

GRANT OF EASEMENT

This **EASEMENT** is made and entered into this 7th day of NOVEMBER, 2013, by and between **SUN VALLEY PROPERTIES, LLC**, a Kentucky limited liability company, 300 East Main Street, Suite 220, Lexington, Kentucky 40507 ("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");

W I T N E S S E T H:

That for and in consideration of the sum of **Eight Thousand, Nine Hundred Ninety-Five Dollars and 20/100 Cents (\$8,995.20)**, 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
1237 Fenwick Road
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
1237 Fenwick Road
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

20-FOOT PERMANENT SANITARY SEWER EASEMENT
&
10-FOOT TEMPORARY CONSTRUCTION EASEMENTS
ON THE PROPERTY OF
SUN VALLEY PROPERTIES, LLC
(A KY LIMITED LIABILITY COMPANY)
DEED BOOK 2192, PAGE 416
LOT 8, BLOCK I, UNIT 4-B CENTURY HILLS SUBDIVISION
PLAT CABINET D, SLIDE 151
1237 FENWICK ROAD
IN LEXINGTON, FAYETTE COUNTY, KENTUCKY

All those tracts or parcels of land situated on the southwesterly side of Fenwick Road, between Buckhorn Drive and Tahoe Road, 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 Lots 8 and 9, Block I, Unit 4-B of Century Hills Subdivision (Plat Cabinet D, Slide 151), said point being approximately 45.1 feet northeasterly from the rear common corner of said lots as measured along the common line; thence along the common line of said Lot 8 and Lot 9, N 33° 41' 58" E 20.53 feet; thence through Lot 8, S 69° 20' 31" E 89.79 feet to a point in the common line of Lot 8 aforesaid and Lot 7, Block I, Unit 4-B of Century Hills Subdivision (Plat Cabinet D, Slide 151); thence along said common line, S 11° 39' 46" W 20.25 feet; thence again through Lot 8, parallel with and twenty feet southwesterly from the second call cited above, N 69° 20' 31" W 97.58 feet to the beginning and containing 1874 square feet.

EXHIBIT B

Temporary Construction Easement - Tract 1:

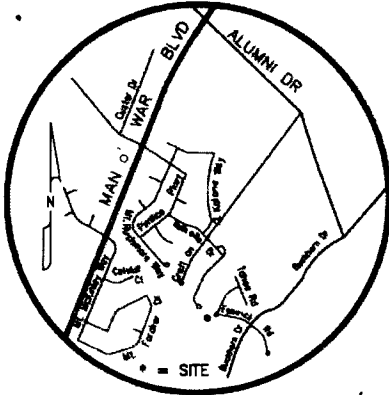
Beginning at a corner of the above described permanent sanitary sewer easement, said point being in the common line of Lots 8 and 9, Block I, Unit 4-B of Century Hills Subdivision (Plat Cabinet D, Slide 151); thence along said common line, N 33° 41' 58" E 10.26 feet; thence through Lot 8, parallel with and ten feet northeasterly from the northeasterly line of the above described permanent sanitary sewer easement, S 69° 20' 31" E 85.89 feet to a point in the common line of Lot 8 aforesaid and Lot 7, Block I, Unit 4-B of Century Hills Subdivision (Plat Cabinet D, Slide 151); thence along said common line, S 11° 39' 46" W 10.12 feet; thence again through Lot 8, along the northeasterly line of the above described permanent sanitary sewer easement, N 69° 20' 31" W 89.79 feet to the beginning and containing 878.5 square feet.

Temporary Construction Easement - Tract 2:

Beginning at a corner of the above described permanent sanitary sewer easement, said point being in the common line of Lots 8 and 9, Block I, Unit 4-B of Century Hills Subdivision (Plat Cabinet D, Slide 151); thence through Lot 8, along the southwesterly line of the above described permanent sanitary sewer easement, S 69° 20' 31" E 97.58 feet to a point in the common line of Lot 8 aforesaid and Lot 7, Block I, Unit 4-B of Century Hills Subdivision (Plat Cabinet D, Slide 151); thence along said common line, S 11° 39' 46" W 10.12 feet; thence again through Lot 8, parallel with and ten feet southwesterly from the southwesterly line of the above described permanent sanitary sewer easement, N 69° 20' 31" W 101.48 feet to a point in the common line of Lots 8 and 9 aforesaid; thence along said common line, N 33° 41' 58" E 10.26 feet to the beginning and containing 995.5 square feet.

Being a twenty-foot wide permanent sanitary sewer easement and ten-foot wide temporary construction easements on a portion of the same property conveyed to Grantor, by deed dated April 2, 2001, and recorded in Deed Book 2192, Page 416; being designated as Lot 8, Block I, Unit 4-B of Century Hills Subdivision as per the Final Record Plan recorded in Plat Cabinet D, Slide 151. All of the above referenced instruments are of record in the Fayette County Clerk's office.

