

**CLERK'S NOTE:**  
Quality of book pages &  
scanned images reflects  
original document presented

**GRANT OF EASEMENT**

This **EASEMENT** is made and entered into this 28<sup>th</sup> day of January, 2014, by and between **FRANKLIN D. JUSTICE, II**, a single person, P.O. Box 2198, Pikeville, Kentucky 41502 ("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 **FOUR THOUSAND SEVEN HUNDRED NINETEEN DOLLARS AND 00/100 CENTS (\$4,719.00)**, 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, 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:

**Force Main Permanent Easement**  
**(A Portion of 351 United Court)**  
**Blue Sky Force Main**  
**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,

Mail to: L.F.U.C.G.  
Dept. of Law  
200 E. Main St.  
Lex., KY 40507

(C-F)

the temporary right to excavate, grade, construct, alter, regrade and perform related work 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-CE1**  
**(A Portion of 351 United Court)**  
**Blue Sky Force Main**  
**Sanitary Sewer Improvement Project**

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

**Temporary Construction Easement-CE2**  
**(A Portion of 351 United Court)**  
**Blue Sky Force Main**  
**Sanitary Sewer Improvement Project**

All temporary construction easements, if any, are described on Exhibit C 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 they are lawfully seized in fee simple of said property and has good right to sell and convey the easements conveyed herein, and that they 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. 408-2013 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:   
FRANKLIN D. JUSTICE, II

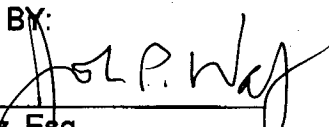
COMMONWEALTH OF KENTUCKY     )  
   )  
COUNTY OF FAYETTE                     )

The foregoing Easement was subscribed, sworn to and acknowledged before me by FRANKLIN D. JUSTICE, II, a single person, on this the 28<sup>th</sup> day of January, 2014.

My commission expires: March 19, 2016

  
\_\_\_\_\_  
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-RE0641\REV00422159.DOC

**EXHIBIT A**

**FORCE MAIN PERMANENT EASEMENT**

(a portion of 351 United Court)

Blue Sky Force Main

Sanitary Sewer Improvement Project

Beginning at a the southeast corner of the Permanent Force Main Easement in the Grantor's east property line S02°55'28"W, 188.23 feet from the Grantor's northeast property corner;  
Thence, leaving said property line, S85°06'21"W, 110.01 feet;  
Thence, S59°49'40"W, 85.89 feet;  
Thence, S87°12'47"W, 213.01 feet;  
Thence, N82°13'01"W, 63.99 feet;  
Thence, N48°15'58"W, 20.88 feet;  
Thence, N07°08'11"E, 39.62 feet;  
Thence, N41°11'19"W, 7.52 feet to the Grantor's west property line;  
Thence, with said property line, N03°17'01"E, 21.41 feet  
Thence, leaving said property line, S41°11'19"E, 29.52 feet;  
Thence, S07°08'11"W, 38.48 feet;  
Thence, S48°15'58"E, 8.42 feet;  
Thence, S82°13'01"E, 58.02 feet;  
Thence, N87°12'47"E, 207.96 feet;  
Thence, N59°49'40"E, 85.60 feet;  
Thence, N85°06'21"E, 115.43 feet to the Grantor's east property line;  
Thence, with said property line, S02°55'28"W, 15.14 feet to the  
Point of Beginning and containing 8,133 square feet,  
0.187 acres

Being a part of that property conveyed to Franklin D Justice, II, a single person, by deed dated May 1, 2013 in Deed Book 3149, Page 512, in the Fayette County Clerk's Office.

