



### DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 14<sup>th</sup> day of June, 2024, by and between **HONEYCUTT REALTY, LLC, a Kentucky limited liability company**, 2468 Rockminster Road, Lexington, Kentucky 40509, 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 **ONE THOUSAND FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$1,500.00)**, 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,

Return to:  
Cynthia Cannon-Ferguson  
LFUCG, Dept. of Law, 11<sup>th</sup> Floor  
200 East Main Street  
Lexington, KY 40507

construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements 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 the attached Exhibit "A", and more particularly described as follows, to wit:

**Permanent Sanitary Sewer Easement**  
**Floyd Drive Trunk**  
**Sewer Improvement Project**  
**(a portion of 1151 Floyd Drive)**

A certain parcel of land near Floyd Drive, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

**COMMENCING**, at the southwest corner of Honeycutt Realty, LLC, Lot 37, of record at Plat Cabinet C, Slide 615, of the Fayette County Clerk's records, as conveyed to Honeycutt Realty, LLC in Deed Book 2708, Page 67 and in the line of Floyd Drive; thence with the line of said Lot 37, for one (1) call:

1. N 28°53'19" W, a distance of 346.40 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Lot 37, for one (1) call:
  
1. N 28°53'19" W, a distance of 5.00 feet; thence with a new easement line for three (3) calls:
  1. N 61°45'40" E, a distance of 75.76 feet;
  2. S 28°53'19" E, a distance of 5.00 feet;
  3. S 61°45'40" W, distance of 75.76 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 378.81 square feet of permanent easement; and,

Tract A, being a portion of the property conveyed to Honeycutt Realty, LLC, a Kentucky limited liability company, by Deed dated February 23, 2007, of record in Deed Book 2708, Page 67, 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**  
**Floyd Drive Trunk**  
**Sewer Improvement Project**  
**(a portion of 1151 Floyd Drive)**

Tract A

A certain parcel of land near Floyd Drive, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

**COMMENCING**, at the southwest corner of Honeycutt Realty, LLC, Lot 37, of record at Plat Cabinet C, Slide 615, of the Fayette County Clerk's records, as conveyed to Honeycutt Realty, LLC in Deed Book 2708, Page 67 and in the line of Floyd drive; thence with the line of said Lot 37, for one (1) call:

1. N 28°53'19" W, a distance of 351.40 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Lot 37, for one (1) call:
1. N 28°53'19" W, a distance of 10.00 feet; thence with a new easement line for three (3) calls:
1. N 61°45'40" E, a distance of 75.76 feet;
2. S 28°53'19" E, a distance of 10.00 feet;
3. S 61°45'40" W, a distance of 75.76 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 757.62 square feet of temporary construction easement; and,

Tract B

A certain parcel of land near Floyd Drive, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

**COMMENCING**, at the southwest corner of Honeycutt Realty, LLC, Lot 37, of record at Plat Cabinet C, Slide 615, of the Fayette County Clerk's records, as conveyed to Honeycutt Realty, LLC in Deed Book 2708, Page 67 and in the line of Floyd Drive; thence with the line of said Lot 37, for one (1) call:

1. N 28°53'19" W, a distance of 331.39 feet; thence leaving the line of said Lot 37 and through the lands of Honeycutt Realty, LLC, for one (1) call:
  1. N 61°45'40" E, a distance of 50.42 feet to the true point of beginning; thence with a new easement line for four (4) calls:
    1. N 61°45'40" E, a distance of 25.34 feet;
    2. S 28°53'19" E, a distance of 10.00 feet;
    3. S 61°45'40" W, a distance of 25.27 feet;
    4. N 29°17'57" W, a distance of 10.00 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 253.06 square feet of temporary construction easement; and,

Tract C

A certain parcel of land near Floyd Drive, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

