

**DEED OF EASEMENT**

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 12<sup>TH</sup> day of APRIL, 2022, by and between **BARBARA D. McINTURFF, a single person**, 3925 Westbrook Drive, Lexington, Kentucky 40514, 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 **FIVE THOUSAND DOLLARS AND 00/100 CENTS (\$5,000.00)**, 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, 11<sup>th</sup> 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 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 20' Sanitary Sewer Easement**  
**West Hickman Trunk E**  
**Sewer Improvement Project**  
**(a portion of 3374 Greentree Circle)**

All that strip or parcel of land situated on the north side of Greentree Circle and south of New Circle Road in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

**BEGINNING**, at a common corner of Leslie Joe McInturff and Barbara D. McInturff (3374 Greentree Circle, Deed Book 1171, Page 89) and Treetop Investments, LLC (3378 Greentree Circle, Deed Book 3782, Page 414), being in the Greentree Circle cul-de-sac right of way; thence leaving said Greentree Circle for seven (7) new lines through the lands of said McInturff:

- 1) With the east line of an existing 12-foot wide sanitary sewer and utility easement (Plat Cabinet B, Slide 104), North 11°33'14" East, 16.03 feet to a point,
- 2) Leaving said 12-foot sewer and utility easement, North 50°09'37" East, 36.25 feet to a point,
- 3) North 05°47'14" West, 60.39 feet to a point,
- 4) North 09°11'19" East, 13.78 feet to a point in the south line of an existing utility easement (Plat Cabinet B, Slide 104),
- 5) With said utility easement, South 88°37'04" East, 20.19 feet to a point,
- 6) Leaving said utility easement, South 09°11'19" West, 13.89 feet to a point,
- 7) South 05°47'14" East, 56.31 feet to a point in the line with said Treetop Investments, LLC;

Thence with said Treetop Investments, LLC, South 50°09'37" West, 66.15 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 1,956 square feet (gross and net) of permanent easement; and

Being a portion of the property conveyed to Leslie Joe McInturff and Barbara D. McInturff, husband and wife, for and during their joint lives, with remainder in fee simple to the survivor of them, his or her heirs and assigns, forever, by General Warranty deed, dated June 1, 1977, of record in Deed Book 1171, Page 89, in the Fayette County Clerk's Office. Said Leslie Joe McInturff died intestate, a resident of Fayette County, Lexington, Kentucky on February 9, 2020, and title to the property is vested to his wife, Barbara D. McInturff, by right of survivorship in the aforementioned deed.

**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 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**  
**West Hickman Trunk E**  
**Sewer Improvement Project**  
**(a portion of 3374 Greentree Circle)**

**Tract A**

**BEGINNING**, at a common corner of Leslie Joe McInturff and Barbara D. McInturff (3374 Greentree Circle, Deed Book 1171, Page 89) and Treetop Investments, LLC (3378 Greentree Circle, Deed Book 3782, Page 414), being in the Greentree Circle cul-de-sac right of way; thence leaving said Greentree Circle with the east line of an existing 12-foot wide sanitary sewer and utility easement (Plat Cabinet B, Slide 104), North 11°33'14" East, 64.84 feet to the **TRUE POINT**

**OF BEGINNING**; thence for five (5) new lines through the lands of said McInturff:

- 1) Continuing with said sanitary sewer and utility easement, North 11°33'14" East, 50.20 feet to a point in the south line of an existing utility easement (Plat Cabinet B, Slide 104),
- 2) With said utility easement, South 88°37'04" East, 4.11 feet to a point,
- 3) Leaving said utility easement, South 09°11'19" West, 13.78 feet to a point,
- 4) South 05°47'14" East, 38.23 feet to a point,
- 5) North 80°48'41" West, 16.03 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 440 square feet (gross and net) of temporary construction easement; and

**Tract B**

**BEGINNING**, at a common corner of Leslie Joe McInturff and Barbara D. McInturff (3374 Greentree Circle, Deed Book 1171, Page 89) and Treetop Investments, LLC (3378 Greentree Circle, Deed Book 3782, Page 414), being in the Greentree Circle cul-de-sac right of way; thence leaving said Greentree Circle and with the line of said Treetop Investments, LLC, North 50°09' 37" East, 66.15 feet to the **TRUE POINT OF BEGINNING**; thence for five (5) new lines through the lands of said McInturff:

- 1) North 05°47'14" West, 56.31 feet to a point,
- 2) North 09°11'19" East, 13.89 feet to a point in the south line of an existing utility easement (Cab B, Sl 104),
- 3) With said utility easement, South 88°37'04" East, 10.09 feet to a point,
- 4) Leaving said utility easement, South 09°11'19" West, 13.95 feet to a point,
- 5) South 08°27'50" East, 46.81 feet to a point in the line with said Treetop Investments, LLC;

Thence continuing with said Treetop Investments, LLC, South 50°09'37" West, 14.71 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 715 square feet (gross and net) of temporary construction easement; and

Tract A and B being a portion of the property conveyed to Leslie Joe McInturff and Barbara D. McInturff, husband and wife, for and during their joint lives, with remainder in fee simple to the survivor of them, his or her heirs and assigns, forever, by General Warranty deed, dated June 1, 1977, of record in Deed Book 1171, Page 89, in the Fayette County Clerk's Office. Said Leslie Joe McInturff died intestate, a resident of Fayette County, Lexington, Kentucky on February 9, 2020, and title to the property is vested to his wife, Barbara D. McInturff, by right of survivorship in the aforementioned deed.

