

FAYETTE CO, KY FEE \$56.00

SUSAN LAMB  
COUNTY CLERK

PRESENTED/LODGED: 11/08/2023 08:50:58 AM

HALLIE WOOSLEY, DEPUTY CLERK 202311080035

BK: DB 4045  
PG: 111-117



**DEED OF EASEMENT**

This **PERMANENT STORM SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 6TH day of NOVEMBER, 2023, by and between **EDDA A. ESTES, a single person**, 815 Hutchinson Road, Paris, Kentucky 40361, 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,

Return to:  
Cynthia Cannon-Ferguson  
LFUCG, Dept. of Law, 11<sup>th</sup> 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 Storm Sewer Easement**  
**Joyland Area**  
**Storm Drainage Improvement Project, Phase II**  
**(a portion of 601 Freeman Drive)**

All that tract or parcel of land situated on the north side of Freeman Drive, and adjacent to the westerly right-of-way of Allen Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

**BEGINNING**, at a point on the existing westerly right-of-way of Allen Drive, said point being the northeasterly corner of subject property, thence with the westerly right-of-way of Allen Drive, S 27°11'37" W – 6.39 feet to a point; thence leaving the westerly right-of-way of Allen Drive and traversing through the lands of subject property, N 42°48'18" W – 32.18 feet to a point; thence N 47°11'42" E – 6.00 feet to a point on the northerly line of subject property; thence with the northerly line of subject property, S 42°48'18" E – 30.00 feet to the **POINT OF BEGINNING**; and,

The above-described parcel contains (186.6 sq. ft.) of permanent easement; and

Being a portion of the property conveyed to Jim G. Estes (a/k/a Jimmy G. Estes) and Edda A. Estes, husband and wife, by Deed dated March 4, 2011, of record in Deed Book 2995, Page 329, in the Fayette County Clerk's Office. Said Jim G. Estes (a/k/a Jimmy G. Estes) died testate a resident of Lexington, Fayette County, Kentucky on July 9, 2016, by the terms of said Will recorded in Will Book 349, Page 152, in the Fayette County Clerk's Office, said property vests to his wife, Edda A. Estes, by right-of-survivorship in the aforementioned deed.

**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 601 Freeman Drive)**

All that tract or parcel of land situated on the north side of Freeman Drive, and adjacent to the westerly right-of-way of Allen Drive in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

**BEGINNING**, at a point on the westerly right-of-way of Allen Drive, common corner to the above-described permanent storm sewer easement; thence with westerly right-of-way of Allen Drive, S 27°11'37" W – 8.51 feet to a point; thence leaving the westerly right-of-way line the common line of Allen Drive and traversing through the lands of subject property, N 42°48'18" W – 28.94 feet to a point; thence N 46°09'47" E – 6.00 feet to a point; thence N 42°48'18" W – 6.05 feet to a point; thence N 47°11'42" E – 2.00 feet to a point; common corner to the above-described permanent storm sewer easement; thence with the above-described permanent storm sewer easement, S 42°48'18" E – 32.18 feet to the **POINT OF BEGINNING**; and,

The above described parcel contains 0.01 Acres (232.5 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Jim G. Estes (a/k/a Jimmy G. Estes) and Edda A. Estes, husband and wife, by Deed dated March 4, 2011, of record in Deed Book 2995, Page 329, in the Fayette County Clerk's Office. Said Jim G. Estes (a/k/a Jimmy G. Estes) died testate a resident of Lexington, Fayette County, Kentucky on July 9, 2016, by the terms of said Will recorded in Will Book 349, Page 152,

in the Fayette County Clerk's Office, said property vests to his wife, Edda A. Estes, by right-of-survivorship in the aforementioned deed.

**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



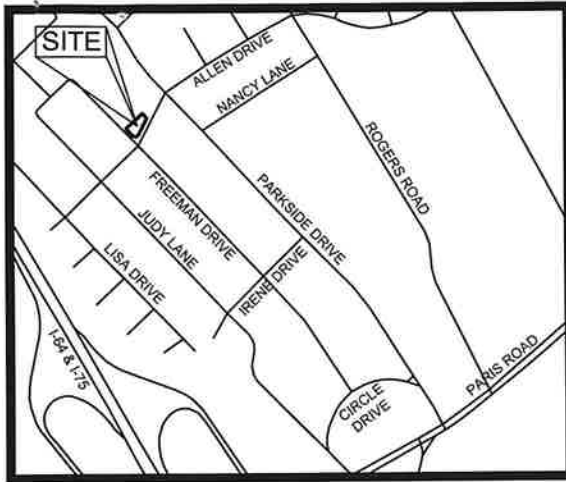
PREPARED BY:



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

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VICINITY MAP



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.

