

FAYETTE CO, KY FEE \$62.00

SUSAN LAMB
COUNTY CLERK

PRESENTED/LODGED: 03/29/2024 11:54:33 AM

EMILY GENTRY, DEPUTY CLERK

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BK: DB 4065

PG: 1-9



DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 26TH day of MARCH, 2024, by and between **RAYYAN PROPERTIES, LLC**, a Kentucky **limited liability company**, 213 Golf Club Drive, Nicholasville, Kentucky 40356, which is the in-care of tax mailing address for the current year (hereinafter "Grantor"), 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 **THREE THOUSAND DOLLARS AND 00/100 CENTS (\$3,000.00)**, 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

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

assigns, permanent right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction, installation, repair, maintenance 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
Floyd Drive Trunk
Sewer Improvement Project
(a portion of 597-601 E. New Circle Road)

Tract A

A certain parcel of land near East New Circle Road, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the southwest corner of the property conveyed to Rayyan Properties, LLC, in Deed Book 4045, Page 568, of the Fayette County Clerk's records and in the eastern right-of-way line of East New Circle Road; thence through the lands of Rayyan Properties, LLC, for one (1) call:

1. S 74°54'36" E a distance of 185.99 feet, to the **TRUE POINT OF BEGINNING**; thence with a new easement line for three (3) calls:
 1. N 18°15'59" E, a distance of 15.21 feet;
 2. S 37°25'21" E, a distance of 26.24 feet;
 3. N 72°50'25" W, a distance of 21.68 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 164.87 square feet of permanent easement; and,

Tract B

A certain parcel of land near East New Circle Road, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the southwest corner of the property conveyed to Rayyan Properties, LLC, in Deed Book 4045, Page 568, of the Fayette County Clerk's records and in the eastern right-of-way line of East New Circle Road, a corner common to the property conveyed to Michael J. and Annetta Speaks in Deed Book 2487, Page 300, of the Fayette County Clerk's records; thence with the line of Speaks, for one (1) call:

1. S 71°26'12" E, a distance of 185.70 feet to the **TRUE POINT OF BEGINNING**; thence with a new easement line for four (4) calls:

1. N 18°15'59" E, a distance of 1.27 feet;

2. S 72°50'25" E, a distance of 37.53 feet;

3. N 17°09'35" E, a distance of 5.00 feet;

4. N 52°34'39" E, a distance of 5.00 feet, and in the line of Rookwood Subdivision, Unit 1-Q, Lot 52, as conveyed to Lexington-Fayette Urban County Government in Deed Book 2320, Page 228, of the Fayette County Clerk's records; thence with the line of said Lot 52, for one (1) call:

1. S 37°00'29" E, a distance of 20.04 feet and in the line of the property conveyed to Michael J. and Annetta Speaks in Deed Book 2487, Page 300, of the Fayette County Clerk's records; thence with the line of Speaks, for one (1) call:

1. N 71°26'12" W, a distance of 56.72 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 183.66 square feet of permanent easement; and,

Tract C

A certain parcel of land near East New Circle Road, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the northeast corner of the property conveyed to Rayyan Properties, LLC, in Deed Book 4045, Page 568, of the Fayette County Clerk's records and in the line of Rookwood Subdivision, Unit 1-P, Lot 63, of record at Plat Cabinet A, Slide 186

as conveyed to Marvin Wayne Redmon in Deed Book 2529, Page 709; thence with the line of Rookwood Subdivision, Unit 1-P, for one (1) call:

1. S 37°00'27" E, a distance of 227.16 feet, to the **TRUE POINT OF BEGINNING**; thence with the line of Rookwood Subdivision, Unit 1-Q, for one (1) call:
1. S 37°00'27" E, a distance of 48.97 feet; thence with a new easement line for the for two (2) calls:
 1. N 37°25'21" W, a distance of 48.73 feet;
 2. N 18°15'59" E, a distance of 0.43 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 8.64 square feet of permanent easement; and,

Tracts A, B and C, being a portion of the property conveyed to Rayyan Properties, LLC, a Kentucky limited liability company, by Deed dated November 10, 2023, of record in Deed Book, 4045, Page 568, 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 sanitary sewer placement and construction, installation, repair, maintenance 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
Floyd Drive Trunk
Sewer Improvement Project
(a portion of 597-601 E. New Circle Road)

