

GRANT OF EASEMENT

This **EASEMENT** is made and entered into this 14 day of November, 2013, by and between **2248 DINSMORE, LLC**, a Kentucky limited liability company, 2400 Healy Lane, Lexington, Kentucky 40509 ("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");

WITNESSETH:

That for and in consideration of the sum of **Ten Thousand, Four Hundred Forty Dollars and 00/100 Cents (\$10,440.00)**, 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 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
1169 Mt. Rushmore Way
Century Hills Sanitary Sewer Improvement Project

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

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

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
1169 Mt. Rushmore Way
Century Hills Sanitary Sewer Improvement Project

All temporary construction easements, if any, are described on Exhibit B 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 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.

Grantor does hereby covenant to and with said 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 conveyed herein, and that it 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. 389-2013 passed by the Lexington-Fayette Urban County Council on July 9, 2013. Pursuant to

EXHIBIT A

**PERMANENT SANITARY SEWER EASEMENT
&
20-FOOT TEMPORARY CONSTRUCTION EASEMENT
ON THE PROPERTY OF
2248 DINSMORE, LLC
(A KY LIMITED LIABILITY COMPANY)
DEED BOOK 3038, PAGE 248
LOT 27, BLOCK D, UNIT 2-B CENTURY HILLS SUBDIVISION
PLAT CABINET B, SLIDE 547
1169 MT. RUSHMORE WAY
IN LEXINGTON, FAYETTE COUNTY, KENTUCKY**

All those tracts or parcels of land situated on the westerly side of Mt. Rushmore Way, between its intersection with Baird Court and Pimlico Parkway, in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

Permanent Sanitary Sewer Easement:

Beginning at a point in the common line of Lot 27, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet B, Slide 547) and Lot 26A, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 533), said point being approximately 20 feet northeasterly from the rear common corner of said lots as measured along said common line, and said point being in the westerly line of an existing 12' sanitary sewer and utility easement (Plat Cabinet B, Slide 547); thence along the common line of Lots 27 and 26A, N 77° 48' 49" E 32.33 feet; thence through Lot 27, S 30° 20' 08" E 95.92 feet to a point in the common line of Lot 27 aforesaid and Lot 28, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 330); thence along said common line, S 60° 09' 32" W 20.00 feet; thence again through Lot 27, parallel with and twenty feet southwesterly from the second call cited above, N 30° 20' 08" W 100.40 feet to a point in the easterly line of an existing 12-foot sanitary sewer easement (Plat Cabinet B, Slide 547); thence continuing through Lot 27, along the easterly line of said existing sanitary sewer easement, S 00° 46' 32" E 24.65 feet to a point in the common line of Lot 27 aforesaid and Lot 75, Block B, Unit 1-A of Century Hills Subdivision (Plat Cabinet B, Slide 435); thence along said common line, N 58° 17' 43" W 14.23 feet to a point in the westerly line of the aforesaid existing sanitary sewer easement; thence again through Lot 27, along the westerly line of said existing easement, N 00° 46' 32" W 16.44 feet to the beginning and containing 2,239 square feet.

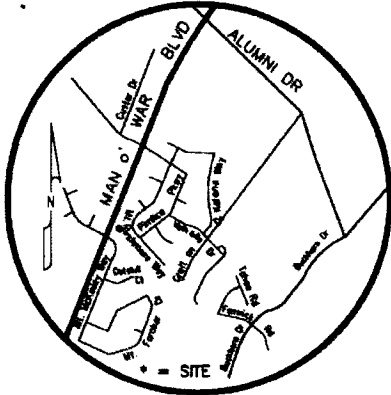
EXHIBIT B

Temporary Construction Easement:

Beginning at the northeasterly corner of the above described permanent sanitary sewer easement, said point being in the common line of Lot 27, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet B, Slide 547) and Lot 26A, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 533); thence along said common line, N 77° 48' 49" E 21.05 feet; thence through Lot 27, parallel with and twenty feet northeasterly from the northeasterly line of the aforesaid permanent easement, S 30° 20' 08" E 89.54 feet to a point in the common line of Lot 27 and Lot 28, Block D, Unit 2-B of Century Hills Subdivision (Plat Cabinet D, Slide 330); thence along said common line, S 60° 09' 32" W 20.00 feet; thence again through Lot 27, along the northeasterly line of the aforesaid permanent sanitary sewer easement, N 30° 20' 08" W 95.92 feet to the beginning and containing 1,855 square feet.

Being a permanent sanitary sewer easement and a twenty-foot wide temporary construction easement on a portion of the same property conveyed to Grantor by deed dated October 14, 2011, and of record in Deed Book 3038, Page 248; being designated as Lot 27, Block D, Unit 2-B of Century Hills Subdivision as per the Final Record Plan recorded in Plat Cabinet B, Slide 547. All of the above referenced instruments are of record in the Fayette County Clerk's office.

