

**CORRECTED GRANT OF EASEMENT**

This **CORRECTED GRANT OF EASEMENT** is made and entered into this 20<sup>th</sup> day of June, 2016, by and between **HOME DEPOT U.S.A., INC.**, a Delaware corporation, 2455 Paces Ferry Road, C-20, Atlanta, Georgia 30339 ("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:**

**WHEREAS**, the Grant of Easement dated April 20, 2015, of record in Deed Book 3307, Page 662, in the Fayette County Clerk's Office, State of Kentucky, the Grantor conveyed to the Grantee a permanent easement along with several temporary construction easements, across the property located at 2397 Richmond Road for the Woodhill Trunk Sewer Replacement Project; and

**WHEREAS**, due to the discovery of existing utilities after excavation, a portion of the newly installed sanitary sewer trunk line needed to be shifted and re-aligned as to not interfere and disturb the existing utilities; and

**WHEREAS**, it is the desire of all parties to correct only the legal description of the permanent easement portion and include a corrected Exhibit "A", attached hereto and incorporated herein, and enter into this corrected grant of easement so as to clear title to this property and to avoid confusion in the future; and

**NOW THEREFORE**, the parties hereto declare the legal description for the permanent easement labeled PE1, dated April 20, 2015, of record in Deed Book 3307, Page 662, in the Fayette County Clerk's Office is hereby corrected to read as follows:

Hon. Keith Horn  
LFUCG Dept. of Law  
200 E. Main Street, 11<sup>th</sup> Floor  
Lexington, KY 40507

The following tract of land located in the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows:

**Permanent Easement-PE1**  
**(a portion of 2397 Richmond Road)**  
**Woodhill Trunk Sewer**  
**Replacement Project**

Beginning at a point in the west right of way of New Circle Road, said point being in the east property line of 2397 Richmond Road as recorded in Deed Book 1900, Page 267 and Deed Book 1900, Page 273 in the Fayette County, Kentucky, Clerk's office, said point also being 1,137.42 feet north of the intersection of the west right of way of New Circle Road and the north right of way of Richmond Road; thence with west right of way of New Circle Road, South 24°51'26" West, 20.87 feet to a point; thence leaving said right of way and through the property for four (4) calls: thence North 81°47'20" West, 37.65 feet to a point; thence South 89°33'43" West, 98.20 feet to a point; thence North 67°54'06" West, 253.14 feet to a point; thence North 53°52'54" West, 168.66 feet to a point in the west property line, said line being common to 2349 Richmond Road; thence with the west property line, North 36°00'49" East, 20.00 feet to a point; thence leaving the west property line and through the property for four (4) calls: South 53°52'54" East, 166.24 feet to a point; thence South 67°54'06" East, 246.86 feet to a point; thence North 89°33'43" East, 95.74 feet to a point; thence South 81°47'20" East, 44.99 feet to the Point of Beginning and containing 11,114.94 square feet or 0.255 acres; and,

Being a portion of the property conveyed to Home Depot U.S.A., Inc., a Delaware corporation, by deed dated March 5, 1997, of record in Deed Book 1900, Page 267 and Deed Book 1900, Page 273, both referenced in the Fayette County Clerk's Office.

See attached Exhibit A.

The easements for this project were authorized by Resolution No. 24-2015.

**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. The remainder of the easement dated April 20, 2015, of record

in Deed Book 3307, Page 662, in the Fayette County Clerk's Office, shall remain unchanged.

IN TESTIMONY WHEREOF, the Grantor has executed this Corrected Grant of Easement, the day and year first above written.

GRANTOR:

HOME DEPOT U.S.A., INC., a  
Delaware corporation

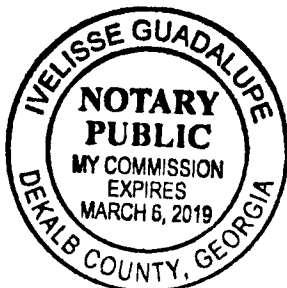
BY: Suzanne Russo  
SUZANNE RUSSO,  
SENIOR CORPORATE COUNSEL

**CERTIFICATE OF ACKNOWLEDGEMENT**

STATE OF GEORGIA            )  
  )  
COUNTY COBB                )

The foregoing Corrected Grant of Easement was subscribed, sworn to and acknowledged before me by Suzanne Russo, as Senior Corporate Counsel, for and on behalf of Home Depot U.S.A., Inc., a Delaware corporation, on this the 20<sup>th</sup> day of June, 2016.