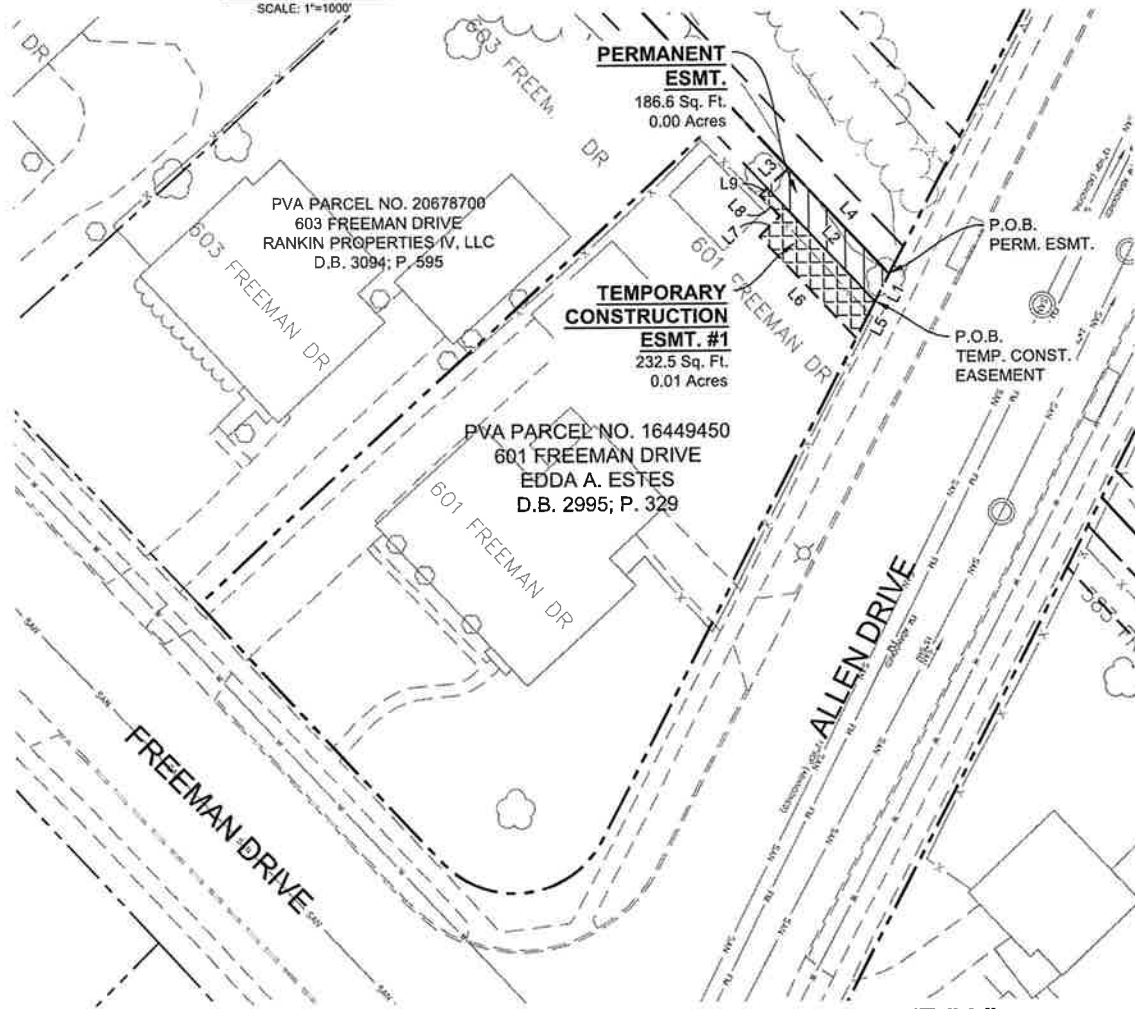


EXHIBIT "A"

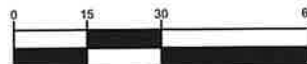
STORM SEWER EASEMENT  
 Lexington-Fayette Urban  
 County Government  
 THROUGH THE PROPERTY OF

**Edda A. Estes**  
 PARCEL 16449450  
 D.B. 2995; P. 329  
 601 Freeman Drive  
 Lexington, Kentucky

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 27°11'37" W	6.39'
L2	N 42°48'18" W	32.18'
L3	N 47°11'42" E	6.00'
L4	S 42°48'18" E	30.00'
L5	S 27°11'37" W	8.51'
L6	N 42°48'18" W	28.94'
L7	N 46°09'47" E	6.00'
L8	N 42°48'18" W	6.05'
L9	N 47°11'42" E	2.00'

- NEW PERM. ESMT.
- TEMP. CONST. ESMT.

GRAPHIC SCALE



1 inch = 30 feet