

FAYETTE CO, KY FEE \$80.00

SUSAN LAMB
COUNTY CLERK

PRESENTED/LODGED: 03/26/2025 03:29:56 PM

HALLIE WOOSLEY, DEPUTY CLERK 202503260143

BK: DB 4122

PG: 517-531



DEED OF EASEMENT

THIS PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT is made and entered into this the 14 day of March, 2025, by and between FAYETTE MHC, LP, a Delaware limited partnership, 2220 Grandview Drive, Suite 280, Fort Mitchell, Kentucky 41017 (hereinafter "Grantor"), which is the mailing and also the in-care 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 FIFTY THOUSAND DOLLARS AND 00/100 CENTS (\$50,000.00), 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 assigns, permanent right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction,

Return to:

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

installation, repair, maintenance 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
St. Martins Village Pump
Station Elimination Project
(a portion of 361 and 421 Price Road)

Tract A

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

BEGINNING, at a common corner between Fayette MHC, LP (Deed Book 3902, Page 550), Lexington-Fayette Urban County Government (Deed Book 1063, Page 566), and Lot 1, Block Z, as shown on the Record Plat of St. Martins Village, Unit Nine B (Plat Cabinet C, Slide 593);

Thence with a new permanent sanitary sewer easement line through the lands of Fayette MHC, LP for nine (9) calls:

- 1) South 65°04'21" East, a distance of 10.90 feet to a point;
- 2) North 88°35'27" East, a distance of 50.21 feet to a point;
- 3) South 46°11'45" East, a distance of 241.70 feet to a point;
- 4) South 42°08'09" East, a distance of 649.81 feet to a point;
- 5) South 12°04'26" East, a distance of 77.50 feet to a point;
- 6) South 77°55'34" West, a distance of 121.02 feet to a point;
- 7) South 48°14'10" West, a distance of 809.74 feet to a point;
- 8) South 38°17'45" West, a distance of 68.10 feet to a point; and
- 9) South 37°02'04" East, a distance of 108.67 feet to a point in an existing sanitary sewer easement line;

Thence with the existing sanitary sewer easement line, South 52°57'38" West, a distance of 20.00 feet to a point;

Thence with a new permanent sanitary sewer easement line for ten (10) calls:

- 1) North 37°02'04" West, a distance of 124.11 feet to a point;
- 2) North 38°17'45" East, a distance of 85.28 feet to a point;
- 3) North 48°14'10" East, a distance of 816.79 feet to a point;
- 4) North 77°55'34" East, a distance of 106.32 feet to a point;
- 5) North 12°04'26" West, a distance of 52.12 feet to a point;
- 6) North 42°08'09" West, a distance of 643.73 feet to a point;
- 7) North 46°11'45" West, a distance of 232.67 feet to a point;
- 8) South 88°35'27" West, a distance of 46.77 feet to a point;
- 9) North 63°55'35" West, a distance of 139.15 feet to a point; and
- 10) North 05°56'50" West, a distance of 24.83 feet to a point in the westerly property line of the aforesaid Lexington-Fayette Urban County Government;

Thence with the westerly property line of Lexington-Fayette Urban County Government, South 63°23'40" East, a distance of 136.52 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 1.039 Acres (45,260 square feet) of permanent easement; and,

Tract B

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

BEGINNING, at a common corner between Fayette MHC, LP (Deed Book 3902, Page 550), Lexington-Fayette Urban County Government (Deed Book 1063, Page 566), and Lot 1, Block Z, as shown on the Record Plat of St. Martins Village, Unit Nine B (Plat Cabinet C, Slide 593);

Thence with a reference line through the lands of Fayette MHC, LP, South 00°52'51" West, a distance of 1,453.37 feet to a point in an existing sanitary sewer easement line, said point being the **TRUE POINT OF BEGINNING**;

Thence with the existing sanitary sewer easement line, North 52°57'38" East, a distance of 20.00 feet to a point;

