

GRANT OF EASEMENT

This **EASEMENT** is made and entered into this 7 day of November, 2013, by and between **STEPHEN PAUL BAUER and SHERRY BAUER, husband and wife**, 1309 Fenwick Road, Lexington, Kentucky 40515 ("Grantors"), 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 consideration of the sum of **One Hundred Forty-Three Dollars and 00/100 Cents (\$143.00)**, and other good and valuable consideration, 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, 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
1309 Fenwick Road
Century Hills Sanitary Sewer Improvement Project

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

Mail to Grantee
c/o Department of Law, 11th Floor

with the land for the duration of the improvement project on the adjacent land, and is binding upon the heirs and assigns of the Grantors.

Grantors do hereby covenant to and with said 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 conveyed herein, and that they will **WARRANT GENERALLY** said title.

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 the prior written consent of the Grantee.

The obtaining of this easement was authorized by Resolution No. 389-2013 passed by the Lexington-Fayette Urban County Council on July 9, 2013. 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 parties have signed this Easement, the day and year first above written.

GRANTORS:

BY: 
STEPHEN PAUL BAUER

BY: 
SHERRY BAUER

EXHIBIT A

TEMPORARY CONSTRUCTION EASEMENT
ON THE PROPERTY OF
STEPHEN PAUL BAUER AND SHERRY BAUER
(HUSBAND & WIFE)
DEED BOOK 2751, PAGE 525
LOT 40, BLOCK W, UNIT 7, SECTION 4 EAST LAKE SUBDIVISION
PLAT CABINET F, SLIDE 94
1309 FENWICK ROAD
IN LEXINGTON, FAYETTE COUNTY, KENTUCKY

All that tract or parcel of land situated on the southwesterly side of Fenwick Road, easterly from Buckhorn Drive, in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

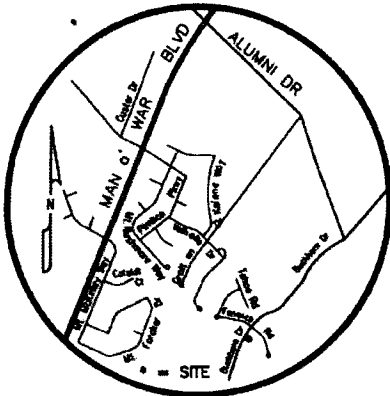
Temporary Construction Easement:

Beginning at the rear common corner of Lot 40 and Lot 41, Block W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94) in the line of Lot 36, Block "W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94); thence along the common line of Lots 40 and 36, N 17° 12' 55" E 28.05 feet; thence through Lot 40, S 31° 30' 34" E 24.64 feet to a point in the common line of Lots 40 and 41 aforesaid; thence along said common line, S 74° 42' 29" W 21.96 feet to the beginning and containing 260 square feet.

The above described temporary construction easement shall terminate and revert to grantor at the completion of the construction project.

Being a temporary construction easement on a portion of the same property conveyed to Stephen Paul Bauer, a single person, by deed dated August 16, 2007, and recorded in Deed Book 2751, Page 525; being designated as Lot 40, Block W, Unit 7, Section 4 of East Lake Subdivision as per the Corrected Amended Final Subdivision Plat recorded in Plat Cabinet F, Slide 94. Stephen Paul Bauer is now married to Sherry Bauer. All of the above referenced instruments are of record in the Fayette County Clerk's office.

EXHIBIT "B"

