

**GRANT OF EASEMENT**

This **EASEMENT** is made and entered into this 13<sup>TH</sup> day of OCTOBER, 2013, by and between **RELA ENTERPRISES, LLC, a Kentucky limited liability company** 1618 Harrodsburg Road, Lexington, Kentucky 40504 ("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 **Six Thousand Two Hundred Forty-Eight and 00/100 Cents (\$6,248.00)**, 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**  
**1618 Harrodsburg Road**  
**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

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**  
**1618 Harrodsburg Road**  
**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. <sup>391-13 SP</sup>~~721-13~~ passed by the Lexington-Fayette Urban County Council on July 9, 2013. 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 parties have signed this Easement, the day and year first above written.

GRANTOR:

RELA ENTERPRISES, LLC, a Kentucky limited liability company

BY: Richard Scalf

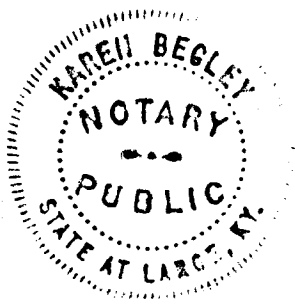
ITS: Sole member

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

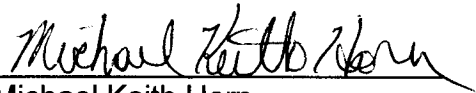
The foregoing Easement was subscribed, sworn to and acknowledged before me by Richard Scalf, as owner of RELA ENTERPRISES, LLC, a Kentucky limited liability company, on this the 16<sup>th</sup> day of October, 2013.

My commission expires: 10.13.14

Karen Begley  
Notary Public, State At-Large, Kentucky



PREPARED BY:



Michael Keith Horn

Managing Attorney

Lexington-Fayette Urban County Government

Department of Law

200 East Main Street, 11<sup>th</sup> Floor

Lexington, Kentucky 40507

(859) 258-3500

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## EXHIBIT A

Permanent Sanitary Sewer Easement  
1618 Harrodsburg Road  
Lexington, Fayette County, Kentucky

All that tract of land on the south side of Harrodsburg Road and west of Bob-O-Link Drive in Lexington, Fayette County, Kentucky and being more fully described as follows:

Easement Area 1:

BEGINNING at a point on the right-of-way of Harrodsburg Road and being the front corner of Lot 3 and Lot 4 of South Grove Subdivision; thence with the right-of-way of Harrodsburg Road, N 53°42'47" E a distance of 8.43' to a point; thence leaving said right-of-way, S 31°17'47" E a distance of 103.45' to a point in the line of Lot 3 and Lot 4; thence with said line, N 35°58'09" W a distance of 103.06' to the point of BEGINNING.

Easement Area 2:

BEGINNING at a point in the line of Lot 3 and Lot 4 of South Grove Subdivision, said point being 80.66' from the rear corner of said lots; thence through the parent tract for two calls:

1) S 69°18'35" E a distance of 65.49';  
2) N 53°41'47" E a distance of 24.00' to a point in the line of Lot 2 of South Grove Subdivision, said point being near a garage on Lot 3; thence with the line of Lot 2, S 35°58'09" E a distance of 17.98' to a point; thence leaving Lot 2 and through the parent tract for two calls:

1) S 50°49'44" W a distance of 35.14';  
2) N 69°12'25" W a distance of 45.46' to a point in the line of Lot 4; thence with the line of Lot 4, N 35°58'09" W a distance of 36.50' to the point of BEGINNING.

Easement Area 1 having an area of 435 square feet, Easement Area 2 having an area of 1,666 square feet, for a total of 2,101 square feet, of which 493 square feet of said easement previously conveyed in Deed Book 898 Page 157, leaving 1,608 square feet of new easement area.

Being a part of the property conveyed to Rela Enterprises, LLC of record in Deed Book 2724 Page 509 in the Fayette County Clerk's Office, Fayette County, Kentucky.

**EXHIBIT B**

TEMPORARY CONSTRUCTION EASEMENTS

TRACT 1:

All that tract of land adjacent to and north of the permanent sanitary sewer easement described above and being more fully described as follows:

BEGINNING at a point, said point lies S 35°58'09" E, 101.45' from the front corner of Lot 3 and Lot 4 of South Grove Subdivision; thence N 31°45'55" W a distance of 4.39'; thence N 56°55'47" E a distance of 15.18'; thence S 31°17'47" E a distance of 15.81'; thence S 69°27'24" E a distance of 39.30'; thence S 36°13'03" E a distance of 27.64'; thence N 69°18'35" W a distance of 65.49'; thence N 35°58'09" W a distance of 17.86' to the point of BEGINNING having an area of 1,068 square feet.


TRACT 2:

All that tract of land adjacent to and south of the permanent sanitary sewer easement described above and being more fully described as follows:

BEGINNING at a point, said point lies S 35°58'09" E, 155.80' from the front corner of Lot 3 and Lot 4 of South Grove Subdivision; thence S 69°12'25" E a distance of 45.46'; thence N 50°49'44" E a distance of 35.14'; thence S 35°58'09" E a distance of 1.81'; thence S 53°39'29" W a distance of 53.02'; thence N 69°08'06" W a distance of 12.77'; thence N 35°58'09" W a distance of 27.52' to the point of BEGINNING having an area of 473 square feet.

Being a part of the property conveyed to Rela Enterprises, LLC of record in Deed Book 2724 Page 509 in the Fayette County Clerk's Office, Fayette County, 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.

  
\_\_\_\_\_

By: DOUG BRADLEY ,dc

201311070180

November 7, 2013                      13:14:46    PM

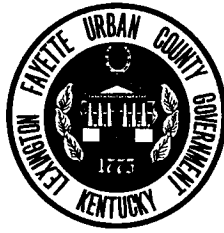
Fees	\$26.00	Tax	\$ .00
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Total Paid	\$26.00
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7 Pages

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Lexington-Fayette Urban County Government  
DEPARTMENT OF LAW

Jim Gray  
Mayor

Janet M. Graham  
Commissioner

To: Meredith Nelson, Council Clerk  
Council Clerk's Office

From: Department of Law

Date: November 19, 2013

Re: Easements and Asset Acquisition Forms  
(500, 586, 366, 345 372, 370, 364, 380, 362, 374, and 368 Bob-O-Link Drive;  
1451, 1608, 1604, 1610, 1618, 1600, and 1614-1616 Harrodsburg Road;  
431, and 427 Springhill Drive; and 420 Lafayette Parkway)  
Log No. 13-RE0190

Enclosed are the original recorded easements conveying permanent easements across the above-referenced properties to the Urban County Government for the Bob-O-Link Sanitary Sewer Improvement Project. Please file the easements with the authorizing legislation, Resolution No. ~~721-2013~~.

391 - 2013 SP

Also enclosed are the completed Asset Acquisition forms for the properties. After you have signed and dated the form, please forward them to Kim Bryan in the Department of Finance.

If you have any questions, please let me know.

Keith Horn  
Managing Attorney

Enclosures

cc: Kim Bryan, Department of Finance  
Beth Florence, Department of Finance

VariousProperties(Memo to Nelson)/00416306