

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 26th day of SEPTEMBER, 2022, by and between **CAROLYN E. SLUGANTZ and WILLIAM S. SLUGANTZ, wife and husband**, 509 Nottaway Drive, Nicholasville, Kentucky 40356, which is the in-care of tax mailing address for the current year (hereinafter "Grantors"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 (hereinafter "Grantee").

WITNESSETH:

That for and in consideration of the sum of **ONE HUNDRED DOLLARS AND 00/100 CENTS (\$100.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantors have **BARGAINED** and **SOLD** and do hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors

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

and assigns, permanent right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction, installation and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on the attached Exhibit "A", and more particularly described as follows, to wit:

Permanent Sanitary Sewer Easement
Wolf Run Trunk F
Sewer Improvement Project
(a portion of 756 Spring Meadows Drive)

Tract A

All that strip or parcel of land situated northwest of the intersection of Spring Meadows Drive and Harrodsburg Road (US Highway 68) in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Lot 4T, as shown on the Amended Final Record Plan of the H & E Property (Harrod's Park) Unit 3, Lot 4, Block "B" (Plat Cabinet H, Slide 194) and Lot 2H, as shown on the Amended Final Record Plan of the H & E Property (Harrod's Park), Unit 3, Lots 1 and 2 (Plat Cabinet F, Slide 520), said point being in the northeasterly property line of Stephen D. Prater (Deed Book 2226, Page 262);

Thence with the southeasterly property line of Lot 4T, N 41°26' 37" E, 56.82 feet to the **TRUE POINT OF BEGINNING;**

Thence continuing with the southeasterly property line of Lot 4T, N 41°26' 37" E, 20.32 feet to a point;

Thence leaving the southeasterly property line of Lot 4T, with a new permanent sanitary sewer easement through the lands of Lot 2H, S 38°23' 23" E, 112.67 feet to a point in the northwesterly property line of Lot 1I;

Thence with the northwesterly property line of Lot 1I, S 41°12'58" W, 19.12 feet to a point;

Thence leaving the northwesterly property line of Lot 1I, with an existing sanitary sewer easement line through the lands of Lot 2H, N 47°59'00" W, 7.17 feet to a point;

Thence with a new permanent sanitary sewer easement line, N 38°23'23" W, 105.47 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.052 Acres (2,250 sq. ft.) of permanent easement; and

Tract A, being a portion of the same property conveyed to Carolyn E. Slugantz, a married person, by Deed dated May 1, 2015, of record in Deed Book 3310, Page 411, in the Fayette County Clerk's Office.

FURTHER, for and in consideration of the sum hereinbefore mentioned, the receipt and sufficiency of which is hereby acknowledged, Grantors have **BARGAINED** and **SOLD** and do hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer placement and construction, installation and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on Exhibit "A" attached hereto, and more particularly described as follows:

Temporary Construction Easement
Wolf Run Trunk F
Sewer Improvement Project
(a portion of 756 Spring Meadows Drive)

Tract B

All that strip or parcel of land situated northwest of the intersection of Spring Meadows Drive and Harrodsburg Road (US Highway 68) in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Lot 4T, as shown on the Amended Final Record Plan of the H & E

Property (Harrod's Park) Unit 3, Lot 4, Block "B" (Plat Cabinet H, Slide 194) and Lot 2H, as shown on the Amended Final Record Plan of the H & E Property (Harrod's Park), Unit 3, Lots 1 and 2 (Plat Cabinet F, Slide 520), said point being in the northeasterly property line of Stephen D. Prater (Deed Book 2226, Page 262);

Thence with the southeasterly property line of Lot 4T, N 41°26' 37" E, 56.82 feet to the **TRUE POINT OF BEGINNING**;

Thence leaving the southeasterly property line of Lot 4T, with a new permanent sanitary sewer easement line through the lands of Lot 2H, S 38°23'23" E, 105.47 feet to a point;

Thence with an existing sanitary sewer easement line, N 47°59' 00" W, 60.00 feet to a point;

Thence with a new temporary construction easement line, N 38°23'23" W, 44.51 feet to a point in the southeasterly property line of the aforesaid Lot 4T;

Thence with the southeasterly property line of Lot 4T, N 41°26'37" E, 10.16 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 0.017 Acres (750 sq. ft.) of temporary construction easement; and

Tract C

All that strip or parcel of land situated northwest of the intersection of Spring Meadows Drive and Harrodsburg Road (US Highway 68) in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Lot 4T, as shown on the Amended Final Record Plan of the H & E Property (Harrod's Park) Unit 3, Lot 4, Block "B" (Plat Cabinet H, Slide 194) and Lot 2H, as shown on the Amended Final Record Plan of the H & E Property (Harrod's Park), Unit 3, Lots 1 and 2 (Plat Cabinet F, Slide 520), said point being in the northeasterly property line of Stephen D. Prater (Deed Book 2226, Page 262);

Thence with the southeasterly property line of Lot 4T, N 41°26' 37" E, 77.14 feet to the TRUE POINT OF BEGINNING;

Thence continuing with the southeasterly property line of Lot 4T, N 41°26'37" E, 10.16 feet to a point;

Thence leaving the southeasterly property line of Lot 4T, with a new temporary construction easement line through the lands of Lot 2H, S 38°23'23" E, 112.63 feet to a point in the northwesterly property line of Lot 1I;

Thence with the northwesterly property line of Lot 1I, S 41°12'58" W, 10.17 feet to a point;

Thence leaving the northwesterly property line of Lot 1I, with a new permanent sanitary sewer easement line through the lands of Lot 2H, N 38°23'23" W, 112.67 feet to the TRUE POINT OF BEGINNING; and,

The above described parcel contains 0.026 Acres (1,126 sq. ft.) of temporary construction easement; and

Tract B and C, being a portion of the same property conveyed to Carolyn E. Slugantz, a married person, by Deed dated May 1, 2015, of record in Deed Book 3310, Page 411, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described easements together with all rights, 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 runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantors. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantors. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

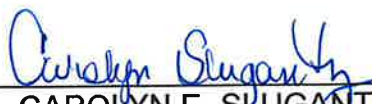
Grantors shall have the full right to use the surface of the land lying over said permanent easement for any purpose desired, provided such use will not interfere with the Grantee's free use of the easement herein granted and provided further that no building or structure shall be erected upon, across, over or through said permanent easement without prior written consent of the Grantee.

