tract 1 and an existing 12-foot sanitary sewer easement (Plat Cabinet C, Slide 27) intersect the common line of Lot 90, Block D, Unit 2-E of Century Hills Subdivision (Plat Cabinet C, Slide 27) and Lot 26, Block B, Unit 1-B of Century Hills Subdivision (Plat Cabinet B, Slide 323), said point being N 36° 15' 04" W 13.36 feet from the rear common corner of said lots in the northwesterly line of the Squires Road Bike Trail; thence along said common line, N 36° 15' 04" W 20.28 feet; thence through Lot 90, N 11° 56' 40" E 1.95 feet to a corner of the above described permanent sanitary sewer easement designated as Tract 1; thence again through Lot 90, along said above described permanent sanitary sewer easement designated as Tract 1, S 78° 03' 20" E 19.47 feet to an angle point in said above described permanent sanitary sewer easement designated as Tract 1, said point also being in the northwesterly line of the aforesaid existing 12-foot sanitary sewer easement; thence along the northwesterly line of the above described permanent sanitary sewer easement designated as Tract 1 and the aforesaid existing sanitary sewer easement, S 27° 38' 16" W 16.07 feet to the beginning and containing 165 square feet.

Being permanent sanitary sewer easements and temporary construction easements on portions of the same property conveyed to Grantor by deed dated May 28, 2009, and of record in Deed Book 2876, Page 121; being designated as Lot 90, Block D, Unit 2-E of Century Hills Subdivision as per the Final Record Plan of record in Plat Cabinet C, Slide 27. All of the above referenced instruments are of record in the Fayette County Clerk's office.



VICINITY MAP  
Not To Scale

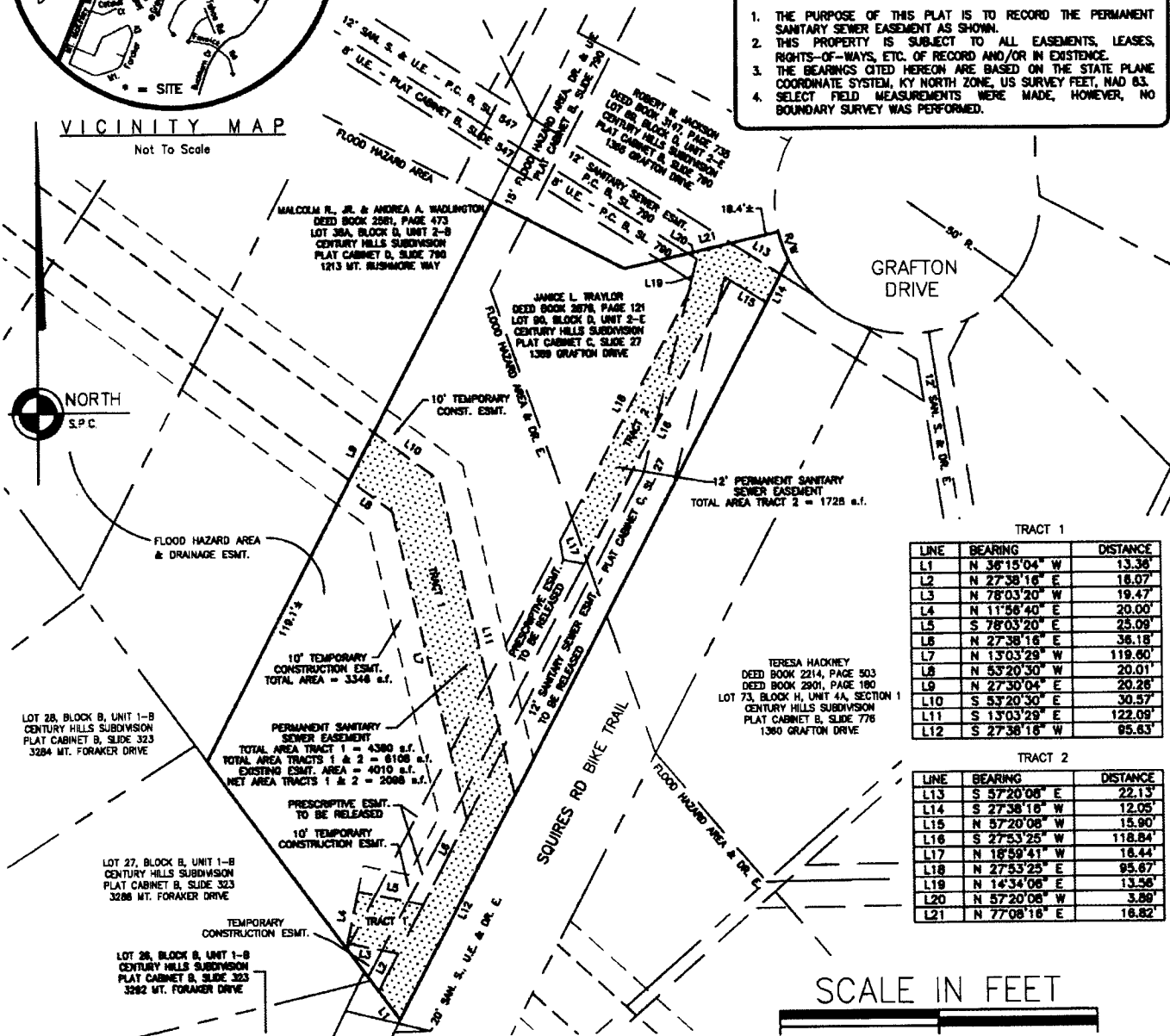
PROPERTY OWNER'S ADDRESS  
JANICE L. TRAYLOR  
1369 GRAFTON DRIVE  
LEXINGTON, KY 40515