**COMMENCING**, at the southwest corner of Honeycutt Realty, LLC, Lot 37, of record at Plat Cabinet C, Slide 615, of the Fayette County Clerk's records, as conveyed to Honeycutt Realty, LLC in Deed Book 2708, Page 67 and in the line of Floyd Drive; thence with the line of said Lot 37, for one (1) call:

1. N 28°53'19" W, a distance of 321.39 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Lot 37, for one (1) call:
  1. N 28°53'19" W, a distance of 10.00 feet; thence with a new easement line for three (3) calls:
    1. N 61°45'40" E, a distance of 0.43 feet;
    2. S 29°08'25" E, a distance of 10.00 feet;
    3. S 61°45'40" W, a distance of 0.47 feet to the **POINT OF BEGINNING**; and,

the above-described parcel contains 4.52 square feet of temporary construction easement; and,

Tracts A, B and C, being a portion of the property conveyed to Honeycutt Realty, LLC, a Kentucky limited liability company, by Deed dated February 23, 2007, of record in Deed Book 2708, Page 67, 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.

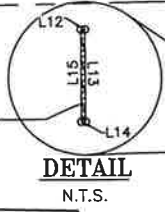
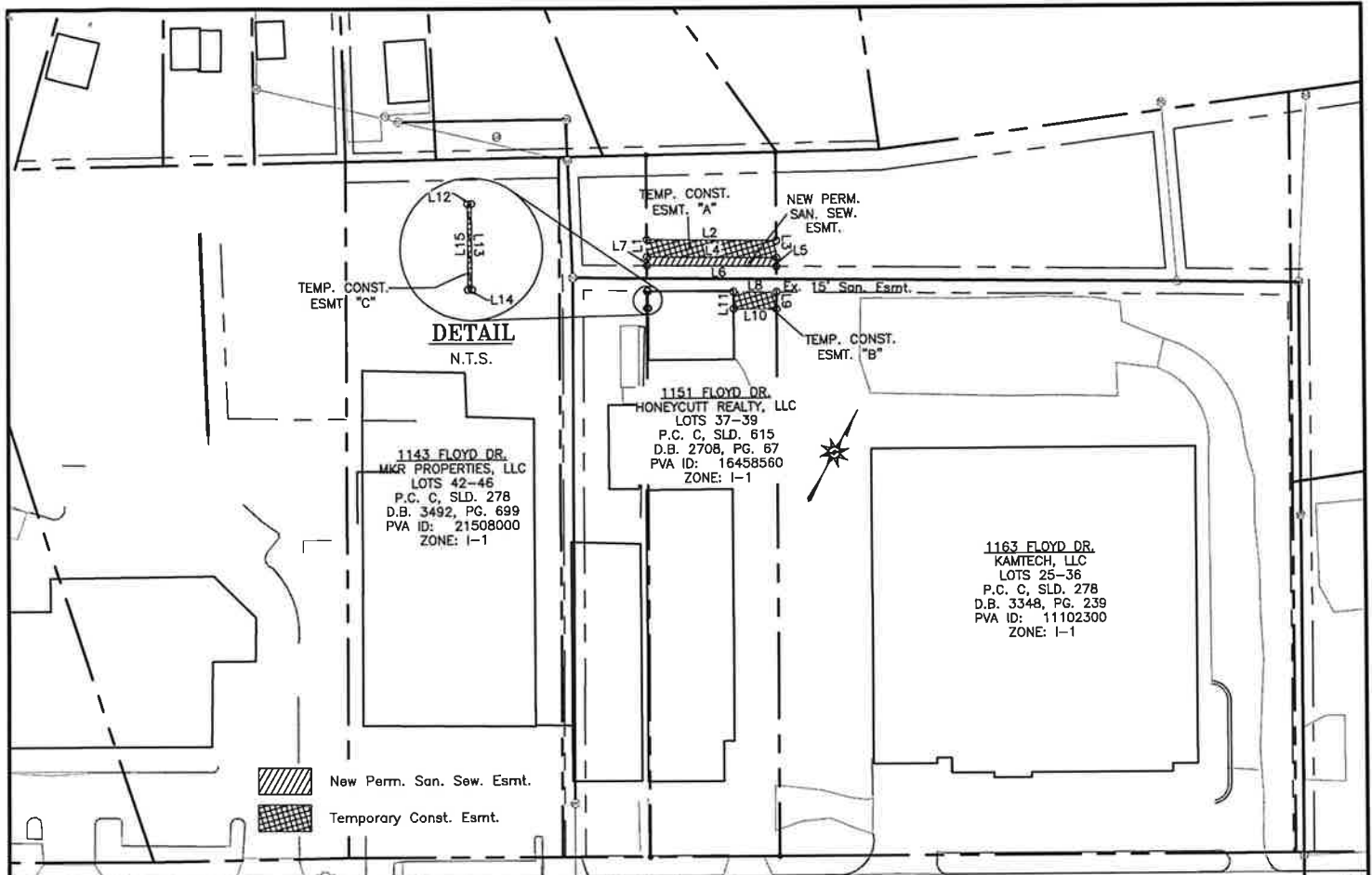
Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of its right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and do hereby covenant to and with the Grantee, its successors 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 GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 629-2023, passed by the Lexington-Fayette Urban County Council on December 5, 2023. 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]





