

**DEED OF CONVEYANCE AND GRANT OF EASEMENT**

This **DEED OF CONVEYANCE AND GRANT OF EASEMENT** is made and entered into this the 1<sup>st</sup> day of April, 2019, by and between **JANICE L. GREENE (a/k/a JANICE A. GREENE)**, widow, 100 Samaritan Way, Crossville, Tennessee 38558, which is the in-care of tax mailing address for the current year ("Grantor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, ("Grantee").

**WITNESSETH:**

That for and in consideration of the sum of **FORTY-ONE AND 19/100 DOLLARS (\$41.19)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns forever the following tract of land situated on the south side of Lackawanna Road, at the intersection of Lackawanna Road and Chesapeake Drive in Lexington, Fayette County Kentucky, being more fully described on the attached Exhibit "A" and bounded as follows, to wit:

**Fee Simple**  
**(a portion of 142 Lackawanna Road)**

**WGPL Stormwater Improvement Project**  
**(Lackawanna Road)**  
**Parcel No. 1A**

**BEGINNING** at a point on the existing southerly right-of-way of Lackawanna Road, common corner to 200 Lackawanna Road, thence with the existing southerly right-of-way of

Return to:  
Charles E. Edwards III  
LFUCG, Dept. of Law, 11<sup>th</sup> Floor  
200 East Main Street  
Lexington, KY 40507

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Lackawanna Road, S 24°19'58" E – 25.14' to a point, thence leaving the existing southerly right-of-way of Lackawanna Road and traversing through the lands of 142 Lackawanna Road, N 65°52'17" W – 1.95' to a point and N 29°17'43" W – 21.07' to a point in the common line of 200 Lackawanna Road, thence with said common line, N 24°45'26" E – 4.12' to the POINT OF BEGINNING;

The above described parcel contains 0.001 acres (51.3 sq. ft.) in fee simple; and

Being a portion of the property conveyed to Janice L. Greene (a/k/a Janice A. Greene), widow, by deed dated September 23, 2013, of record in Deed Book 3196, Page 237, 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, Grantor has **BARGAINED** and **SOLD** and does 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 roadway improvements and construction, installation and relocation through and across the following tract of land situated on the south side of Lackawanna Road, at the intersection of Lackawanna Road and Chesapeake Drive in Lexington, Fayette County Kentucky, being more fully described on the attached Exhibit "A" and bounded as follows, to wit:

**Temporary Construction Easement**  
**(a portion of 142 Lackawanna Road)**

**WGPL Stormwater Improvement Project**  
**(Lackawanna Road)**  
**Parcel No. 1B**

BEGINNING at a point on the common line of 200 Lackawanna Road, said point being located S 24°45'26" W – 4.12' from the existing southerly right-of-way of Lackawanna Road, thence leaving the common line of 200 Lackawanna Road and continuing with the southerly line of

the above described PARCEL A, S 29°17'43" E – 21.07' to a point and S 65°52'17" E – 1.95' to a point, thence traversing through the lands of 142 Lackawanna Road, S 24°07'43" W – 10.00' to a point, thence N 65°52'17" W – 5.25' to a point, thence N 29°17'43" W – 17.12' to a point in the common line of 200 Lackawanna Road, thence with said common line N 24°45'26" E – 12.35' to the POINT OF BEGINNING;

The above described parcel contains 0.005 acres (226.9 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Janice L. Greene (a/k/a Janice A. Greene), widow, by deed dated September 23, 2013, of record in Deed Book 3196, Page 237, in the Fayette County Clerk's Office

**TO HAVE AND TO HOLD** the above-described fee simple conveyance and temporary easement together with all rights, appurtenances, and improvements thereunto belonging unto said Grantee, its successors and assigns, 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 Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of her right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and does hereby covenant to and with the Grantee, its successors and assigns forever, that she is lawfully seized in fee simple of said property and has good right to sell and convey the same as herein done, and that she will **WARRANT GENERALLY** said title.

**PROVIDED, HOWEVER,** that the above conveyance and warranty is subject to all easements, restrictions and right of ways that pertain to the above described property as found of record in the Fayette County Clerk's Office.