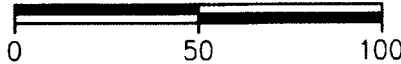


VICINITY MAP

Not To Scale

PROPERTY OWNERS' ADDRESS
 STEPHEN PAUL BAUER & SHERRY BAUER
 1309 FENWICK ROAD
 LEXINGTON, KY 40515

SCALE IN FEET

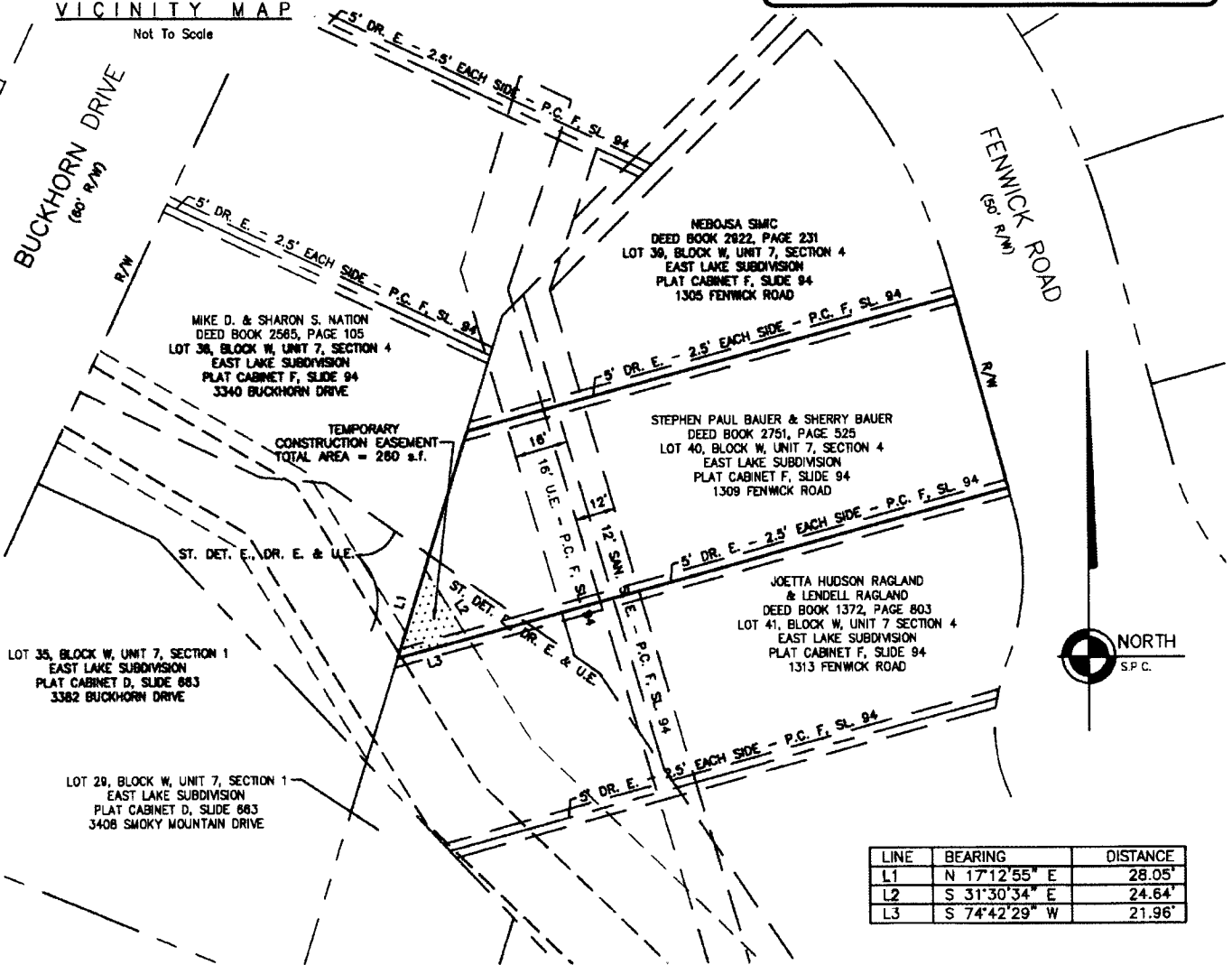


LEGEND

- APPROXIMATE SUBJECT PROPERTY LINE
- APPROXIMATE ADJOINING PROPERTY LINE
- - - - PROPOSED SANITARY SEWER EASEMENT LINE
- - - - EXISTING EASEMENT LINE
- - - - TEMPORARY CONSTRUCTION EASEMENT LINE

NOTES:

1. THE PURPOSE OF THIS PLAT IS TO RECORD THE PERMANENT SANITARY SEWER EASEMENT AS SHOWN.
2. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, LEASES, RIGHTS-OF-WAYS, ETC. OF RECORD AND/OR IN EXISTENCE.
3. THE BEARINGS CITED HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, KY NORTH ZONE, US SURVEY FEET, NAD 83.
4. SELECT FIELD MEASUREMENTS WERE MADE, HOWEVER, NO BOUNDARY SURVEY WAS PERFORMED.



LINE	BEARING	DISTANCE
L1	N 17°12'55" E	28.05'
L2	S 31°30'34" E	24.64'
L3	S 74°42'29" W	21.96'

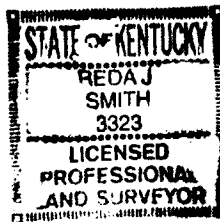
LAND SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS RECORD PLAT WAS PREPARED UNDER MY DIRECTION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE BEARINGS AND DISTANCES AS SHOWN ON THIS PLAT ARE TRUE AND ACCURATE.

Reda J. Smith 8/15/13

REDA J. SMITH, PLS # 3323
 CDP ENGINEERS, INC.
 3250 BLAZER PKWY
 LEXINGTON, KY 40509

DATE



SANITARY SEWER EASEMENT PLAT

STEPHEN PAUL BAUER & SHERRY BAUER
 (HUSBAND & WIFE)
 PROPERTY
 1309 FENWICK ROAD
 LEXINGTON, FAYETTE COUNTY, KENTUCKY



SCALE: 1" = 50'

DATE: AUGUST 13, 2013

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: DOUG BRADLEY ,dc

201401290034

January 29, 2014 9:57:54 AM

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

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