Thence with a new permanent sanitary sewer easement line for three (3) calls:

- 1) South 37°02'04" East, a distance of 5.00 feet to a point;
- 2) South 52°57'38" West, a distance of 20.00 feet to a point; and
- 3) North 37°02'04" West, a distance of 5.00 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.002 Acres (100 square feet) of permanent easement; and,

Tracts A and B, being a portion of the property conveyed to Fayette MHC, LP, a Delaware limited partnership, by Deed dated December 13, 2021, of record in Deed Book 3902, Page 550, 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, repair, maintenance 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
St. Martins Village Pump
Station Elimination Project
(a portion of 361 and 421 Price Road)

Tract C

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

BEGINNING, at a common corner between Fayette MHC, LP (Deed Book 3902, Page 550), Lexington-Fayette Urban County Government (Deed Book 1063, Page 566), and Lot 1, Block Z, as shown on the Record Plat of St. Martins Village, Unit Nine B (Plat Cabinet C, Slide 593);

Thence with the westerly property line of Lexington-Fayette Urban County Government, North 63°23'40" West, a distance of 148.39 feet to the **TRUE POINT OF BEGINNING**;

Thence with the westerly property line of Lexington-Fayette Urban County Government, South 63°23'40" East, a distance of 11.86 feet to a point;

Thence leaving the westerly property line of Lexington-Fayette Urban County Government, with a new permanent sanitary sewer easement line through the lands of Fayette MHC, LP for two (2) calls:

- 1) South 05°56'50" East, a distance of 24.83 feet to a point; and
- 2) South 63°55'35" East, a distance of 103.28 feet to a point;

Thence with a new temporary sanitary sewer construction easement line for three (3) calls:

- 1) South 26°04'25" West, a distance of 10.00 feet to a point;
- 2) North 63°55'35" West, a distance of 108.82 feet to a point; and
- 3) North 05°56'50" West, a distance of 36.75 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.031 Acres (1,368 square feet) of temporary construction easement; and,

Tract D

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

BEGINNING, at a common corner between Fayette MHC, LP (Deed Book 3902, Page 550), Lexington-Fayette Urban County Government (Deed Book 1063, Page 566), and Lot 1, Block Z, as shown on the Record Plat of St. Martins Village, Unit Nine B (Plat Cabinet C, Slide 593);

Thence with a reference line through the lands of Fayette MHC, LP, South 61°09'43" East, a distance of 74.20 feet to a point in a new permanent sanitary sewer easement line, said point being the **TRUE POINT OF BEGINNING**;

Thence with the new permanent sanitary sewer easement line for seven (7) calls:

- 1) South 46°11'45" East, a distance of 215.00 feet to a point;
- 2) South 42°08'09" East, a distance of 643.73 feet to a point;
- 3) South 12°04'26" East, a distance of 52.12 feet to a point;
- 4) South 77°55'34" West, a distance of 106.32 feet to a point;
- 5) South 48°14'10" West, a distance of 816.79 feet to a point;
- 6) South 38°17'45" West, a distance of 85.28 feet to a point; and
- 7) South 37°02'04" East, a distance of 124.11 feet to a point in an existing sanitary sewer easement line;

Thence with the existing sanitary sewer easement line, South 52°57'38" West, a distance of 10.00 feet to a point;

Thence with a new permanent sanitary sewer easement line for eight (8) calls:

- 1) North 37°02'04" West, a distance of 131.83 feet to a point;

- 2) North 38°17'45" East, a distance of 93.87 feet to a point;
- 3) North 48°14'10" East, a distance of 820.31 feet to a point;
- 4) North 77°55'34" East, a distance of 98.97 feet to a point;
- 5) North 12°04'26" West, a distance of 39.44 feet to a point;
- 6) North 42°08'09" West, a distance of 640.69 feet to a point;
- 7) North 46°11'45" West, a distance of 214.64 feet to a point; and
- 8) North 43°48'15" East, a distance of 10.00 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.469 Acres (20,415 square feet) of temporary construction easement; and,