New Perm. San. Sew. Esmt.  
 Temporary Const. Esmt.

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 28°53'19" W	10.00'
L2	N 61°45'40" E	75.76'
L3	S 28°53'19" E	10.00'
L4	S 61°45'40" W	75.76'
L5	S 28°53'19" E	5.00'
L6	S 61°45'40" W	75.76'
L7	N 28°53'19" W	5.00'
L8	N 61°45'40" E	25.34'
L9	S 28°53'19" E	10.00'
L10	S 61°45'40" W	25.27'
L11	N 29°17'57" W	10.00'
L12	N 61°45'40" E	0.43'
L13	S 29°08'25" E	10.00'
L14	S 61°45'40" W	0.47'
L15	N 28°53'19" W	10.00'



**NOTES:**

- SOURCE OF TITLE: HONEYCUTT REALTY, LLC, DEED BOOK 2708, PAGE 67.
- THE BASIS OF BEARINGS ARE KENTUCKY STATE PLANE GRID NORTH ZONE (NAD 83), U.S. SURVEY FEET.

**AREAS:**

NEW PERMANENT EASEMENT: 378.81 S.F.  
 EX. PERM. EASEMENT TO BE RETAINED: 1136.44 S.F.  
 TOTAL PERMANENT EASEMENTS: 1515.25 S.F.  
 TOTAL NEW PERMANENT EASEMENTS: 378.81 S.F.  
 TEMP. CONSTRUCTION EASEMENT "A": 757.62 S.F.  
 TEMP. CONSTRUCTION EASEMENT "B": 253.06 S.F.  
 TEMP. CONSTRUCTION EASEMENT "C": 4.52 S.F.  
 TOTAL CONSTRUCTION EASEMENTS: 1015.20 S.F.

**VISION ENGINEERING**  
 Environmental, Civil Engineering Consultants, Land Surveying  
 128 E. Reynolds Rd, Suite 150, Lexington, KY 40517  
 Ph. (859) 559-0516 - Fax: (859) 523-0095  
 www.visionenr.com

**OWNER:**  
 HONEYCUTT REALTY, LLC  
 2468 ROCKMINSTER ROAD  
 LEXINGTON, KY 40509

GRAPHIC SCALE  
  
 SCALE: 1" = 100'

**FLOYD DRIVE TRUNK SEWER  
 IMPROVEMENTS**  
**EXHIBIT SHOWING SANITARY SEWER  
 EASEMENT TO BE ACQUIRED FROM  
 HONEYCUTT REALTY, LLC**  
 1151 FLOYD DRIVE  
 LEXINGTON, KENTUCKY 40505  
 12/19/2023  
 SHEET 1 OF 1