**CONSIDERATION CERTIFICATE**

The undersigned Grantor and Grantee hereby certify, swear, and affirm that the consideration herein is the full and actual consideration paid for the property transferred herein, with the property having a fair market value of Forty-One and 19/100 Dollars (\$41.19). The Grantee signs this deed for the sole purpose of certifying the consideration paid, as authorized by Resolution No. 724-2018, passed by the Lexington-Fayette Urban County Council on December 4, 2018. Pursuant to KRS 145.050(7)(b), this deed and grant of easement is exempt from transfer tax.

**IN TESTIMONY WHEREOF,** Grantor and Grantee have hereunto set their hands on this the day and year first above written.

GRANTOR:

  
\_\_\_\_\_  
JANICE L. GREENE  
(A/K/A/ JANICE A. GREENE)

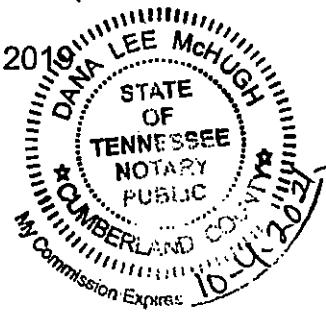
GRANTEE:

LEXINGTON-FAYETTE URBAN  
COUNTY GOVERNMENT

  
\_\_\_\_\_  
LINDA GORTON, MAYOR

State of Tennessee  
COMMONWEALTH OF KENTUCKY )  
COUNTY OF FAYETTE Cumberland )

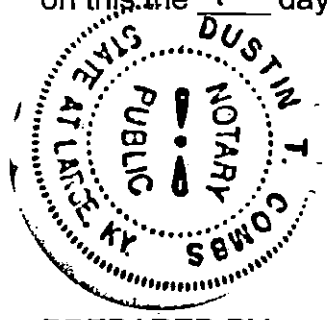
This instrument was acknowledged, subscribed and sworn to before me by  
Janice L. Greene (a/k/a Janice A. Greene), widow, on this the 1 day of  
April, 2019



Dana Lee McHugh  
Notary Public, Kentucky, State at Large -  
Tennessee  
My Commission Expires: 10/4/2021

COMMONWEALTH OF KENTUCKY )  
COUNTY OF FAYETTE )

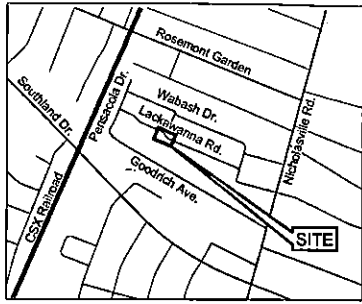
This instrument was acknowledged, subscribed and sworn to before me by Linda  
Gorton, in her capacity as mayor of the Lexington-Fayette Urban County Government,  
on this the 1<sup>st</sup> day of May, 2019.



Dustin T. Combs #515256  
Notary Public, Kentucky, State at Large  
My Commission Expires: 11/29/2019

PREPARED BY:

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



VICINITY MAP  
SCALE 1"=1000'

**OWNER'S CERTIFICATION:**

"I (WE) DO HEREBY CERTIFY THAT I AM (WE ARE) THE ONLY (OWNERS) OF THE PROPERTY PLATTED HEREON, SAID PROPERTY BEING RECORDED IN DEED BOOK (PLAT CABINET) #, PAGE (SLIDE) #, IN THE FAYETTE COUNTY CLERK'S OFFICE AND DO HEREBY ADOPT THIS AS MY (OUR) RECORD PLAT FOR THIS PROPERTY.

OWNER, JANICE A. GREENE DATE \_\_\_\_\_

ADDRESS \_\_\_\_\_

WITNESS DATE \_\_\_\_\_

ADDRESS \_\_\_\_\_

\* DB 3196, PG 237, CAB H, SL 663

**PUBLIC ACQUISITION PLANS CERTIFICATION**

I DO HEREBY CERTIFY THAT ACQUISITION OF THE PROPERTY SHOWN HEREON WAS APPROVED BY THE URBAN COUNTY COUNCIL ON \_\_\_\_\_

MAYOR DATE \_\_\_\_\_

COUNCIL CLERK DATE \_\_\_\_\_

**RESOLUTION NO. \_\_\_\_\_ - 2018 PLANNING COMMISSION CERTIFICATION**

I DO HEREBY CERTIFY THAT THIS PLAT HAS MET THE REQUIREMENTS ESTABLISHED BY THE SUBDIVISION REGULATIONS FOR A MINOR PLAN, AND IS NOW ELIGIBLE FOR RECORDING.