Tract E

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

BEGINNING, at a common corner between Fayette MHC, LP (Deed Book 3902, Page 550), Lexington-Fayette Urban County Government (Deed Book 1063, Page 566), and Lot 1, Block Z, as shown on the Record Plat of St. Martins Village, Unit Nine B (Plat Cabinet C, Slide 593);

Thence with the southerly property line of Lot 1, North 54°43'45" East, a distance of 11.64 feet to a point;

Thence leaving the southerly property line of Lot 1, with a new temporary sanitary sewer construction easement line through the lands of Fayette MHC, LP for nine (9) calls:

- 1) South 63°55'35" East, a distance of 2.87 feet to a point;
- 2) North 88°35'27" East, a distance of 51.93 feet to a point;
- 3) South 46°11'45" East, a distance of 246.22 feet to a point;
- 4) South 42°08'09" East, a distance of 652.85 feet to a point;

- 5) South 12°04'26" East, a distance of 90.18 feet to a point;
- 6) South 77°55'34" West, a distance of 128.37 feet to a point;
- 7) South 48°14'10" West, a distance of 806.22 feet to a point;
- 8) South 38°17'45" West, a distance of 59.51 feet to a point; and
- 9) South 37°02'04" East, a distance of 100.95 feet to a point in an existing sanitary sewer easement line;

Thence with the existing sanitary sewer easement line, South 52°57'38" West, a distance of 10.00 feet to a point;

Thence with a new permanent sanitary sewer easement line for nine (9) calls:

- 1) North 37°02'04" West, a distance of 108.67 feet to a point;
- 2) North 38°17'45" East, a distance of 68.10 feet to a point;
- 3) North 48°14'10" East, a distance of 809.74 feet to a point;
- 4) North 77°55'34" East, a distance of 121.02 feet to a point;
- 5) North 12°04'26" West, a distance of 77.50 feet to a point;
- 6) North 42°08'09" West, a distance of 649.81 feet to a point;
- 7) North 46°11'45" West, a distance of 241.70 feet to a point;
- 8) South 88°35'27" West, a distance of 50.21 feet to a point; and
- 9) North 65°04'21" West, a distance of 10.90 feet to the **POINT OF BEGINNING**; and,

the above-described parcel contains 0.491 Acres (21,384 square feet) of temporary construction easement; and,

Tract F

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

BEGINNING, at a common corner between Fayette MHC, LP (Deed Book 3902, Page 550), Lexington-Fayette Urban County Government (Deed Book 1063, Page 566), and Lot 1, Block Z, as shown on the Record Plat of St. Martins Village, Unit Nine B (Plat Cabinet C, Slide 593);

Thence with a reference line through the lands of Fayette MHC, LP, South 00°03'51" East, a distance of 1,435.13 feet to a point in an existing sanitary sewer easement line, said point being the **TRUE POINT OF BEGINNING**;

Thence with a new temporary sanitary sewer construction easement line for three (3) calls:

- 1) South 37°02'04" East, a distance of 15.00 feet to a point;
- 2) South 52°57'38" West, a distance of 40.00 feet to a point; and
- 3) North 37°02'04" West, a distance of 15.00 feet to a point in the existing sanitary sewer easement line;

Thence with the existing sanitary sewer easement line, North 52°57'38" East, a distance of 10.00 feet to a point;

Thence with a new permanent sanitary sewer easement line for three (3) calls:

- 1) South 37°02'04" East, a distance of 5.00 feet to a point;
- 2) North 52°57'38" East, a distance of 20.00 feet to a point; and
- 3) North 37°02'04" West, a distance of 5.00 feet to a point in the existing sanitary sewer easement line;

Thence with the existing sanitary sewer easement line, North 52°57'38" East, a distance of 10.00 feet to the **POINT OF BEGINNING**; and,

the above-described parcel contains 0.011 Acres (500 square feet) of temporary construction easement; and,

Tracts C, D, E and F, being a portion of the property conveyed to Fayette MHC, LP, a Kentucky limited partnership, by Deed dated December 13, 2021, of record in Deed Book 3902, Page 550, 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.

