

DEED OF EASEMENT

This **DEED OF EASEMENT** is made and entered into this the 13TH day of DECEMBER, 2022, by and between **JEFF BORTON, a married person**, 1158 Dunbarton Lane, Lexington, Kentucky 40502, which is also the in-care of tax mailing address for the current year ("Grantor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, ("Grantee").

WITNESSETH:

That for and in consideration of the sum of **TEN DOLLARS AND 00/100 (\$10.00)**, 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** unto the Grantee, its successors and assigns, the temporary right to of ingress and egress through and over the following tract of land for the purpose to excavate, grade, construct, alter, re-grade and perform related work for

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

retention basin improvements and construction, as shown as Exhibit "A" located in the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows, to wit:

Temporary Access Easement #1
West Hickman Main Trunk E
Sewer Improvement Project
(a portion of 1158 Dunbarton Lane)

All that tract or parcel of land situated at the south end of Dunbarton Lane cul-de-sac approximately 620 feet south of the intersection of Dunbarton Lane and Brush Creek Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at the common corner of Jeff Borton (1158 Dunbarton Lane, Deed Book 3465, Page 335) and Sarah Jane Tamme (1155 Dunbarton Lane, Deed Book 3681, Page 649), said point being in the Dunbarton Lane cul-de-sac right-of-way; thence leaving said Tamme and with said Dunbarton Lane, along a curve to the left with a radius of 50.00 feet, an arc length of 7.53 feet and a chord South 75° 37' 37" East, 7.52 feet to a point; thence leaving said Dunbarton Lane for two (2) new lines through the lands of said Borton:

- 1) South 18° 40' 21" West, 32.01 feet to a point,
- 2) South 29° 48' 46" West, 38.82 feet to a point in the line with said Tamme;

Thence with said Tamme, North 18° 40' 21" East, 69.54 feet to the **TRUE POINT OF BEGINNING**; and

The above described parcel contains 380 sq. ft. (gross and net) of temporary access easement; and

Temporary Access Easement #2
West Hickman Main Trunk E
Sewer Improvement Project
(a portion of 1158 Dunbarton Lane)

BEGINNING, at the common corner of Jeff Borton (1158 Dunbarton Lane, Deed Book 3465, Page 335) and Sarah

Jane Tamme (1155 Dunbarton Lane, Deed Book 3681, Page 649), said point being in the Dunbarton Lane cul-de-sac right-of-way; thence leaving said Dunbarton Lane and with said Tamme, South 18° 40' 21" West, 142.69 feet to the **TRUE POINT OF BEGINNING**; thence leaving said Tamme for three (3) new lines through the lands of said Borton:

- 1) South 69° 12' 09" East, 12.01 feet to a point,
- 2) South 18° 40' 21" West, 13.33 feet to a point in the line with an existing sanitary sewer and utility easement (Plat Cabinet B, Slide 577),
- 3) South 78° 03' 41" West, 13.94 feet to a point in the line with said Tamme;

Thence leaving said easement and with said Tamme, North 18° 40' 21" East, 20.88 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 205 sq. ft. (gross and net) of temporary access easement; and

Both of the above tracts being a portion of the property conveyed to Jeff Borton, a single person, by Deed dated March 23, 2011, of record in Deed Book 2998, Page 431 and by Quitclaim Deed to Jeff Borton, a married person, dated July 24, 2016, of record in Deed Book 3465, Page 335, both referenced in the Fayette County Clerk's Office.

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

The above-described temporary access easement runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantor. The temporary access easement shall take effect upon the commencement of construction of the project and will expire upon the completion of the project.

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 interest conveyed herein, including all exemptions allowed by law, and does 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 same as herein done, and that it 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 temporary access easement, which pertains to a public utility, need not contain a statement of consideration. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

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

GRANTOR:

BY:



JEFF BORTON

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Jeff Borton, a married person, on this the 13TH day of DECEMBER, 2022.