PLANNING COMMISSION SECRETARY DATE \_\_\_\_\_

**METHOD OF SURVEY**

THIS PLAT IS BASED ON A FIELD SURVEY PERFORMED BY 2020 LAND SURVEYING IN AUGUST, 2018. THIS SURVEY WAS CONDUCTED USING GPS EQUIPMENT. THE CONTROL POINTS AND A PORTION OF THE BOUNDARY CORNERS WERE LOCATED USING GPS EQUIPMENT. THE REMAINDER OF THE BOUNDARY CORNERS WERE LOCATED USING A TOTAL STATION FROM SAID CONTROL POINTS. TRIMBLE R8-3 DUAL FREQUENCY RECEIVER WAS USED FOR THE NETWORK ADJUSTED REAL TIME KINEMATIC SURVEY. THE SURVEY AS SHOWN IS A URBAN SURVEY. THE RELATIVE POSITIONAL ACCURACY IS LESS THAN ±0.02"±100 PPM. THE HORIZONTAL DATUM IS NAD 1983. THE VERTICAL DATUM IS NAVD 1988 AND THE GEOID MODEL USED IS GEOID09.

THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY NORTH STATE PLANE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY. THE DIRECTIONS AND DISTANCES SHOWN ON THE PLAT ARE NOT BASED ON AN ADJUSTED SURVEY.

ALL PROPERTY CORNERS HAVE BEEN MONUMENTED WITH AN IRON PIN (1" LENGTH, 5/8" DIAMETER) AND CAP STAMPED #3848 UNLESS OTHERWISE NOTED HEREON.

**SURVEY NOTES**

1. REAR PROPERTY CORNERS WERE NOT RE-ESTABLISHED THIS SURVEY.
2. THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE FULL EXTERIOR BOUNDARIES OF THE PROPERTIES SHOWN DEPICTED HEREON.
3. AREA OF "REMAINDER" PARCELS IS BASED ON PRIOR RECORD PLAT LODGED IN PLAT CABINET H; SLIDE 663 IN THE FAYETTE COUNTY CLERK'S OFFICE.

**LAND SURVEYORS CERTIFICATION.**

"I DO HEREBY CERTIFY THAT THIS RECORD PLAT WAS PREPARED UNDER MY DIRECTION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE BOUNDARIES OF THE PROPERTY BEING TRANSFERRED ARE TRUE AND ACCURATE."