Tract A

A certain parcel of land near East New Circle Road, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the southwest corner of the property conveyed to Rayyan Properties, LLC, in Deed Book 4045, Page 568, of the Fayette County Clerk's records and in the eastern right-of-way line of East New Circle Road; thence through the lands of Rayyan Properties, LLC, for one (1) call:

1. S 75°01'39" E, a distance of 175.99 feet to the **TRUE POINT OF BEGINNING**; thence with a new easement line for four (4) calls:
 1. N 18°15'59" E, a distance of 22.23 feet;
 2. S 37°25'21" E, a distance of 12.11 feet;
 3. S 18°15'59" W, a distance of 15.21 feet;
 4. N 72°50'25" W, 10.00 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 187.20 square feet of temporary construction easement; and,

Tract B

A certain parcel of land near East New Circle Road, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the northeast corner of the property conveyed to Rayyan Properties, LLC, in Deed Book 4045, Page 568, of the Fayette County Clerk's records and in the line of Rookwood Subdivision, Unit 1-Q, Lot 52, as conveyed to Lexington-Fayette Urban County Government in Deed Book 2320, Page 228, of the Fayette County Clerk's records; thence with the line of Rookwood Subdivision, Unit 1-P, for one (1) call:

1. S 37°00'28" E, a distance of 214.99 feet to the **TRUE POINT OF BEGINNING**; thence with the line of said Lot 52, for one (1) call:
 1. S 37°00'28" E, a distance of 12.17 feet; thence with a new easement line for three (3) calls:
 1. S 18°15'59" W, a distance of 0.43 feet;

2. N 37°25'21" W, a distance of 12.11 feet;
3. N 18°15'59" E, a distance of 0.54 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 2.62 square feet of temporary construction easement; and,

Tracts A and B, being a portion of the property conveyed to Rayyan Investments, LLC, a Kentucky limited liability company, by Deed dated November 10, 2023, of record in Deed Book, 4045, Page 568, 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.

TOGETHER with the right to use the above-described easements during the time the sanitary sewer is being constructed, repaired or reconstructed, with the right of ingress and egress upon said easements as may be reasonably necessary for the construction and maintenance of said project.

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 above-described permanent easement runs with the land in perpetuity 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 or maintenance thereof.

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 prior written consent of the Grantee.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of its 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 it is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 629-2023, passed by the Lexington-Fayette Urban County Council on December 5, 2023. 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 Grantor has signed this Deed of Easement, this the day and year first above written.

GRANTOR:

RAYYAN INVESTMENTS, LLC, a
Kentucky limited liability company

BY: _____


JAWAD JASIR RAYYAN,
MEMBER

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF JESSAMINE)

This instrument was acknowledged, subscribed and sworn to before me by Jawad Jasir Rayyan, as a Member, for and on behalf of Rayyan Investments, LLC, a Kentucky limited liability company, on this the 26th day of MARCH, 2024.



Michael Louis Clayborne
Notary Public, Kentucky, State-at-Large

My Commission Expires: 05 / 10 / 2025

Notary ID # KYNP27704

PREPARED BY:

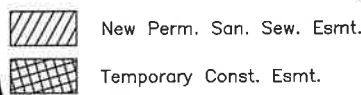
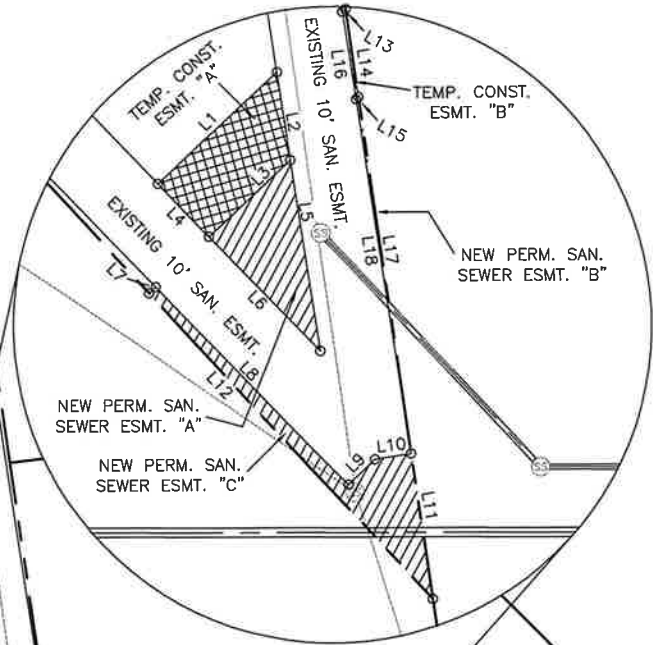
EVAN P. THOMPSON,
Attorney Sr.
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