**EXHIBIT B**

**TEMPORARY CONSTRUCTION EASEMENT CE-1**

(a portion of 351 United Court)

Blue Sky Force Main

Sanitary Sewer Improvement Project

A fifteen foot wide Temporary Construction Easement south of and adjoining the fifteen foot wide Permanent Force Main Easement along its south side and described as follows:

Beginning at the southeast corner of the Permanent Force Main Easement in the Grantor's east property line S02°55'28"W, 188.23 feet from the Grantor's northeast property corner;  
Thence, with said property line, S02°55'28"W, 15.14 feet  
Thence, leaving said property line, S85°06'21"W, 104.58 feet;  
Thence, S59°49'40"W, 86.18 feet;  
Thence, S87°12'47"W, 218.05 feet;  
Thence, N82°13'01"W, 69.95 feet;  
Thence, N48°15'58"W, 23.06 feet to the Grantor's west property line;  
Thence, with said property line, N08°31'54"E, 52.99 feet and N03°17'01"E, 5.37 feet;  
Thence, leaving said property line, S41°11'19"E, 7.52 feet;  
Thence, S07°08'11"W, 39.62 feet;  
Thence, S48°15'58"E, 20.88 feet;  
Thence, S82°13'01"E, 63.99 feet;  
Thence, N87°12'47"E, 213.01 feet;  
Thence, N59°49'40"E, 85.89 feet;  
Thence, N85°06'21"E, 110.01 feet to the Grantor's east property line;  
Thence, with said property line, S02°55'28"W, 15.14 feet to the Point of Beginning and containing 7,750 square feet, 0.178 acres.

All being a part of that property conveyed to Franklin D Justice, II, a single person, by deed dated May 1, 2013 in Deed Book 3149, Page 512, in the Fayette County Clerk's Office.

**EXHIBIT C**

**TEMPORARY CONSTRUCTION EASEMENT CE-2**

(a portion of 351 United Court)

Blue Sky Force Main

Sanitary Sewer Improvement Project

A fifteen foot wide Temporary Construction Easement north of and adjoining the fifteen foot wide Permanent Force Main Easement along its north side and described as follows:

Beginning at the northeast corner of the Permanent Force Main Easement in the Grantor's east property line S02°55'28"W, 173.09 feet from the Grantor's northeast property corner;  
Thence, leaving said property line, S85°06'21"W, 115.43 feet;  
Thence, S59°49'40"W, 85.60 feet;  
Thence, S87°12'47"W, 207.96 feet;  
Thence, N82°13'01"W, 58.02 feet;  
Thence, N48°15'58"W, 8.42 feet;  
Thence, N07°08'11"E, 38.48 feet;  
Thence, N41°11'19"W, 29.52 feet to the Grantor's west property line;  
Thence, with said property line, N03°17'01"E, 6.68 feet and N06°54'28"E, 13.86 feet;  
Thence, leaving said property line, S41°11'19"E, 50.28 feet;  
Thence, S07°08'11"W, 35.08 feet;  
Thence, S82°13'01"E, 48.74 feet;  
Thence, N87°12'47"E, 202.92 feet;  
Thence, N59°49'40"E, 85.31 feet;  
Thence, N85°06'21"E, 120.85 feet to the Grantor's east property line;  
Thence, with said property line, S02°55'28"W, 15.14 feet  
to the Point of Beginning and containing 8,160 square feet, 0.187 acres

All being a part of that property conveyed to Franklin D Justice, II, a single person, by deed dated May 1, 2013 in Deed Book 3149, Page 512, in the Fayette County Clerk's Office.

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

201402180094

February 18, 2014                      11:36:48    AM

|      |         |     |        |
|------|---------|-----|--------|
| Fees | \$29.00 | Tax | \$ .00 |
|------|---------|-----|--------|

|            |         |
|------------|---------|
| Total Paid | \$29.00 |
|------------|---------|

THIS IS THE LAST PAGE OF THE DOCUMENT

8    Pages

66    -    73





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 08, 2014

Re: Easements and Asset Acquisition Forms  
(300 Canebrake Drive; 5085, 5191, and 5301 Athens Boonesboro Road;  
647, and 697 Delong Road; 3720 Richmond Road; and 331, and 351 United  
Court )  
Log No. 13-RE0641

Enclosed are the original recorded easements conveying permanent easements across the above-referenced properties to the Urban County Government for the Blue Sky Force Main Sanitary Sewer Improvement Project. Please file the easements with the authorizing legislation, Resolution No. 408-2013.

Also enclosed are the completed Asset Acquisition forms for the properties. After you have signed and dated the forms, please forward them to Kim Bryan in the Department of Finance.

If you have any questions, please let me know.

Keith Horn  
Managing Attorney

Enclosures

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

VariousProperties(Memo to Nelson)/00435368