TOGETHER with the right to use the above-described easements during the time the sanitary sewer is being constructed, repaired or reconstructed, with the right of ingress and egress upon said easements as may be reasonably necessary for the construction and maintenance of said project.

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 or maintenance thereof.

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.

Grantee does hereby covenant to and with said Grantor that it shall restore, to an equal to or better condition, any of Grantor's property disturbed by the construction, improvement, or maintenance of a sanitary sewer in or upon the easements conveyed herein.

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 do 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 SPECIALLY** said title.

The obtaining of this easement was authorized by Resolution 524-2024, passed by the Lexington-Fayette Urban County Council on October 24, 2024, and by Amended Resolution 027-2025, passed by the Lexington-Fayette Urban County Council on January 23, 2025. 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.

GRANTOR:

FAYETTE MHC, LP, a
Kentucky limited partnership

BY:


KURTIS P. KEENEY,
CEO/GENERAL PARTNER

COMMONWEALTH OF KENTUCKY

COUNTY OF KENTON

)
)
)

This instrument was acknowledged, subscribed and sworn to before me by Kurtis P. Keeney, as CEO/General Partner, for and on behalf of Fayette MHC, LP, a Kentucky limited partnership, on this the 14 day of March, 2025.




Notary Public, Kentucky, State-at-Large

My Commission Expires: 3/14/27

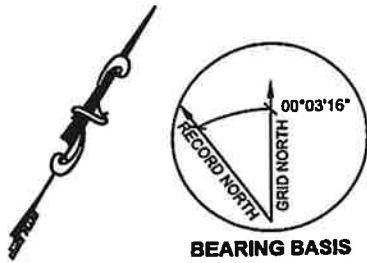
Notary ID # KYNP67874

PREPARED BY:

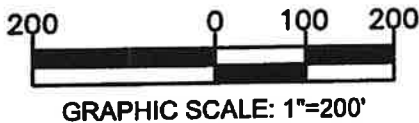


TIFFANY HOLSKEY

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

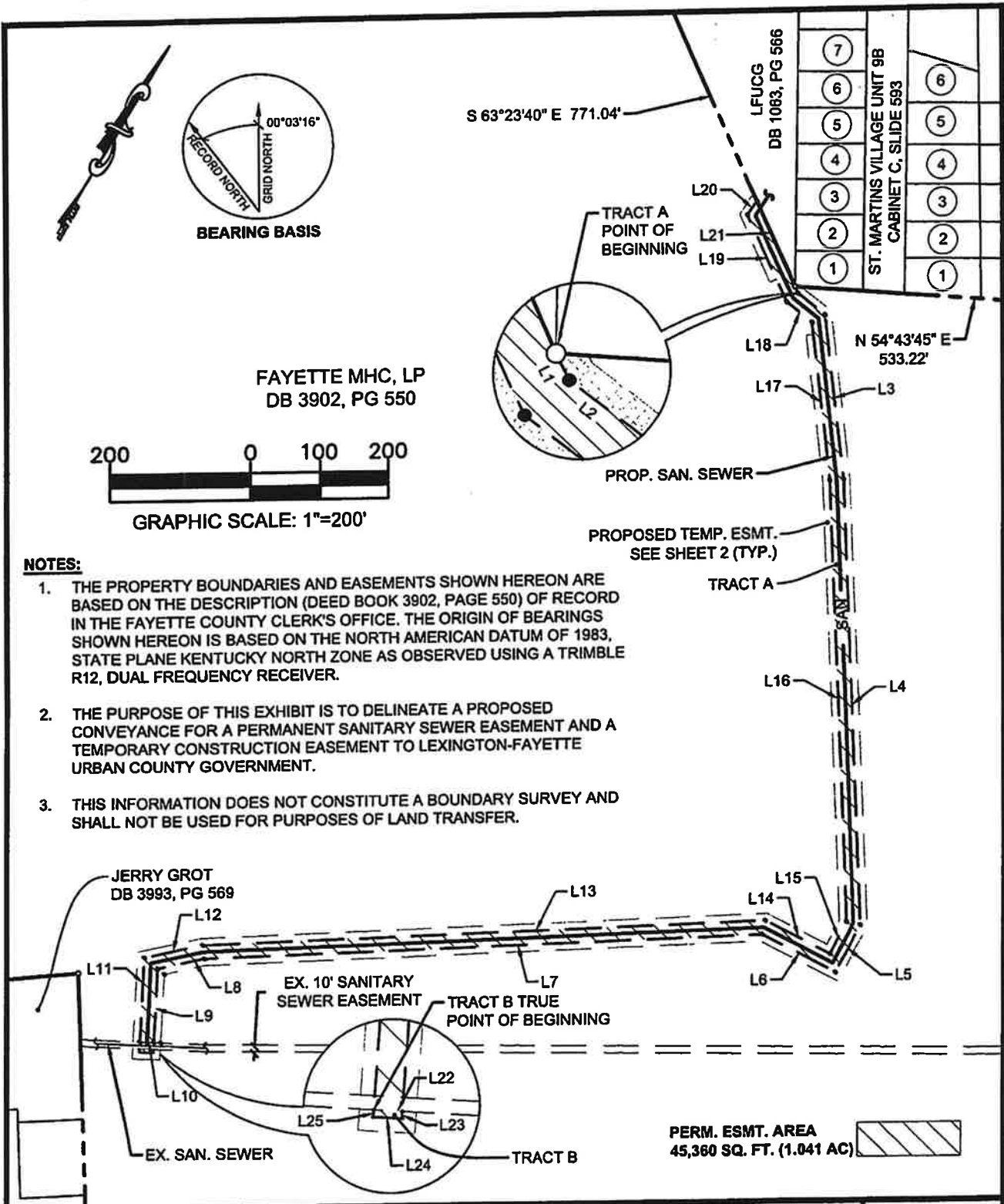


FAYETTE MHC, LP
DB 3902, PG 550



NOTES:

1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE DESCRIPTION (DEED BOOK 3902, PAGE 550) OF RECORD 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 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.



