



DEED OF EASEMENT

This **PERMANENT STORM SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 9th day of February, 2024, by and between **KELLY LYNN VANCE**, a single person, 569 Freeman Drive, Lexington, Kentucky 40505, 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 **FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$500.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantor has **BARGAINED** and **SOLD** and do 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 storm sewer improvements and construction, installation, repair, maintenance and relocation through and across the following tract of

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

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 Storm Sewer Easement
Joyland Area
Storm Drainage Improvement Project, Phase II
(a portion of 569 Freeman Drive)

All that tract or parcel of land situated on the north side of Freeman Drive, approximately 655' northwesterly of the intersection of Freeman Drive and Irene Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a point on the existing the existing northerly right-of-way of Freeman Drive, common corner to 571 Freeman Drive, thence with the common line of 571 Freeman Drive, N 47°11'42" E – 150.00 feet to a point in the northerly property line of 569 Freeman Drive; thence with the northerly property line of 569 Freeman Drive, S 42°48'18" E – 7.50 feet to a point; thence leaving the northerly property line and traversing through the lands of 569 Freeman Drive, S 47°11'42" W – 150.00 feet to a point on the existing northerly right-of-way of Freeman Drive; thence with the existing northerly right-of-way of Freeman Drive, N 42°48'18" W – 7.50 feet the **POINT OF BEGINNING**; and,

The above-described parcel contains 1,125.0 sq. ft. of permanent easement; and

Being a portion of the property conveyed to Kelly Lynn Vance, a single person, by Deed dated November 19, 2021, of record in Deed Book 3899, Page 284, 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 storm 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
Joyland Area
Storm Drainage Improvement Project, Phase II
(a portion of 569 Freeman Drive)

All that tract or parcel of land situated on the north side of Freeman Drive, approximately 655' northwesterly of the intersection of Freeman Drive and Irene Drive in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

BEGINNING, at a point on the northerly property line of 569 Freeman Drive, common corner to the above described permanent storm sewer easement; thence with the northerly property line of 569 Freeman Drive, S 42°48'18" E – 8.00 feet to a point, thence leaving the northerly property line of 569 Freeman Drive and traversing through the lands of 569 Freeman Drive, S 47°11'42" W – 104.46 feet to a point; thence N 74°07'57" W – 9.37 feet to a point on the common line of the above described permanent storm sewer easement; thence with the common line of said permanent storm sewer easement, N 47°11'42" E – 109.33 feet to the **POINT OF BEGINNING**; and,

The above described parcel contains 855.2 sq. ft. of temporary construction easement; and

Being a portion of the property conveyed to Kelly Lynn Vance, a single person, by Deed dated November 19, 2021, of record in Deed Book 3899, Page 284, 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 storm 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 the 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 his 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 he is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that he will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 358-2023, passed by the Lexington-Fayette Urban County Council on June 29, 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.

GRANTOR:

Kelly Lynn Vance

 KELLY LYNN VANCE

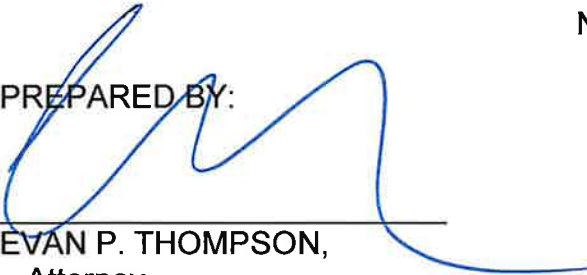
COMMONWEALTH OF KENTUCKY)
)
 COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Kelly Lynn Vance, a single person, on this the 9TH day of FEBRUARY, 2024.

Michael Louis Clayborne

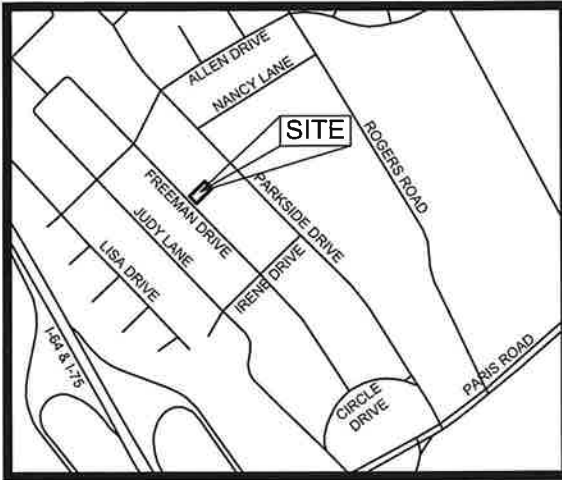
 Notary Public, Kentucky, State-at-Large

My Commission Expires: 5 / 10 / 2025
 Notary ID # 1KYNP27704

PREPARED BY:


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





VICINITY MAP

SCALE: 1"=1000'

