

**DEED OF EASEMENT**

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 10<sup>th</sup> day of July, 2019, by and between **LIBERTY RENTALS, LLC, a Kentucky limited liability company**, 108 N. Ashland Avenue, Lexington, Kentucky 40502, 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 **TEN AND 00/100 DOLLARS (\$10.00)**, 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 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**  
**Lansdowne South Trunk Sewer Replacement Project**  
**(a portion of 461 Whispering Hills Drive)**

All of that tract or parcel of land being a permanent sewer easement situated south of Wilson Downing Road in

Return to:  
Charles E. Edwards III  
LFUCG, Dept. of Law, 11<sup>th</sup> Floor  
200 East Main Street  
Lexington, KY 40507

(CC-F)

Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Beginning at a point in the northeast corner of the property and being a common corner to 3824 Camelot Drive property (Deed Book 2802, Page 76), Belleau Wood Subdivision, Unit 1-F, Lot 2E; thence S 23°03'32" W, a distance of 19.57 feet, more or less along the common property line with the 3824 Camelot Drive property to **THE POINT OF BEGINNING OF THE PROPOSED PERMANENT SANITARY SEWER EASEMENT**; thence S 23°03'32" W, a distance of 20.30 feet; thence N 57°02'01" W, a distance of 31.42 feet; thence N 32°57'59" E, a distance of 20.00 feet; thence S 57°02'01" E, a distance of 27.93 feet, more or less to the **POINT OF BEGINNING**; and,

The above described parcel contains 593.48 square feet of permanent easement; and

Included in the above described **PROPOSED PERMANENT SANITARY SEWER EASEMENT** area description is an existing sanitary sewer easement of 590.81 square feet, resulting in a net increase of 2.67 square feet of new easement area; and,

Being a portion of the property conveyed to Liberty Rentals, LLC, a Kentucky limited liability company, by deed dated January 14, 2019, of record in Deed Book 3641, Page 439, 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, 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 Access Easement**  
**Lansdowne South Trunk Sewer Replacement Project**  
**(a portion of 461 Whispering Hills Drive)**

All that tract or parcel of land being a temporary construction access easement situated south of Wilson Downing Road in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Beginning at a point in the northeast corner of the property and being a common corner to 3824 Camelot Drive property (Deed Book 2802, Page 76) Belleau Wood Subdivision, Unit 1-F, Lot 2E; thence S 23°03'32" W, a distance of 39.87 feet, more or less along the common property line with the 3824 Camelot Drive property; thence N 57°02'01" W, a distance of 30.45 feet through the existing sanitary sewer easement to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence S 23°03'32" W, a distance of 10.15 feet; thence N 57°02'01" W, a distance of 2.71 feet; thence N 32°57'59" E, a distance of 10.00 feet; thence S 57°02'01" E, a distance of 0.97 feet, more or less along the **PROPOSED PERMANENT SANITARY SEWER EASEMENT** to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; and,

The above described parcel contains 18.40 square feet of temporary construction access easement; and,

Being a portion of the property conveyed to Liberty Rentals, LLC, a Kentucky limited liability company, by deed dated January 14, 2019, of record in Deed Book 3641, Page 439, 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 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 its 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 hereby covenant to and with the Grantee, its successors and assigns forever, that it is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 58-2019, passed by the Lexington-Fayette Urban County Council on February 7, 2019. 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 Grantor has signed this Deed of Easement, this the day and year first above written.

[Intentionally left blank]


GRANTOR:


LIBERTY RENTALS, LLC, a  
Kentucky limited liability company

BY:   
BLAKE E. WRIGHT,  
MEMBER

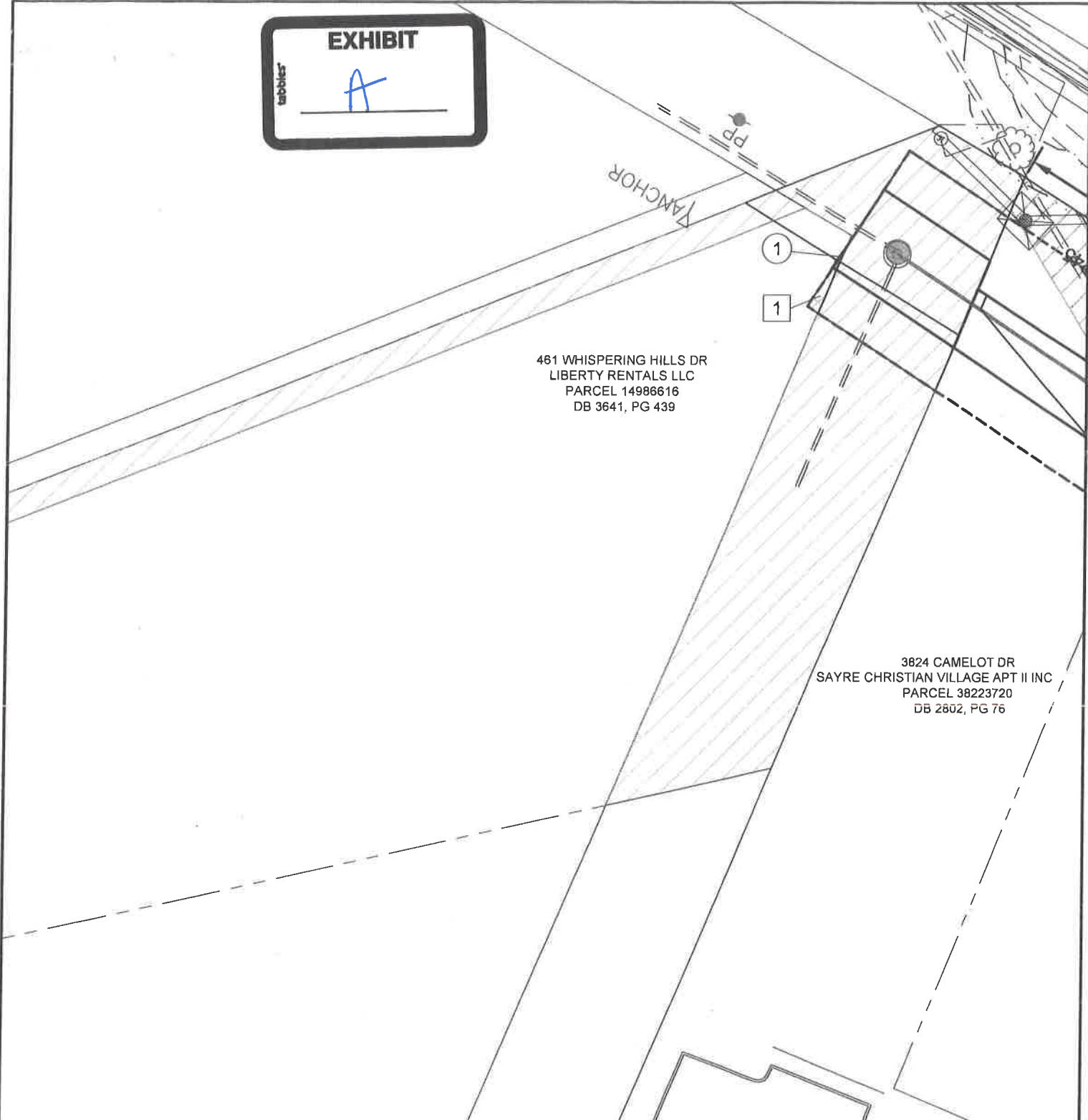
COMMONWEALTH OF KENTUCKY            )  
  )  
COUNTY OF WOODFORD                    )

This instrument was acknowledged, subscribed and sworn to before me by Blake  
W. Wright, as a Member, for and on behalf of Liberty Rentals, LLC, a Kentucky limited  
liability company, on this the 10<sup>th</sup> day of July, 2019.

  
Notary Public, Kentucky, State-at-Large  
My Commission Expires: 5 / 24 / 2021  
Notary ID # 599984

PREPARED BY:  
  
CHARLES E. EDWARDS III  
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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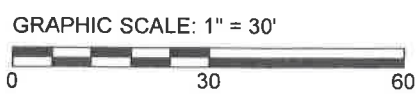
**EXHIBIT**  
tabbles  
A










461 WHISPERING HILLS DR  
LIBERTY RENTALS LLC  
PARCEL 14986616  
DB 3641, PG 439

3824 CAMELOT DR  
SAYRE CHRISTIAN VILLAGE APT II INC  
PARCEL 38223720  
DB 2602, PG 76

BASIS OF BEARINGS:  
NAD 83 KY NORTH



-  PERMANENT EASEMENT TRACT NO.
-  TEMPORARY CONSTRUCTION EASEMENT TRACT NO.
-  EXISTING EASEMENT TO BE RELEASED TRACT NO.

-  EXISTING EASEMENT AREA
-  TEMPORARY CONSTRUCTION EASEMENT
-  NEW PERMANENT EASEMENT AREA
-  EX. EASEMENT AREA TO BE RELEASED



**SANITARY SEWER EASEMENT 461 WHISPERING HILLS DRIVE**



CIVIL • ENVIRONMENTAL • MINING

340 S BROADWAY • LEXINGTON, KY 40517 • (859) 233-2103 • fax (859) 259-3394

DATE - 3/7/2019	PROJECT NO. 1016-001
DRAWN - kmf	
PROJECT NAME - LANSLOWNE SOUTH TRUNK SEWER REPLACEMENT	
PROJECT LOCATION - LEXINGTON, KENTUCKY	

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: SHEA BROWN ,dc

201907160037

July 16, 2019

9:23:42 AM

Fees	\$26.00	Tax	\$ .00
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Total Paid	\$26.00
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7 Pages

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