

**DEED OF EASEMENT**

This **DEED OF EASEMENT** is made and entered into this 25<sup>th</sup> day of October, 2018, by and between **WILLIAM S. PECK, a single person**, 752 Rosehurst Way, Lexington, Kentucky 40515 ("Grantor"), 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");

**W I T N E S S E I H:**

That for and in consideration of the sum of **THREE HUNDRED SIXTY-FIVE DOLLARS AND 00/100 CENTS (\$365.00)**, and other good and valuable consideration, 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, the permanent right to lay, construct, operate, repair, reconstruct and remove sanitary sewer improvements and appurtenances thereto, which sanitary sewer improvements and appurtenances shall be of such dimension, character, construction and use as determined by Grantee, along, through, under and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows:

**Permanent Sanitary Sewer Easement**  
**(a Portion of 3345 Buckhorn Drive)**  
**East Hickman Wet Weather**  
**Pump Station Project**

A tract or parcel of situated on the west side of Buckhorn Drive approximately 350 feet southwest of the intersection with Fenwick Road in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

Return to:  
Charles E. Edwards, III  
LFUCG, Dept. of Law, 11<sup>th</sup> Floor  
200 E. Main Street  
Lexington, Kentucky 40507  
(CC-F)

**BEGINNING** at the common corner of William S. Peck (3345 Buckhorn Drive, DB 1417, PG 624) and Lauren Cole (3341 Buckhorn Drive, DB 3236, PG 473), said point being in the Buckhorn Drive west right-of-way; thence leaving said Buckhorn Drive west right-of-way and with said Cole, North 64°32'32" West, 73.30 feet to the TRUE POINT OF BEGINNING; thence leaving said Cole for three (3) new lines through the lands of said Peck: 1) South 25°27'50" West, 41.99 feet to a point in the north line of a 20-foot sanitary sewer and utility easement (Cabinet D, Slide 158), 2) With said easement, North 64°32'10" West, 20.00 feet to a point, 3) North 25°27'50" East, 41.99 feet to a point in the line with said Cole; thence with said Cole, South 64°32'32" East, 20.00 feet to the TRUE POINT OF BEGINNING, containing 840 square feet or 0.02 Acres; and,

Being a portion of the property conveyed to William Scott Peck, a single person, by deed dated September 18, 1986, of record in Deed Book 1417, Page 624, in the Fayette County Clerk's Office.

Described on Exhibit "A" attached hereto and incorporated herein by reference.

**FURTHER**, for and in consideration of the foregoing sum, 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, 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:

**10' Temporary Construction Easement "A"**  
**(a Portion of 3345 Buckhorn Drive)**  
**East Hickman Wet Weather**  
**Pump Station Project**

**BEGINNING** at the common corner of William S. Peck (3345 Buckhorn Drive, DB 1417 PG 624) and Lauren Cole (3341 Buckhorn Drive, DB 3236, PG 473), said point being in the Buckhorn Drive west right-of-way; thence leaving said Buckhorn Drive west right-of-way and with said Cole, North 64°32'32" West, 93.30 feet to the TRUE POINT OF BEGINNING; thence leaving said Cole for three (3) new

lines through the lands of said Peck: 1) South 25°27'50" West, 41.99 feet to a point in the north line of a 20-foot sanitary sewer and utility easement (Cabinet D, Slide 158), 2) With said easement, North 64°32'10" West, 10.00 feet to a point; 3) North 25°27'50" East, 41.99 feet to a point in the line with said Cole; thence with said Cole, South 64°32'32" East, 10.00 feet to the **TRUE POINT OF BEGINNING**, containing 420 square feet or 0.01 Acres; and,

Being a portion of the property conveyed to William Scott Peck, a single person, by deed dated September 18, 1986, of record in Deed Book 1417, Page 624, in the Fayette County Clerk's Office.

Described on Exhibit "A" attached hereto and incorporated herein by reference.