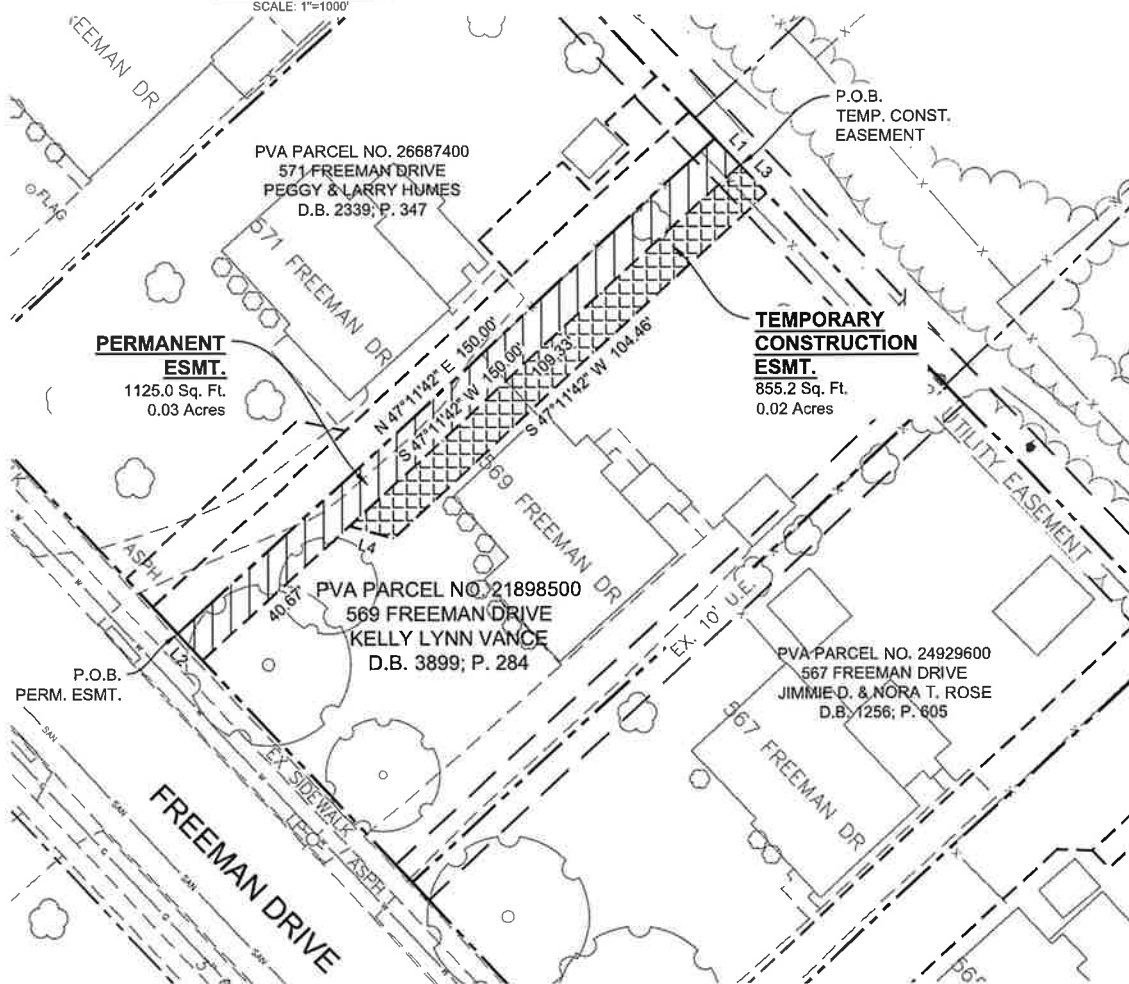


JASON D. BANKS, PLS
 1211 JESSAMINE STATION | NICHOLASVILLE, KY
 859.881.0020 | BANKSENGINEERING.NET



NOTES

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY NORTH STATE PLANE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY.
2. SELECT FIELD MEASUREMENTS WERE MADE, HOWEVER, NO BOUNDARY SURVEY WAS PERFORMED.
3. THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE FULL EXTERIOR BOUNDARIES OF THE PROPERTIES SHOWN AND DEPICTED HEREON.



PERMANENT ESMT.
 1125.0 Sq. Ft.
 0.03 Acres


TEMPORARY CONSTRUCTION ESMT.
 855.2 Sq. Ft.
 0.02 Acres

PVA PARCEL NO. 26687400
 571 FREEMAN DRIVE
 PEGGY & LARRY HUMES
 D.B. 2339; P. 347

PVA PARCEL NO. 21898500
 569 FREEMAN DRIVE
 KELLY LYNN VANCE
 D.B. 3899; P. 284

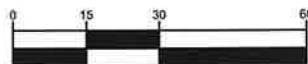
PVA PARCEL NO. 24929600
 567 FREEMAN DRIVE
 JIMMIE D. & NORA T. ROSE
 D.B. 1256; P. 605

 NEW PERM. ESMT.

 TEMP. CONST. ESMT.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 42°48'18" E	7.50'
L2	N 42°48'18" W	7.50'
L3	S 42°48'18" E	8.00'
L4	N 74°07'57" W	9.37'

GRAPHIC SCALE



1 inch = 30 feet

EXHIBIT "A"
 STORM SEWER EASEMENT
 Lexington-Fayette Urban
 County Government
 THROUGH THE PROPERTY OF
KELLY LYNN VANCE

PARCEL 21898500
 D.B. 3899; P. 284
 569 Freeman Drive
 Lexington, Kentucky