

**GRANT OF EASEMENT**

This **EASEMENT** is made and entered into this 11 day of AUGUST 2016, by and between **JOHN W. MANLEY, SR.**, a single person, 1031 Oak Hill Drive, Lexington, Kentucky 40505 ("Grantor"), which is the in-care of tax mailing address for the current year, and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, ("Grantee");

**WITNESSETH:**

That for and in the nominal consideration of **Five Thousand Six Hundred Thirteen Dollars and 00/100 Cents (\$5,613.00)**, and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, said Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, his successors and assigns, the permanent right to lay, construct, operate, repair, maintain, reconstruct and remove a storm sewer line and related storm water inlet, which storm sewer line and facilities 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 Easement**  
**(a portion of 1031 Oak Hill Drive)**  
**Meadows-Northland-Arlington, Phase 5F Stormwater**  
**Improvement Project**  
**Parcel No. 2**

Being a tract of land lying in the City of Lexington, Fayette County, Kentucky, along Oak Hill Drive and being a part of the property known as 1031 Oak Hill Drive and being more particularly described as such:

Hon. Charles E. Edwards, III, Attorney  
 LFUCG Dept. of Law  
 200 E. Main Street, 11<sup>th</sup> Floor  
 Lexington, KY 40507

(CC-F)

Beginning at the northwest corner of said 1031 Oak Hill Drive, said point being a corner common to 1027 Oak Hill Drive, 1018 Churchill Drive, and 1016 Churchill Drive; thence along the line between 1031 Oak Hill Drive and 1018 Churchill Drive, North 50 deg 51 min 13 sec East, a distance of 49.60 feet to a point; thence with a line through said 1031 Oak Hill Drive; South 87 deg 40 min 30 sec East, a distance of 13.95 feet to a point in the south right-of-way line of Park View Avenue; thence with the said south right-of-way line of Park View Avenue, South 39 deg 49 min 25 sec East, a distance of 20.23 feet to a point; thence the following lines through said 1031 Oak Hill Drive; North 87 deg 40 min 31 sec West, a distance of 21.86 feet to a point; South 50 deg 51 min 13 sec West, a distance of 43.92 feet to a point in the line between 1031 Oak Hill Drive and 1027 Oak Hill Drive; thence with the said line between 1031 Oak Hill Drive and 1027 Oak Hill Drive; North 39 deg 08 min 55 sec West, a distance of 15.00 feet to the Point Of Beginning; and,

Being a portion of the same property conveyed to Betty Ann Manley and John W. Manley, (Sr.), wife and husband, by Deed dated December 28, 1988, of record in Deed Book 1499, Page 3645 in the Fayette County Clerk's Office. Said Betty Ann Manley died on March 15, 2015, a resident of Lexington, Fayette County, Kentucky. Title vested to her husband by right-of-survivorship in the aforementioned deed.

**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, re-grade and perform related work for the purpose of storm sewer construction and related storm water inlet, 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**  
**(a portion of 1031 Oak Hill Drive)**  
**Meadows-Northland-Arlington, Phase 5F Stormwater**  
**Improvement Project**  
**Parcel No. 2**

Being a tract of land lying in the City of Lexington, Fayette County, Kentucky along Oak Hill Drive and being a part of the property known as 1031 Oak Hill Drive and being more particularly described as such:

Beginning for reference at the northwest corner of said 1031 Oak Hill Drive, said point being a corner common to 1027 Oak Hill Drive, 1018 Churchill Drive, and 1016 Churchill Drive; thence along the line between 1027 Oak Hill Drive and 1031 Oak Hill Drive, South 39 deg 08 min 55 sec East, a distance of 15.00 feet to the TRUE POINT OF BEGINNING of the tract described herein; thence with the following lines through said 1031 Oak Hill Drive, North 50 deg 51 min 13 sec East, a distance of 43.92 feet to a point; South 87 deg 40 min 31 sec East, a distance of 21.86 feet to a point in the south right-of-way line of Park View Avenue; thence with said south right-of-way line Park View Avenue, South 39 deg 55 min 11 sec East, a distance of 13.51 feet to a point; thence with the following lines through said 1031 Oak Hill Drive, North 87 deg 40 min 31 sec West, a distance of 27.16 feet to a point; South 50 deg 51 min 14 sec West, a distance of 40.14 feet to a point in the line between 1031 Oak Hill Drive and 1027 Oak Hill Drive; thence with the said line between 1031 Oak Hill Drive and 1027 Oak Hill Drive, North 39 deg 08 min 55 sec West, a distance of 10.00 feet to the TRUE POINT OF BEGINNING; and,

Being a portion of the same property conveyed to Betty Ann Manley and John W. Manley, (Sr.), wife and husband, by Deed dated December 28, 1988, of record in Deed Book 1499, Page 3645 in the Fayette County Clerk's Office. Said Betty Ann Manley died on March 15, 2015, a resident of Lexington, Fayette County, Kentucky. Title vested to her husband by right-of-survivorship in the aforementioned deed.

**TO HAVE AND TO HOLD** the above described easements together with all rights, privileges, appurtenances and improvements thereunto belonging unto Grantee, its successors and assigns, 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 these easements, run 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 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 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 easements without the written consent of the Grantee.

The obtaining of this easement was authorized by Resolution No. 385-2016 passed by the Lexington-Fayette Urban County Council on July 23, 2016. 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 Grant of Easement, this the day and year first above written.

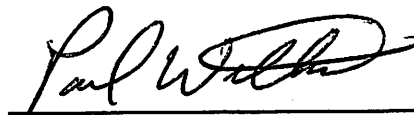
GRANTOR:

BY: John Manley, Sr.  
JOHN W. MANLEY, SR.

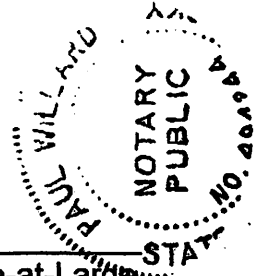
COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

The foregoing Grant of Easement was subscribed, sworn to and acknowledged before me by John W. Manley, Sr., a single person, on this the 11 day of AUGUST, 2016.

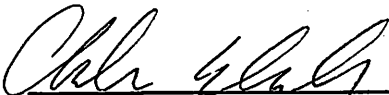
My commission expires: 7-29-2017



Notary Public, Kentucky, State-at-Large  
494244



PREPARED BY:



Charles E. Edwards, III,  
Attorney  
Lexington-Fayette Urban  
County Government  
Department of Law, 11<sup>th</sup> Floor  
200 East Main Street  
Lexington, Kentucky 40507  
(859) 258-3500

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**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: EMILY GENTRY ,dc**

**201608110246**

**August 11, 2016**

**14:49:12 PM**

<b>Fees</b>	<b>\$23.00</b>	<b>Tax</b>	<b>\$.00</b>
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<b>Total Paid</b>	<b>\$23.00</b>
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**6 Pages**

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