**10' Temporary Construction Easement "B"**  
**(a Portion of 3345 Buckhorn Drive)**  
**East Hickman Wet Weather**  
**Pump Station Project**

**BEGINNING** at the common corner to William S. Peck (3345 Buckhorn Drive, DB 1417, PG 624) and Lauren Cole (3341 Buckhorn Drive, DB 3236, PG 473), said point being in the Buckhorn Drive west right-of-way; thence leaving said Buckhorn Drive west right-of-way and with said Cole, North 64°32'32" West, 63.30 feet to the **TRUE POINT OF BEGINNING**; thence leaving said Cole for three (3) new lines through the lands of said Peck: 1) South 25°27'50" West, 41.99 feet to a point in the north line of a 20-foot sanitary sewer and utility easement (Cabinet D, Slide 158), 2) With said easement, North 64°32'10" West, 10.00 feet to a point, 3) North 25°27'50" East, 41.99 feet to a point in the line with said Cole; thence with said Cole, South 64°32'32" East, 10.00 feet to the **TRUE POINT OF BEGINNING**, having an area of 470 square feet or 0.01 Acres; and,

Being a portion of the property conveyed to William Scott Peck, a single person, by deed dated September 18, 1986, of record in Deed Book 1417, Page 624, in the Fayette County Clerk's Office.

Described on Exhibit "A" attached hereto and incorporated herein by reference.

**10' Temporary Construction Easement "C"**  
**(a Portion of 3345 Buckhorn Drive)**  
**East Hickman Wet Weather**  
**Pump Station Project**

**BEGINNING** at the common corner of William S. Peck (3345 Buckhorn Drive, DB 1417, PG 624) and Lauren Cole (3341 Buckhorn Drive, DB 3236, PG 473), said point being in the Buckhorn Drive west right-of-way; thence leaving said Cole and with said Buckhorn Drive west right-of-way, South 25°27'32" West, 62.00 feet to the south side of a 20-foot sanitary sewer and utility easement (Cabinet D, Slide 158); thence leaving said Buckhorn Drive west right-of-way and with said easement, North 64°32'10" West, 63.30 feet to the **TRUE POINT OF BEGINNING**; thence leaving said easement for four (40 new lines through the lands of said Peck: 1) South 25°27'50" West, 10.00 feet to a point, 2) North 64°32'10" West, 40.00 feet to a point, 3) North 25°27'50" East, 10.00 feet to a point, 4) South 64°32'10" East, 40.00 feet to the **TRUE POINT OF BEGINNING**, having an area of 470 square feet or 0.01 Acres; and,

Being a portion of the property conveyed to William Scott Peck, a single person, by deed dated September 18, 1986, of record in Deed Book 1417, Page 624, in the Fayette County Clerk's Office.

Described on Exhibit "A" attached hereto and incorporated herein by reference.

**TO HAVE AND TO HOLD** the above-described easements 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 runs with the land for the duration of the improvement project on the adjacent land and is binding upon the heirs and assigns of the Grantor. The temporary construction easement will expire upon completion of the construction of the improvement project on the land adjacent to this easement.

Grantor does hereby covenant to and with Grantee, its successors and assigns

forever, that he is lawfully seized in fee simple of said property and has good right to sell and convey the easements conveyed herein, and that he will **WARRANT GENERALLY** said title.

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 the prior written consent of the Grantee.

The obtaining of this easement was authorized by Resolution No. 226-2018 passed by the Lexington-Fayette Urban County Council on April 26, 2018. 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 Grantor has signed this Easement, the day and year first above written.

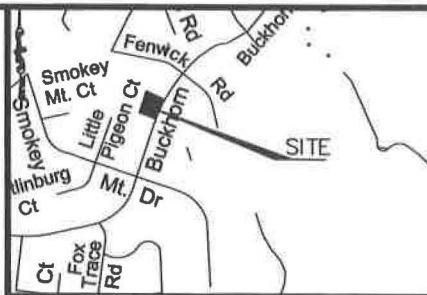
GRANTOR:

BY:   
WILLIAM S. PECK

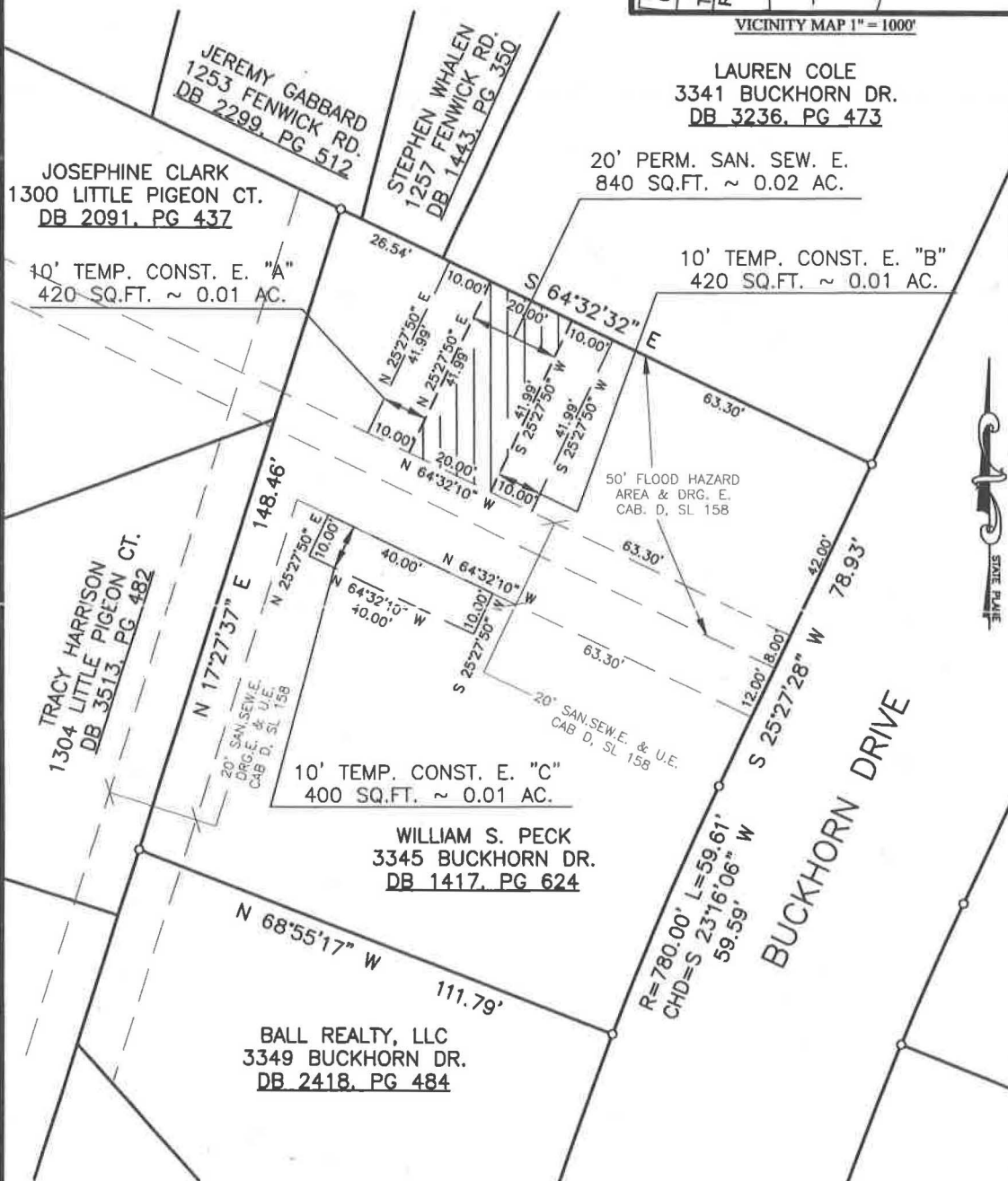


EXHIBIT "A"

20' PERMANENT SANITARY SEWER EASEMENT  
 EXHIBIT FOR LFUCG  
 WILLIAM S. PECK PROPERTY  
 3345 BUCKHORN DRIVE  
 LEXINGTON, FAYETTE COUNTY, KENTUCKY



VICINITY MAP 1" = 1000'



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 AND HAVE NOT BEEN FIELD VERIFIED BY INTEGRATED ENGINEERING. 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.

*Jan M Chambliss PLS 11/20/17*  
 JAMES M. CHAMBLISS, PLS 3185 DATE



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: MELISSA STELTER ,dc

201811270176

November 27, 2018                      14:58:39      PM

Fees	\$29.00	Tax	\$ .00
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Total Paid	\$29.00
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