DRAWN: JASON D. BANKS #3848 DATE \_\_\_\_\_

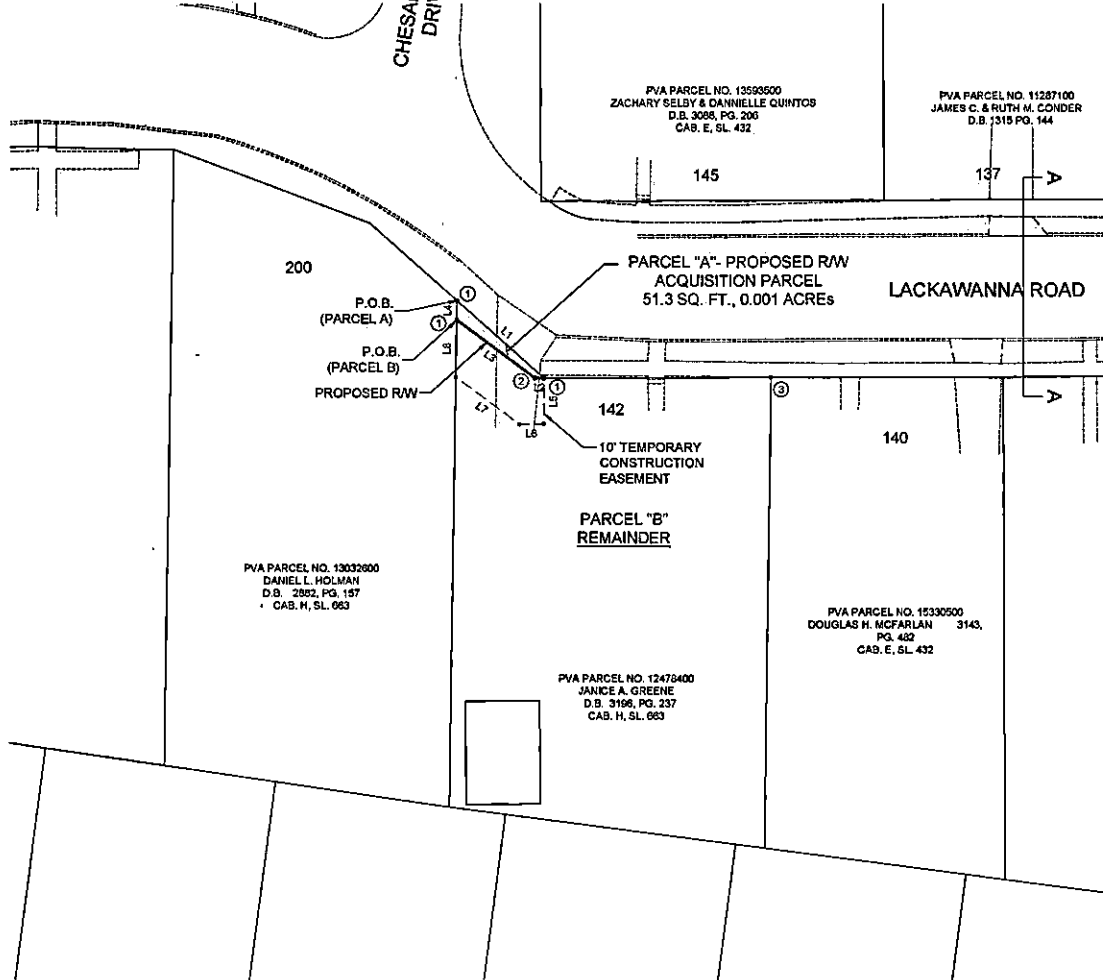
ADDRESS \_\_\_\_\_

**SITE STATISTICS:**

PARCEL "A" ZONED R-1C: 0.001 ACRES STREET FRONTAGE ON LACKAWANNA-25.14'	PARCEL "B" (REMAINDER) ZONED R-1C 0.153 ACRES STREET FRONTAGE ON LACKAWANNA-72.02'
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**TEMPORARY CONSTRUCTION EASEMENT**

226.9 SQ. FT.  
0.005 ACRES



LINE	BEARING	DISTANCE
1	S 24°19'58" E	25.14'
2	N 65°25'17" W	3.92'
3	N 20°17'45" W	21.07'
4	N 24°45'28" E	4.12'
5	S 24°07'43" W	10.00'
6	S 25°57'17" W	8.22'
7	N 28°19'43" W	17.12'
8	N 24°45'28" E	12.35'

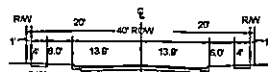


**LEGEND**

- ① IRON PIN SET (3/8" DIA., 1" LONG) WITH CAP #3848
- ② MAG NAIL SET WITH WASHER STAMPED "3848"
- ③ FOUND IRON PIN

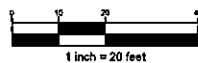
**PURPOSE OF PLAT**

THE PURPOSE OF THIS PLAT IS TO ACQUIRE PARCEL "A" AS ADDITIONAL RIGHT-OF-WAY AND TO DEPICT THE TEMPORARY CONSTRUCTION EASEMENT.



SECTION A - A  
LACKAWANNA ROAD  
NOT TO SCALE

**GRAPHIC SCALE**



PROJECT  
WGPL STORM SEWER PROJECT  
LACKAWANNA ROAD  
LEXINGTON, KY.

Property Owner of Record:  
Janice A. Greene  
142 Lackawanna Road  
Lexington, KY. 40503

PUBLIC ACQUISITION  
MINOR SUBDIVISION PLAT  
Janice A. Greene Property  
142 Lackawanna Road  
Lexington, Fayette County, Kentucky  
Client:  
Lexington-Fayette Urban County Government  
200 East Main Street  
Lexington, KY. 40507

**BANKS**

Engineering, Inc.  
Jason D. Banks, PLS  
1211 Jessamine Station  
Nicholasville, Kentucky 40356  
(859) 881-0020

Plat of survey represents a boundary survey and complies with 201 KAR 18.150  
Date: August, 2018