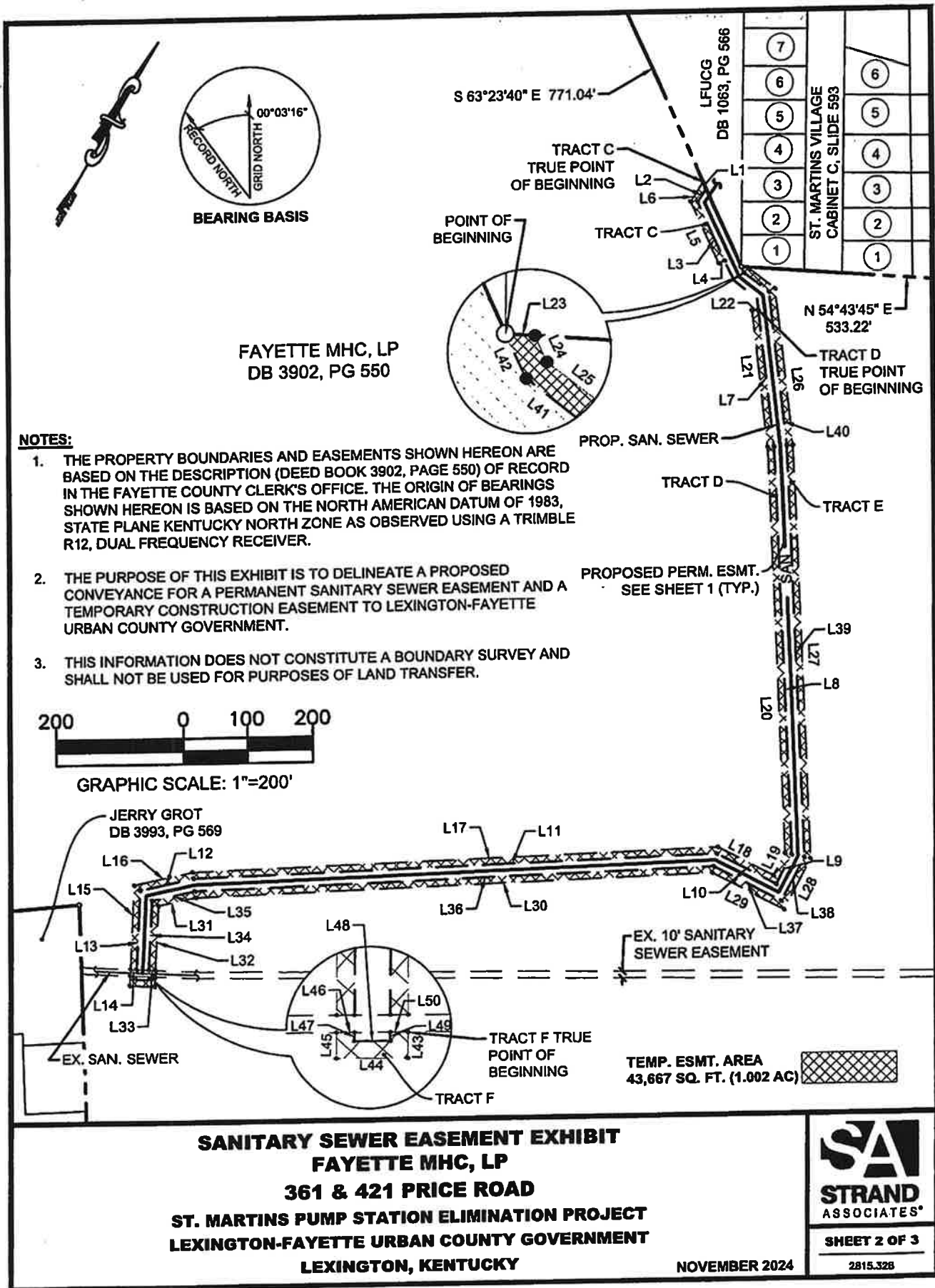
**SANITARY SEWER EASEMENT EXHIBIT
FAYETTE MHC, LP
361 & 421 PRICE ROAD
ST. MARTINS PUMP STATION ELIMINATION PROJECT
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY**

NOVEMBER 2024



SHEET 1 OF 3

2815.328



| PERMANENT EASEMENT LINE TABLE | | |
|-------------------------------|--------|---------------|
| LINE # | LENGTH | BEARING |
| L1 | 10.90 | S 65°04'21" E |
| L2 | 50.21 | N 88°35'27" E |
| L3 | 241.70 | S 46°11'45" E |
| L4 | 649.81 | S 42°08'09" E |
| L5 | 77.50 | S 12°04'26" E |
| L6 | 121.02 | S 77°55'34" W |
| L7 | 809.74 | S 48°14'10" W |
| L8 | 68.10 | S 38°17'45" W |
| L9 | 108.67 | S 37°02'04" E |
| L10 | 20.00 | S 52°57'38" W |
| L11 | 124.11 | N 37°02'04" W |
| L12 | 85.28 | N 38°17'45" E |
| L13 | 816.79 | N 48°14'10" E |
| L14 | 106.32 | N 77°55'34" E |
| L15 | 52.12 | N 12°04'26" W |
| L16 | 643.73 | N 42°08'09" W |
| L17 | 232.67 | N 46°11'45" W |
| L18 | 46.77 | S 88°35'27" W |
| L19 | 139.15 | N 63°55'35" W |
| L20 | 24.83 | N 05°56'50" W |
| L21 | 136.52 | S 63°23'40" E |
| L22 | 20.00 | N 52°57'38" E |
| L23 | 5.00 | S 37°02'04" E |
| L24 | 20.00 | S 52°57'38" W |
| L25 | 5.00 | N 37°02'04" W |