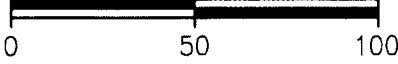
EXHIBIT "C"



VICINITY MAP
Not To Scale

PROPERTY OWNER'S ADDRESS
SUN VALLEY PROPERTIES, LLC
PO BOX 55051
LEXINGTON, KY 40555

SCALE IN FEET

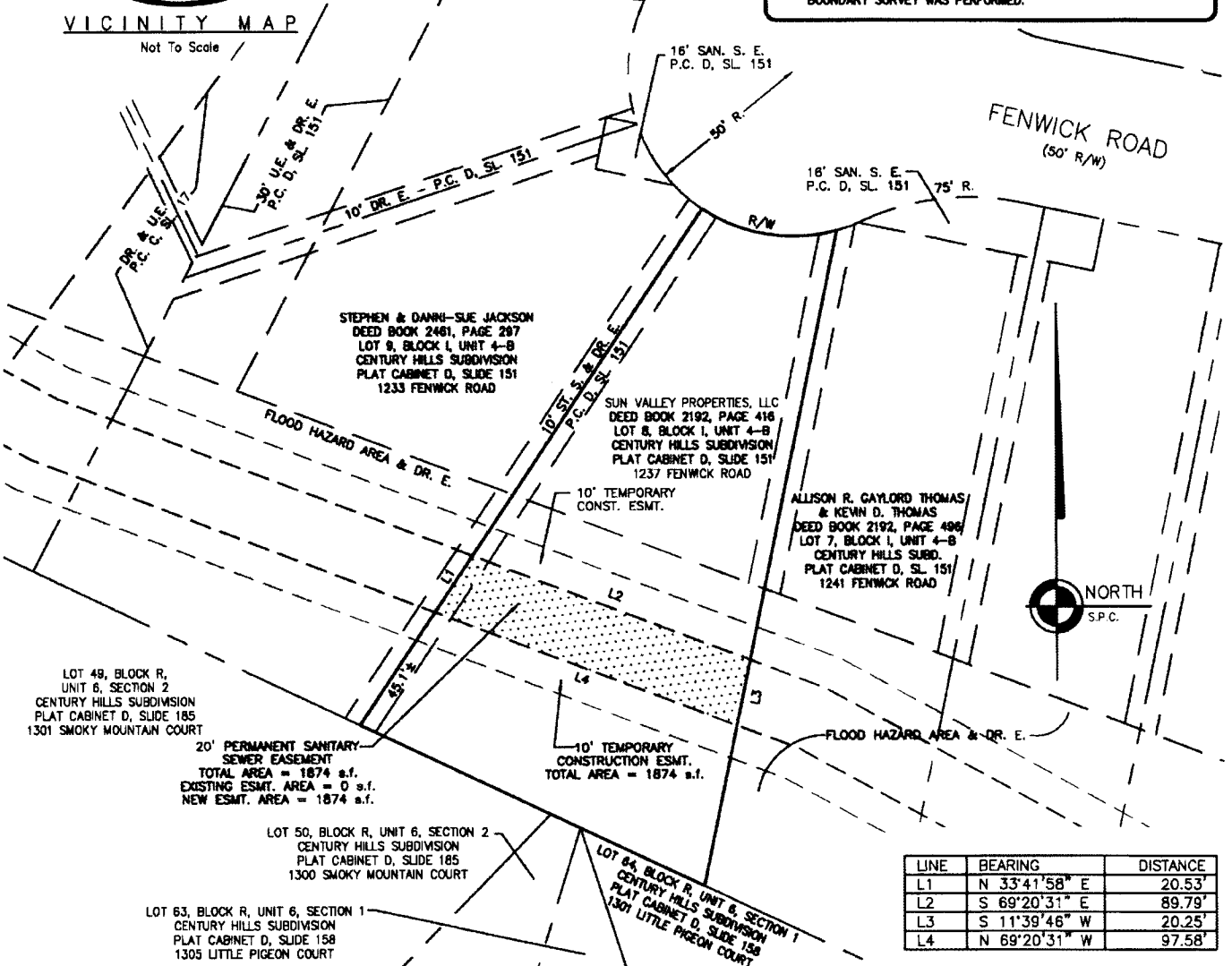


LEGEND

- 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 33°41'58" E	20.53'
L2	S 69°20'31" E	89.79'
L3	S 11°39'46" W	20.25'
L4	N 69°20'31" W	97.58'

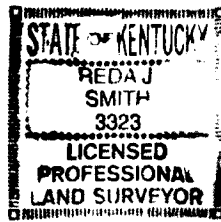
LAND SURVEYOR'S CERTIFICATION

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

DATE



SANITARY SEWER EASEMENT PLAT

SUN VALLEY PROPERTIES, LLC
(A KY LIMITED LIABILITY COMPANY)
PROPERTY
1237 FENWICK ROAD
LEXINGTON, FAYETTE COUNTY, KENTUCKY



3250 Blazer Parkway
Lexington KY 40509
T 859.284.7500 F 859.284.7501

SCALE: 1" = 50'

DATE: AUGUST 13, 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

201401290028

January 29, 2014 9:55:53 AM

Fees	\$26.00	Tax	\$0.00
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Total Paid	\$26.00
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7 Pages

333 - 339