597 & 601 EAST NEW CIRCLE RD.
 RAYYAN PROPERTIES, LLC
 D.B. 4045, PG. 568
 PVA ID: 22534600
 ZONE: B-3

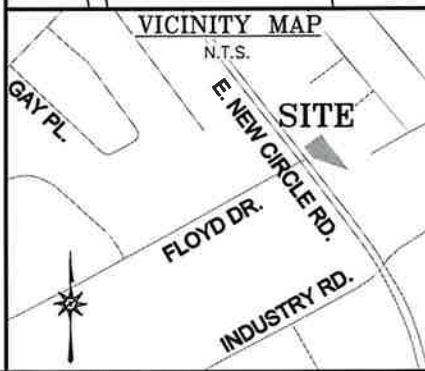
EAST NEW CIRCLE ROAD

617 EAST NEW CIRCLE RD.
 MICHAEL AND ANNETTA SPEAKS
 D.B. 2487, PG. 300
 PVA ID: 11184200
 ZONE: B-3

708 DARTMOOR CT.
 TIMOTHY AND CARIL SMITH
 LOT 53
 P.C. C, SLD. 697
 D.B. 1820, PG. 690
 PVA ID: 15940250
 ZONE: R-1D



LINE	BEARING	DISTANCE
L1	N 18°15'59" E	22.23'
L2	S 37°25'21" E	12.11'
L3	S 18°15'59" W	15.21'
L4	N 72°50'25" W	10.00'
L5	S 37°25'21" E	26.24'
L6	N 72°50'25" W	21.68'
L7	N 18°15'59" E	1.27'
L8	S 72°50'25" E	37.53'
L9	N 17°09'35" E	5.00'
L10	N 52°34'39" E	5.00'
L11	S 37°00'29" E	20.04'
L12	N 71°26'12" W	56.72'
L13	S 71°44'01" E	0.71'
L14	S 37°00'28" E	6.49'
L15	S 18°15'59" W	0.43'
L16	N 37°25'21" W	7.32'
L17	S 37°00'27" E	48.97'
L18	N 37°25'21" W	48.73'



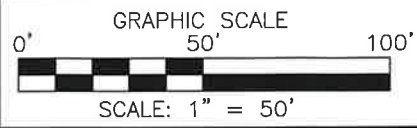
NOTES:
 1. SOURCE OF TITLE: RAYYAN PROPERTIES, LLC, DEED BOOK 4045, PAGE 568.
 2. THE BASIS OF BEARINGS ARE KENTUCKY STATE PLANE GRID NORTH ZONE (NAD 83), U.S. SURVEY FEET.

AREAS:
 NEW PERMANENT EASEMENT 'A': 164.87 S.F.
 NEW PERMANENT EASEMENT 'B': 183.66 S.F.
 NEW PERMANENT EASEMENT 'C': 8.64 S.F.
EX. SEWER EASEMENT TO BE RETAINED: 4727.82 S.F.
 TOTAL PERMANENT EASEMENTS: 5084.99 S.F.
 TOTAL NEW PERMANENT EASEMENTS: 357.17 S.F.
 TEMP. CONSTRUCTION EASEMENT 'A': 187.20 S.F.
 TEMP. CONSTRUCTION EASEMENT 'B': 2.62 S.F.
 TOTAL CONSTRUCTION EASEMENTS: 189.82 S.F.



Environmental, Civil Engineering Consultants, Land Surveying
 128 E. Reynolds Rd, Suite 150, Lexington, KY 40517
 Ph.(859) 559-0516 - Fax: (859) 523-0095
 www.visionengr.com

OWNER:
 RAYYAN PROPERTIES, LLC
 JAWAD J. RAYYAN, MEMBER
 213 GOLF CLUB DRIVE
 NICHOLASVILLE, KY 40356



FLOYD DRIVE TRUNK SEWER IMPROVEMENTS
EXHIBIT SHOWING SANITARY SEWER EASEMENT TO BE ACQUIRED FROM RAYYAN PROPERTIES, LLC
 597 & 601 EAST NEW CIRCLE ROAD
 LEXINGTON, KENTUCKY 40505
 2/12/2024
 SHEET 1 OF 1