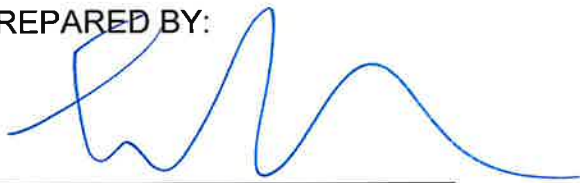
Notary Public, Kentucky, State-at-Large

My Commission Expires: 15 / 10 / 2025

Notary ID # KYNP27704



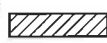
PREPARED BY:



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

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 TEMP. ACCESS. ESMT.

DUNBARTON LANE

STATE PLANE

TEMP. ACCESS E. #1
380 SQ.FT.
(GROSS & NET)

P.O.B.

50' R

ABDELSATER SHALASH
1153 DUNBARTON LN
DB 3562 PG 505

CHAD & MISSY STURGILL
1156 DUNBARTON LN
DB 2772 PG 209

TEMP. ACCESS E. #2
205 SQ.FT.
(GROSS & NET)

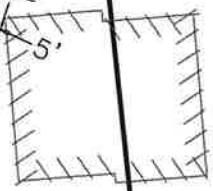
TRUE
P.O.B.

SARAH JANE TAMME
1155 DUNBARTON LN
DB 3681 PG 649

JEFF BORTON
1158 DUNBARTON LN
DB 3465 PG 335

SAN. E. & U.E. CABB. SL. 577

12' STIM. E. CABB. SL. 636



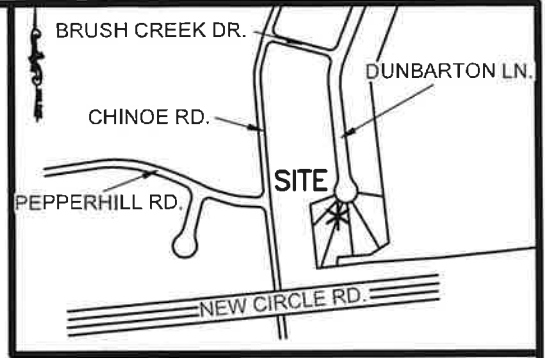
REV. DATE: 07/04/22

651 Perimeter Drive Suite 300
Lexington, KY 40517
Phone (859) 368-0145
www.primeeng.com

WEST HICKMAN TRUNK E SEWER PROJECT
ACCESS EASEMENT EXHIBIT
JEFF BORTON
1158 DUNBARTON LANE
LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2

K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements.dwg
Day & Time: Oct 28, 2022 - 1:36pm Login Name: jctambliiss

k:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements.dwg
 Day & Time: Oct 28, 2022 - 1:51pm Login Name: jchambliss



VICINITY MAP N.T.S.

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	50.00'	7.53'	S 75°37'37" E	7.52'
LINE	BEARING	DISTANCE		
L2	S 18°40'21" W	32.01'		
L3	S 29°48'46" W	38.82'		
L4	N 18°40'21" E	69.54'		
L5	S 69°12'09" E	12.01'		
L6	S 18°40'21" W	13.33'		
L7	S 78°03'41" W	13.94'		
L8	N 18°40'21" E	20.88'		

EX. PERM ESMT.=N/A

PROP. TEMP. ESMT.(GROSS)=585 SQ.FT.
 PROP. TEMP. ESMT.(NET)=585 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 PRIME AE GROUP 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 Digitally signed by James M. Chambliss, PLS
 Date: 2022.10.28 13:53:31 -04'00'

JAMES M. CHAMBLISS, PLS 3185 _____ DATE



REV. DATE: 07/04/22
 651 Perimeter Drive Suite 300
 Lexington, KY 40517
 Phone (859) 368-0145
 www.primeeng.com

WEST HICKMAN TRUNK E SEWER PROJECT
 ACCESS EASEMENT EXHIBIT
 JEFF BORTON
 1158 DUNBARTON LANE
 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: BOBBIE MARSTELLA ,dc

202212160065

December 16, 2022 9:45:51 AM

Fees	\$56.00	Tax	\$.00
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Total Paid	\$56.00
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8 Pages

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