**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 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.

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 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



PREPARED BY:



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

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GRAPHIC SCALE: 1" = 40'

NEW CIRCLE ROAD

-  NEW PERM. ESMT.
-  TEMP. CONST. ESMT.
-  CONTRACTOR FENCING
-  SANITARY SEWER PROPOSED ALIGNMENT



20' PERM. CONST. E.  
1,956 SQ.FT.  
(GROSS & NET)

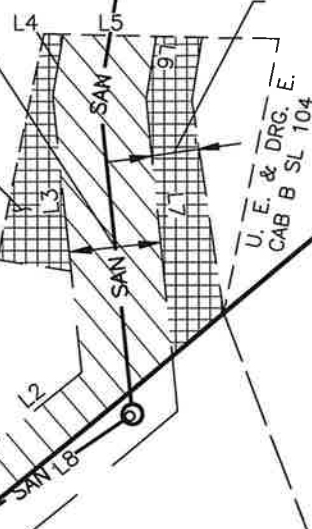
TEMP. CONST. E. "B"  
715 SQ.FT.  
(GROSS & NET)

12' U. E. CAB B SL 104

TEMP. CONST. E. "A"  
440 SQ.FT.  
(GROSS & NET)

LESLIE JOE MCINTURFF  
BARBARA D. MCINTURFF  
3374 GREENTREE CIRCLE  
DB 1171, PG 89

JOSEPH GOGGIN &  
TERESA GOGGIN  
3370 GREENTREE RD  
DB 3405 PG 276



12' STM. E. & U. E.  
CAB B SL 104

P.O.B.

50' R

GREENTREE CIRCLE

TREETOP INVESTMENTS, LLC  
3378 GREENTREE CIRCLE  
DB 3782 PG 414

NANCY LEE FREDERICK, TTE  
3382 GREENTREE RD  
DB 3370 PG 659

ECHO PROPERTIES, LLC  
3380 GREENTREE CIRCLE  
DB 2158 PG 16

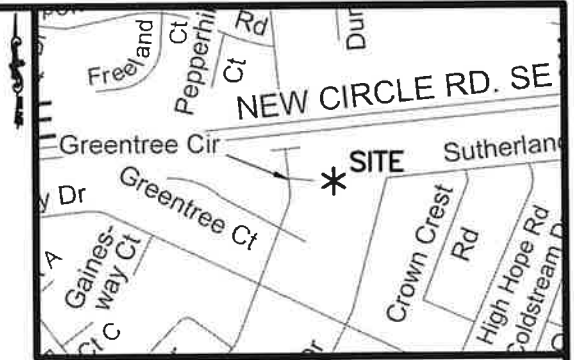
U. E. & DRG. E.  
CAB B SL 104



WEST HICKMAN TRUNK E SEWER PROJECT  
20' PERMANENT SANITARY SEWER EASEMENT  
LESLIE JOE MCINTURFF & BARBARA K. MCINTURFF  
3374 GREENTREE CIRCLE  
LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 1 OF 2

K:\200126 - West Hickman Trunk Sewers\Survey Info\Working Drawings\Easements\200126 Easements - Kurt\_SSM.dwg  
Day & Time: Jan 28, 2022 - 11:23am Login Name: kurt.hesselbach





VICINITY MAP N.T.S.

LINE	BEARING	DISTANCE
L1	N 11°33'14" E	16.03'
L2	N 50°09'37" E	36.25'
L3	N 05°47'14" W	60.39'
L4	N 09°11'19" E	13.78'
L5	S 88°37'04" E	20.19'
L6	S 09°11'19" W	13.89'
L7	S 05°47'14" E	56.31'
L8	S 50°09'37" W	66.15'

EX. PERM ESMT.=N/A

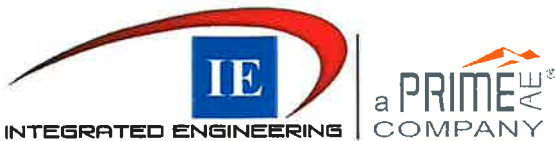
PROP. PERM. ESMT.(GROSS)=1,956 SQ.FT.  
 PROP. PERM. ESMT. (NET)=1,956 SQ. FT.

PROP. TEMP. ESMT.(GROSS)=1,155 SQ.FT.  
 PROP. TEMP. ESMT.(NET)=1,155 SQ.FT.

**LAND SURVEYOR'S CERTIFICATE:**

THE PROPERTY LINES SHOWN ON THIS EASEMENT EXHIBIT ARE BASED ON DEED AND/OR RECORD PLAT DATA FROM THE FAYETTE COUNTY CLERK'S OFFICE. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AS DESCRIBED IN 201 KAR 18:150 AND INTEGRATED ENGINEERING HAS NOT PERFORMED A BOUNDARY SURVEY FOR THE PURPOSES OF THIS EXHIBIT. THIS EXHIBIT IS NOT INTENDED TO BE USED FOR LAND TRANSFER.

JAMES M. CHAMBLISS, PLS 3185 \_\_\_\_\_ DATE



WEST HICKMAN TRUNK E SEWER PROJECT  
 20' PERMANENT SANITARY SEWER EASEMENT  
 LESLIE JOE McINTURFF & BARBARA K. McINTURFF  
 3374 GREENTREE CIRCLE  
 LEXINGTON, FAYETTE COUNTY, KENTUCKY - PAGE 2 OF 2

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

202204180191

April 18, 2022

13:55:34 PM

Fees	\$62.00	Tax	\$ .00
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Total Paid	\$62.00
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10 Pages

192 - 201