



202301170132

FAYETTE CO, KY FEE \$56.00

PRESENTED / LODGED: 01-17-2023 02:26:00 PM

RECORDED: 01-17-2023

DONALD W BLEVINS JR
CLERK

BY: EMILY GENTRY
DEPUTY CLERK

BK: DB 3997

PG: 628-634

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 9TH day of JANUARY, 2023, by and between **FELICIA A. SZORAD and TRAVIS TOWNSEND, wife and husband**, 1880 Pershing Road, 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 HUNDRED SIXTY-TWO DOLLARS AND 63/100 CENTS (\$162.63)**, 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,

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

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 Trunk F
Sewer Improvement Project
(a portion of 1880 Pershing Road)

Tract A

All that strip or parcel of land situated on the north side northwest of Pershing Road, north of Lane Allen Road in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner with Lot 4, Unit 2, as shown on the Amended Plat of the Gardner Subdivision, Unit One and Unit Two (Plat Cabinet D, Slide 62), said point being in the southerly property line of Evan Baileys and Lisa Chiffolo (Deed Book 3626, Page 212);

Thence leaving the southerly property line of Evan Baileys and Lisa Chiffolo, with the easterly property line of Lot 4, S 37°49' 29" W, 31.84 feet to the **TRUE POINT OF BEGINNING**;

Thence leaving the easterly property line of Lot 4, with a new permanent sanitary sewer easement line through the lands of Felicia A. Szorad and Travis Townsend for three (3) calls:

- 1) S 55 °17'17" E, 15.02 feet to a point;
- 2) S 37°49'29" W, 20.03 feet to a point; and
- 3) N 55°17'17" W, 15.02 feet to a point in the easterly property line of the aforesaid Lot 4;

Thence with the easterly property line of Lot 4, N 37°49' 29" E, 20.03 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.007 Acres (300 sq. ft.) of permanent easement; and

Tract A, being a portion of the same property conveyed to Felicia A. Szorad and Travis Townsend, wife and husband, by Deed dated May 13, 2013, of record in Deed Book 3153, Page 324, 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 Trunk F
Sewer Improvement Project
(a portion of 1880 Pershing Road)

Tract B

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

BEGINNING, at a common corner with Lot 4, Unit 2, as shown on the Amended Plat of the Gardner Subdivision, Unit One and Unit Two (Plat Cabinet D, Slide 62), said point being in the southerly property line of Evan Baileys and Lisa Chiffolo (Deed Book 3626, Page 212);

Thence leaving the southerly property line of Evan Baileys and Lisa Chiffolo, with the easterly property line of Lot 4, S 37°49' 29" W, 31.84 feet to the **TRUE POINT OF BEGINNING**;

Thence with the easterly property line of Lot 4, N 37°49' 29" E, 10.01 feet to a point;

Thence leaving the easterly property line of Lot 4, with a new temporary construction easement line through the lands of Felicia A. Szorad and Travis Townsend for three (3) calls:

- 1) S 55°17' 17" E, 25.04 feet to a point;
- 2) S 37°49' 29" W, 40.06 feet to a point; and
- 3) N 55°17' 17" W, 25.04 feet to a point in the easterly property line of the aforesaid Lot 4;

Thence with the easterly property line of Lot 4, N 37°49' 29" E, 10.01 feet to a point;

Thence leaving the easterly property line of Lot 4, with a new permanent sanitary sewer easement line through the lands of Felicia A. Szorad and Travis Townsend for three (3) calls:

- 1) S 55°17' 17" E, 15.02 feet to a point;
- 2) N 37°49' 29" E, 20.03 feet to a point; and
- 3) N 55°17' 17" W, 15.02 feet to the TRUE POINT OF BEGINNING; and,

The above described parcel contains 0.016 Acres (701 sq. ft.) of temporary construction easement; and

Tract B, being a portion of the same property conveyed to Felicia A. Szorad and Travis Townsend, wife and husband, by Deed dated May 13, 2013, of record in Deed Book 3153, Page 324, 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 they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 042-2022, passed by the Lexington-Fayette Urban County Council on February 10, 2022. 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.

GRANTORS:

BY:



FELICIA A. SZORAD

BY:



TRAVIS TOWNSEND

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Felicia A. Szorad and Travis Townsend, wife and husband, on this the 9TH day of JANUARY, 2023.