EXHIBIT "C"

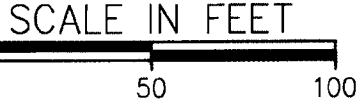


VICINITY MAP
Not To Scale

PROPERTY OWNER'S ADDRESS
2248 DINSMORE, LLC
2400 HEALY LANE
LEXINGTON, KY 40509

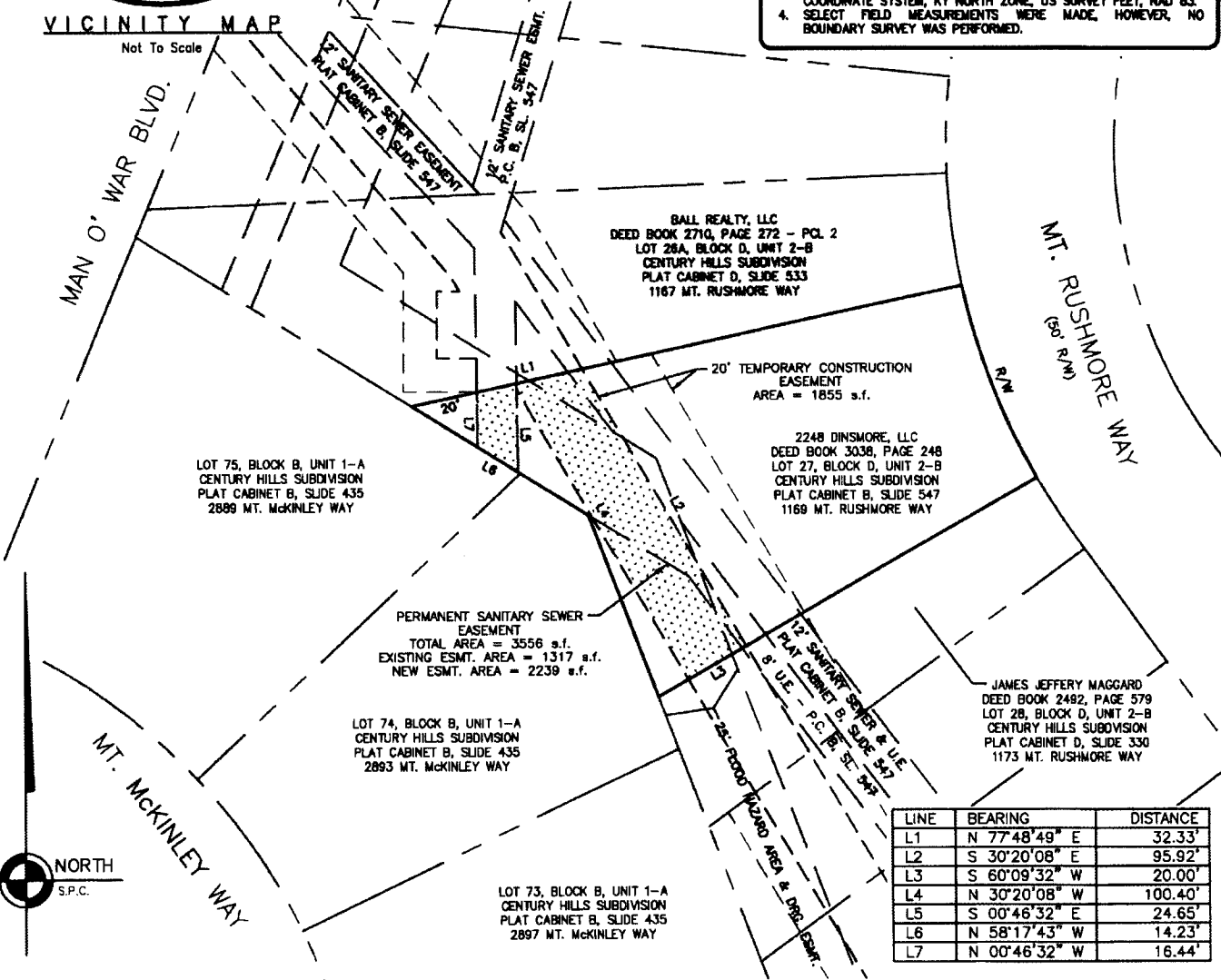
LEGEND

- 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 77°48'49" E	32.33'
L2	S 30°20'08" E	95.92'
L3	S 60°09'32" W	20.00'
L4	N 30°20'08" W	100.40'
L5	S 00°46'32" E	24.65'
L6	N 58°17'43" W	14.23'
L7	N 00°46'32" W	16.44'



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 DATE
 CDP ENGINEERS, INC.
 3250 BLAZER PKWY
 LEXINGTON, KY 40509



SANITARY SEWER EASEMENT PLAT
 2248 DINSMORE, LLC
 (A KY LIMITED LIABILITY COMPANY)
 PROPERTY
 1169 MT. RUSHMORE WAY
 LEXINGTON, FAYETTE COUNTY, KENTUCKY

cdpengineers
 3250 Blazer Parkway
 Lexington KY 40509
 T 859.264.7500 F 859.264.7501

SCALE: 1" = 50' DATE: AUGUST 7, 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

201401290045

January 29, 2014 10:01:56 AM

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

453 - 459