| TEMPORARY EASEMENT LINE TABLE | | |
|-------------------------------|--------|---------------|
| LINE # | LENGTH | BEARING |
| L1 | 11.86 | S 63°23'40" E |
| L2 | 24.83 | S 05°56'50" E |
| L3 | 103.28 | S 63°55'35" E |
| L4 | 10.00 | S 26°04'25" W |
| L5 | 108.82 | N 63°55'35" W |
| L6 | 36.75 | N 05°56'50" W |
| L7 | 215.00 | S 46°11'45" E |
| L8 | 643.73 | S 42°08'09" E |
| L9 | 52.12 | S 12°04'26" E |
| L10 | 106.32 | S 77°55'34" W |
| L11 | 816.79 | S 48°14'10" W |
| L12 | 85.28 | S 38°17'45" W |
| L13 | 124.11 | S 37°02'04" E |
| L14 | 10.00 | S 52°57'38" W |
| L15 | 131.83 | N 37°02'04" W |
| L16 | 93.87 | N 38°17'45" E |
| L17 | 820.31 | N 48°14'10" E |
| L18 | 98.97 | N 77°55'34" E |
| L19 | 39.44 | N 12°04'26" W |
| L20 | 640.69 | N 42°08'09" W |
| L21 | 214.64 | N 46°11'45" W |
| L22 | 10.00 | N 43°48'15" E |
| L23 | 11.64 | N 54°43'45" E |
| L24 | 2.87 | S 63°55'35" E |
| L25 | 51.93 | N 88°35'27" E |
| L26 | 246.22 | S 46°11'45" E |
| L27 | 652.85 | S 42°08'09" E |
| L28 | 90.18 | S 12°04'26" E |
| L29 | 128.37 | S 77°55'34" W |
| L30 | 806.22 | S 48°14'10" W |
| L31 | 59.51 | S 38°17'45" W |
| L32 | 100.95 | S 37°02'04" E |
| L33 | 10.00 | S 52°57'38" W |
| L34 | 108.67 | N 37°02'04" W |

| TEMPORARY EASEMENT LINE TABLE | | |
|-------------------------------|--------|---------------|
| LINE # | LENGTH | BEARING |
| L35 | 68.10 | N 38°17'45" E |
| L36 | 809.74 | N 48°14'10" E |
| L37 | 121.02 | N 77°55'34" E |
| L38 | 77.50 | N 12°04'26" W |
| L39 | 649.81 | N 42°08'09" W |
| L40 | 241.70 | N 46°11'45" W |
| L41 | 50.21 | S 88°35'27" W |
| L42 | 10.90 | N 65°04'21" W |
| L43 | 15.00 | S 37°02'04" E |
| L44 | 40.00 | S 52°57'38" W |
| L45 | 15.00 | N 37°02'04" W |
| L46 | 10.00 | N 52°57'38" E |
| L47 | 5.00 | S 37°02'04" E |
| L48 | 20.00 | N 52°57'38" E |
| L49 | 5.00 | N 37°02'04" W |
| L50 | 10.00 | N 52°57'38" E |

SANITARY SEWER EASEMENT EXHIBIT
FAYETTE MHC, LP
361 & 421 PRICE ROAD
ST. MARTINS PUMP STATION ELIMINATION PROJECT
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY



SHEET 3 OF 3

NOVEMBER 2024

2815.328