Michael Louis Clayborne
Notary Public, Kentucky, State-at-Large
My Commission Expires: 05 / 10 / 2025
Notary ID # KYNP 27704

PREPARED BY:

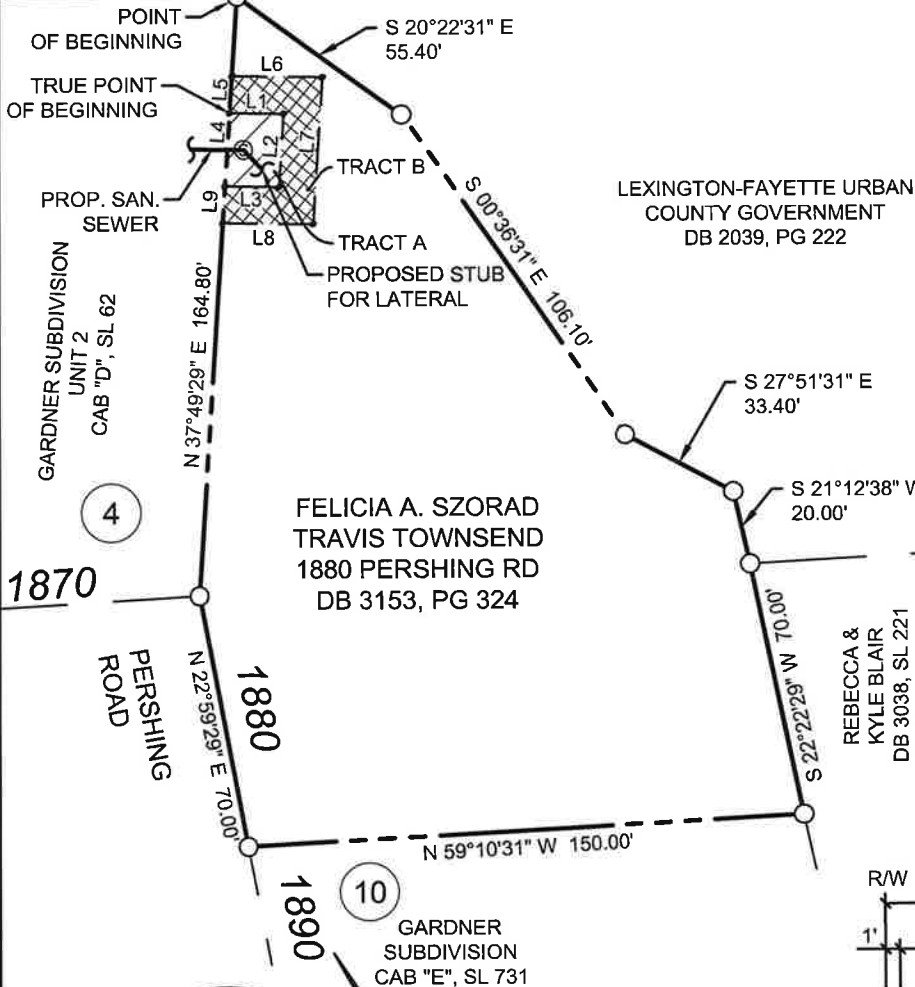
[Signature]

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

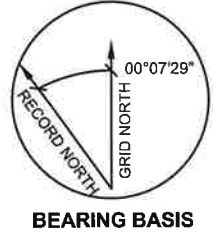
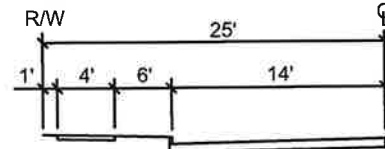
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EVAN BAILEYS
LISA CHIFFOLO
DB 3626, PG 212

ROBERT O. &
M.T. ATKINSON
DB 1140, PG 400



EASEMENT LINE TABLE		
LINE #	LENGTH	BEARING
L1	15.02'	S 55°17'17" E
L2	20.03'	S 37°49'29" W
L3	15.02'	N 55°17'17" W
L4	20.03'	N 37°49'29" E
L5	10.01'	N 37°49'29" E
L6	25.04'	S 55°17'17" E
L7	40.06'	S 37°49'29" W
L8	25.04'	N 55°17'17" W
L9	10.01'	N 37°49'29" E



NOTES:

1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE RECORD DESCRIPTION (DEED BOOK 3153, PAGE 324) IN THE FAYETTE COUNTY CLERK'S OFFICE. THE ORIGIN OF BEARINGS SHOWN HEREON IS BASED ON THE NORTH AMERICAN DATUM OF 1983, STATE PLANE KENTUCKY NORTH ZONE AS OBSERVED FROM KYCORS STATION "KYTG" USING A TRIMBLE R12, DUAL FREQUENCY RECEIVER.
2. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A PROPOSED CONVEYANCE FOR A PERMANENT SANITARY SEWER EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
3. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.

**SANITARY SEWER EASEMENT EXHIBIT
FELICIA A. SZORAD & TRAVIS TOWNSEND
1880 PERSHING ROAD
WOLF RUN TRUNK F SEWER IMPROVEMENTS
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY**



FIGURE 1

AUGUST 2022

2815.298