

**GRANT OF EASEMENT**

This **EASEMENT** is made and entered into this 7<sup>th</sup> day of August, 2015, by and between **HOME PLACE – THE SAVANNA VIEW HOMEOWNERS ASSOCIATION, INC.**, a Kentucky non-profit corporation, 141 Prosperous Place, Suite 21B, Lexington, Kentucky 40509 (“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 nominal consideration of the sum of **TWO HUNDRED NINE DOLLARS AND 09/100 CENTS (\$209.09)**, 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:

**Permanent Sanitary Sewer Easement**  
**(a Portion of 1185 Deer Haven Lane)**  
**Deer Haven Pump Station Decommission**  
**Sanitary Sewer Improvement Project**

This description is for a 15' permanent easement parallel to, and centered on either side of the 12" gravity sewer as laid along a line defined by and joining NAD 83 State Plane coordinates, N 181,977.128; E 1,598,191.22 and N 181,907.50; E 1,598,270.72, for a centerline distance of approximately nine (9) feet from the easternmost boundary

Mail to:  
 Lexington-Fayette Urban County Government  
 200 E. Main Street  
 Department of Law, 11<sup>th</sup> Floor  
 Lexington, Kentucky 40507

((C-F))

of the 18" sewer interceptor easement, to the western boundary of the Deer Haven Lane right-of-way within PVA Parcel No. 38182870 located at 1185 Deer Haven Lane, and owned by Savanna View Homeowners Association, Inc., 1005 Richmond Road, Lexington, KY 40502. The permanent easement is an area of approximately 0.003 acres; and,

Being a portion of the property conveyed to Home Place-The Savanna View Homeowners Association, Inc., a Kentucky non-profit corporation, by deed dated September 9, 2008, of record in Deed Book 2831, Page 387, in the Fayette County Clerk's Office.

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, 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**  
**(a Portion of 1185 Deer Haven Lane)**  
**Deer Haven Pump Station Decommission**  
**Sanitary Sewer Improvement Project**

The description is for a 43' temporary easement parallel to, and centered on either side of the 12" gravity sewer as laid along a line defined by and joining NAD 83 State Plane coordinates, N 181,977.128; E 1,598,191.22 and N 181,907.50; E 1,598,270.72, for a centerline distance of approximately nine (9) feet from the easternmost boundary of the 18" sewer interceptor easement, to the western boundary of the Deer Haven Lane right-of-way within PVA Parcel No. 38182870 located at 1185 Deer Haven Lane, and owned by Savanna View Homeowners Association, Inc., 1005 Richmond Road, Lexington, KY 40502. The temporary easement is an area approximately 0.009 acres; and,

Being a portion of the property conveyed to Home Place-The Savanna View Homeowners Association, Inc., a Kentucky non-profit corporation, by deed dated September 9, 2008, of

record in Deed Book 2831, Page 387, in the Fayette County Clerk's Office.

Described on Exhibit "A" 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 it is lawfully seized in fee simple of said property and has good right to sell and convey the easements conveyed herein, and that it 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. 376 passed by the Lexington-Fayette Urban County Council on June 18, 2015. 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.





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: PATTY DAVIS ,dc

201508180111

August 18, 2015                      9:13:31      AM

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

**469    -    474**



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: August 28, 2015

Re: Grant of Easement  
1185 Deer Haven Lane (a portion of)  
Deer Haven Pump Station Decommission  
Sanitary Sewer Improvement Project  
Log No. 15-RE-0213

Enclosed is the original recorded Grant of Easement for the above referenced property for the Deer Haven Pump Station Decommission, Sanitary Sewer Improvement Project. Please file the easement with the authorizing legislation, Resolution No. 376-2015.

Also enclosed is the completed Asset Acquisition form for this property. After you have signed and dated the form, please forward it to 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

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