Grantors do hereby release and relinquish unto the Grantee, its successors and assigns forever, all of their right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and do hereby covenant to and with the Grantee, its successors and assigns forever, that they are lawfully seized in fee simple of said property and have good right to sell and convey the easements as herein done, and they will **WARRANT GENERALLY** said title.

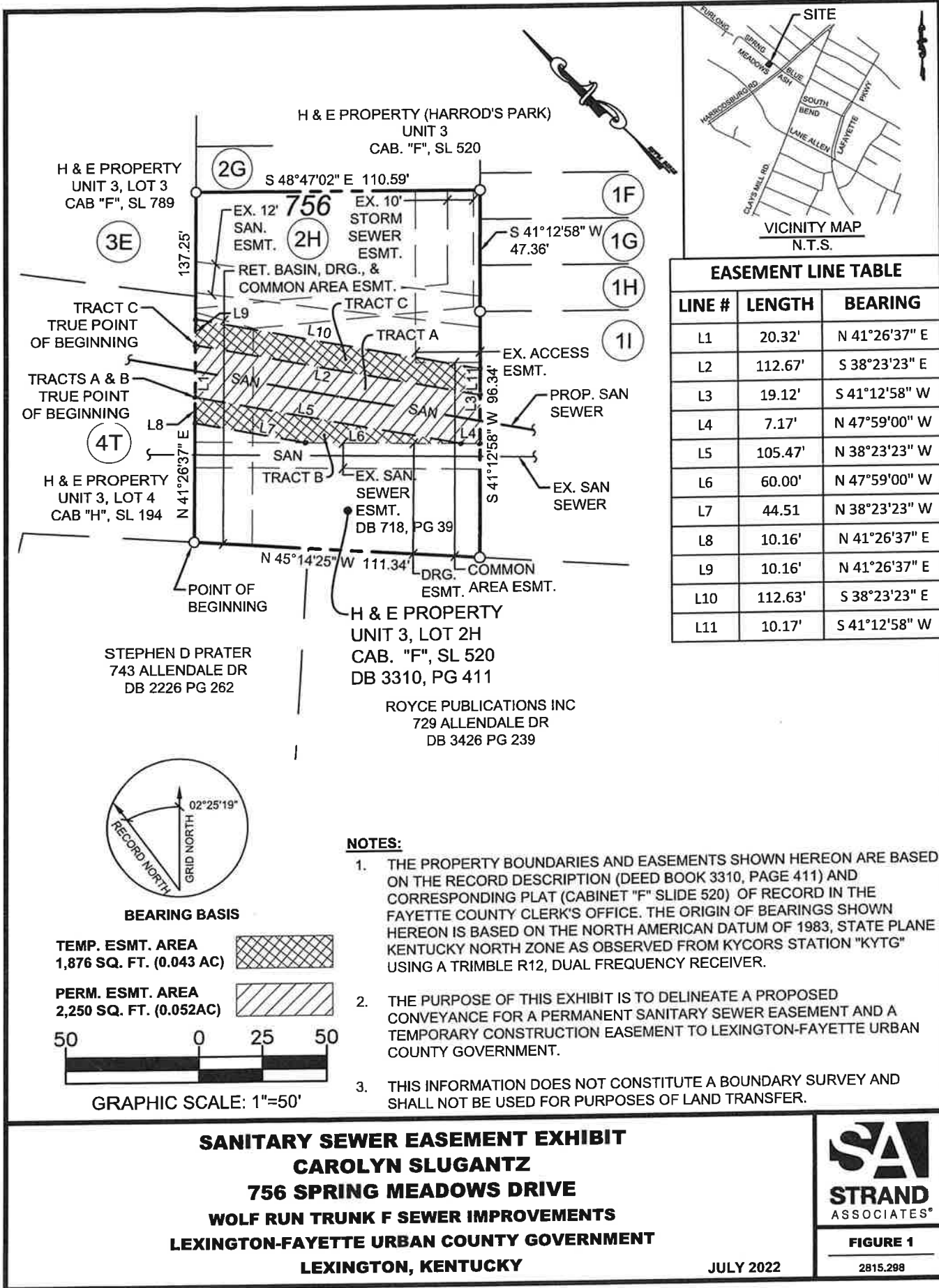
The obtaining of this easement was authorized by Resolution 042-2022, passed by the Lexington-Fayette Urban County Council on February 10, 2022. Pursuant to KRS 382.135(2)(a), this deed of easement, which pertains to a public utility, need not contain a statement of consideration.

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

GRANTORS:

BY: 
CAROLYN E. SLUGANTZ

BY: 
WILLIAM S. SLUGANTZ



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: HALLIE WOOSLEY ,dc

202209260010

September 26, 2022 10:21:11 AM

Fees	\$59.00	Tax	\$.00
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Total Paid	\$59.00
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