**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.



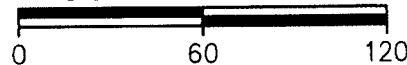
TRACT 1

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | N 36°15'04" W | 13.36'   |
| L2   | N 27°38'16" E | 18.07'   |
| L3   | N 78°03'20" W | 19.47'   |
| L4   | N 11°56'40" E | 20.00'   |
| L5   | S 78°03'20" E | 25.09'   |
| L6   | N 27°38'16" E | 36.18'   |
| L7   | N 13°03'29" W | 119.60'  |
| L8   | N 53°20'30" W | 20.01'   |
| L9   | N 27°30'04" E | 20.26'   |
| L10  | S 53°20'30" E | 30.57'   |
| L11  | S 13°03'29" E | 122.09'  |
| L12  | S 27°38'16" W | 95.83'   |

TRACT 2

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L13  | S 57°20'08" E | 22.13'   |
| L14  | S 27°38'16" W | 12.05'   |
| L15  | N 57°20'08" W | 15.90'   |
| L16  | S 27°53'25" W | 118.84'  |
| L17  | N 18°59'41" W | 18.44'   |
| L18  | N 27°53'25" E | 95.67'   |
| L19  | N 14°34'08" E | 13.56'   |
| L20  | N 57°20'08" W | 3.89'    |
| L21  | N 77°08'16" E | 16.82'   |

SCALE IN FEET



**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

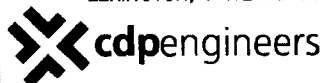
DATE



**SANITARY SEWER EASEMENT PLAT**

JANICE L. TRAYLOR  
(SINGLE)  
PROPERTY

1369 GRAFTON DRIVE  
LEXINGTON, FAYETTE COUNTY, KENTUCKY




3250 Blazer Parkway  
Lexington KY 40509  
T 859.284.7500 F 859.284.7501

SCALE: 1" = 60'

DATE: AUGUST 9, 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

201401290041

January 29, 2014                      10:00:17    AM

|      |         |     |        |
|------|---------|-----|--------|
| Fees | \$32.00 | Tax | \$0.00 |
|------|---------|-----|--------|

|            |         |
|------------|---------|
| Total Paid | \$32.00 |
|------------|---------|

**THIS IS THE LAST PAGE OF THE DOCUMENT**

9 Pages

423 - 431