My commission expires: March 6, 2019



Ivelisse Guadalupe  
Notary Public, State-at-Large, Georgia

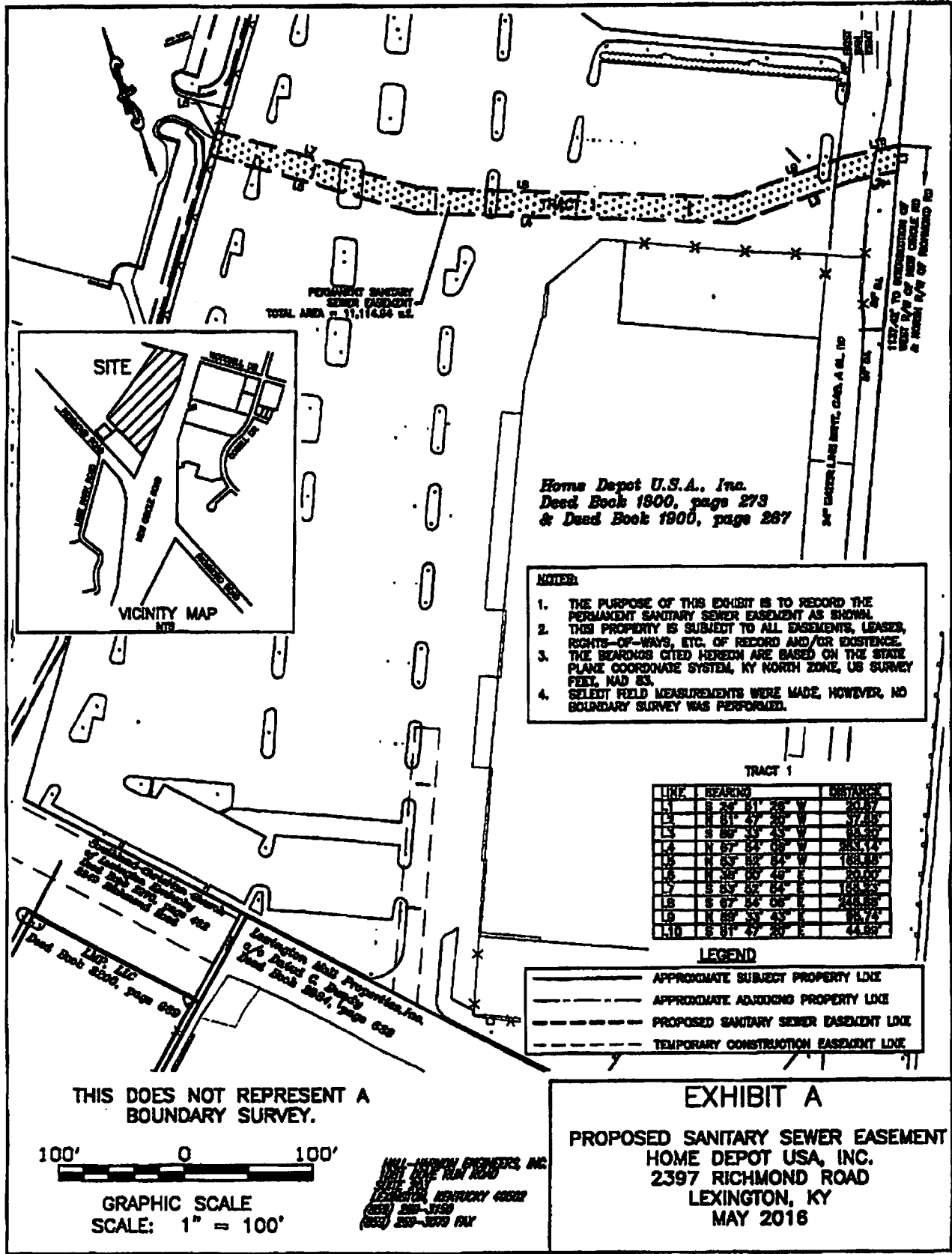
PREPARED BY:

*Michael Keith Horn*

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Michael Keith Horn,  
Managing 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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EXHIBIT "A"



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.



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By: MELISSA STELTER ,dc

201607140160

July 14, 2016                      9:26:01      AM

Fees	\$23.00	Tax	\$0.00
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Total Paid	\$23.00
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6 Pages

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