

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 23rd day of OCTOBER, 2020, by and between **ALAN C. ROSS and BETH T. ROSS, husband and wife**, 977 Holly Springs Drive, Lexington, Kentucky 40504, 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 THOUSAND FOUR HUNDRED THIRTY-EIGHT DOLLARS AND 05/100 DOLLARS (\$1,438.05)**, 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 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 Trunks D & E Sewer Replacement Project
(a portion of 977 Holly Springs Drive)

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

BEGINNING, at a point on the western property line shared with Charles & Dona Renfro, approximately 12' from the northwest property corner, thence 21.00 feet at a bearing S 22°56'24" W along the western property line to a point, thence 141.30 feet at a bearing S 43°08'34" E to the eastern property line shared with Joseph & Mary Fugate, thence 20.00 feet at a bearing N 33°49'33" E along the eastern property line to a point, thence 142.05 feet at a bearing N 43°08'34" W to a point, thence 4.26 feet at a bearing N 49°00'38" W to the western property line back to the **POINT OF BEGINNING**; and,

The above-described parcel contains 2,876.84 square feet of permanent easement; and

Being a portion of the property conveyed to Alan C. Ross and Beth T. Ross, husband and wife, by Deed dated December 30, 1991, of record in Deed Book 1612, Page 167, 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 D & E Trunk Sewer Replacement Project
(a portion of 977 Holly Springs Drive)

Tract No. 1

BEGINNING, at a point on the western property line shared with Charles & Dona Renfro, approximately 1' from the northwest property corner, thence 8.03 feet at a bearing S 49°00'38" E to a point, thence 140.71 feet at a bearing S

43°08'34" E to the eastern property line shared with Joseph & Mary Fugate, thence 10.17 feet at a bearing S 36°23'37" W along the eastern property line to a point, thence 142.05 feet at a bearing N 43°08'34" W to a point, thence 4.26 feet at a bearing N 49°00'38" W to the western property line, thence 10.52 feet at a bearing N 22°56'00" E along the western property line back to the **POINT OF BEGINNING**; and,

The above-described parcel contains a total area of 1,475.28 square feet of temporary construction easement;

Tract No. 2

BEGINNING, at a point on the western property line shared with Charles & Dona Renfro, approximately 33' from the northwest property corner, thence 141.30 feet at a bearing S 43°08'34" E to the eastern property line shared with Joseph & Mary Fugate, thence 10.84 feet at a bearing S 33°49'33" W along the eastern property line to a point, thence 138.71 feet at a bearing N 43°08'34" W to the western property line, thence 10.94 feet at a bearing N 22°56'00" E along the western property line back to the **POINT OF BEGINNING**; and,

The above-described parcel contains a total area of 1,400.06 square feet of temporary construction easement;

Both tracts being a portion of the property conveyed to Alan C. Ross and Beth T. Ross, husband and wife, by Deed dated December 30, 1991, of record in Deed Book 1612, Page 167, 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 that they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 256-2020, passed by the Lexington-Fayette Urban County Council on June 11, 2020. 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.

PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L1	N22°56'00"E	10.94'
L2	S43°08'34"E	141.30'
L3	S33°49'33"W	10.84'
L4	N43°08'34"W	138.71'
L5	N22°56'00"E	10.52'
L6	S49°00'38"E	8.03'
L7	S43°08'34"E	140.71'
L8	S36°23'37"W	10.17'
L9	N43°08'34"W	142.05'
L10	N49°00'38"W	4.26'

982 DELLA DR
 PARCEL NO. 20657400
 DB 3220 PG 365
 CHRISTOPHER
 SCHERRER

981 HOLLY SPRINGS DR.
 PARCEL NO. 24176300
 DB 2067 PG 434
 CHARLES & DONA
 RENFRO

977 HOLLY SPRINGS DR.
 PARCEL NO. 22810450
 DB 1612 PG 167
 ALAN & BETH ROSS

973 HOLLY SPRINGS DR.
 PARCEL NO. 22260700
 DB 1096 PG 421
 JOSEPH & MARY
 FUGATE

NOTES:

1. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A PROPOSED CONVEYANCE FOR A SANITARY SEWER EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
2. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.

LEGEND:




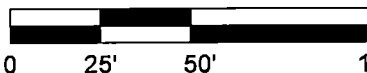
-  - NEW 20' PERMANENT UTILITY EASEMENT (2876.8411 SQ FT)
-  - 10' TEMPORARY CONSTRUCTION EASEMENT (2875.3404 SQ FT)
-  - PROPOSED SEWER LINE

EXHIBIT "A"
 UTILITY EASEMENT EXHIBIT
 MARCH 10, 2020
 ALAN & BETH ROSS
 PROPERTY
 977 HOLLY SPRINGS DR
 LEXINGTON, KY 40504

SCALE: 1"= 50'



LFUCG
 DIVISION OF WATER QUALITY
 WOLF RUN TRUNK SEWER LINES D & E

200 E MAIN STREET
 LEXINGTON, KY 40507



engineering | architecture | geospatial
 www.grwinc.com

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: MELISSA STELTER ,dc

202011090023

November 9, 2020 9:18:24 AM

Fees	\$53.00	Tax	\$0.00
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Total Paid	\$53.00
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7 Pages

657 - 663

MAYOR LINDA GORTON



LEXINGTON

SUSAN B. SPECKERT
COMMISSIONER
DEPARTMENT OF LAW

To: Abigail Allan, Council Clerk
Council Clerk's Office

From: Department of Law

Date: November 16, 2020

Re: Permanent Sanitary Sewer Easement and
Temporary Construction Easement
977 Holly Springs Drive

Our File No. 20-RE0185
Wolf Run Trunks D & E Sewer
Replacement Project

Enclosed is the original recorded Permanent Sanitary Sewer Easement and Temporary Construction Easement for the above-referenced property to the Urban County Government for the Wolf Run Trunks D & E Sewer Replacement Project. Please file the easement with the authorizing legislation, Resolution No. 256-2020.

Please note that the attached asset acquisition form is for the permanent easement only.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Evan P. Thompson".

Evan P. Thompson
Attorney

Enclosure

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