

**GRANT OF EASEMENT**

This **EASEMENT** is made and entered into this 27<sup>th</sup> day of June, 2013, by and between **GARLAND T. SMITH and NANCY C. SMITH, husband and wife**, 586 Bob-O-Link Drive, Lexington, Kentucky 40503 ("Grantors"), and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 ("Grantee"). The in-care of tax mailing address for the current tax year is 125 Vincewood Drive, Nicholasville, Kentucky 40356.

**WITNESSETH:**

That for and in consideration of the sum of **Eight Thousand Three Hundred Eight-Eight and 05/100 Cents (\$8,388.05)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantors have **BARGAINED** and **SOLD** and do 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**  
**586 Bob-O-Link Drive**  
**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, Grantors have **BARGAINED** and **SOLD** and

do 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**  
**586 Bob-O-Link Drive**  
**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.

Grantors do hereby covenant to and with said Grantee, its successors and assigns forever, that they are lawfully seized in fee simple of said property and have good right to sell and convey the easements conveyed herein, and that they will **WARRANT GENERALLY** said title.

Grantors 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. ~~721-13~~ passed  
391-13  
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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  
586 Bob-O-Link Drive  
Lexington, Fayette County, Kentucky**

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

BEGINNING at a point on the west right-of-way of Bob-O-Link Drive and at the common corner of Lot 1 and Lot 4 of Block "B" of Oakdale Park Subdivision; thence with the right-of-way of Bob-O-Link Drive, S 36°01'44" E a distance of 10.59' to a point; thence leaving said right-of-way and through the parent tract for two calls:

1) S 47°53'34" W a distance of 88.20';

2) S 39°42'15" W a distance of 115.92' to a point in the

line of Catherine C. Hammond (Deed Book 1662 Page 246); thence with the line of Hammond, N 35°50'05" W a distance of 20.45' to a point; thence through the parent tract, N 41°19'13" E a distance of 128.10' to a point at the rear corner of Lot 1 and Lot 2 of Block "B" of Oakdale Park Subdivision; thence with the line of Lot 1, N 53°58'16" E a distance of 75.00' to the point of BEGINNING, having an area of 3,427 square feet, of which 1,113 square feet of said easement previously conveyed, leaving 2,314 square feet of new easement area.

Being a part of the property conveyed to Garland T. Smith and Nancy C. Smith, husband and wife, of record in Deed Book 3146, Page 664, in the Fayette County Clerk's Office, Fayette County, Kentucky.

**EXHIBIT B**

**Temporary Construction Easements  
586 Bob-O-Link Drive  
Lexington, Fayette County, Kentucky**

**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 at the northernmost corner of Catherine C. Hammond property known as 500 Bob-O-Link Drive (Deed Book 1662 Page 246), said point also being the southeast corner of Lare Properties, LLC property known as 1610 Harrodsburg Avenue (Deed Book 2872 Page 366) thence N 36°01'57" W a distance of 1.11'; thence N 43°48'54" E a distance of 70.61'; thence N 53°58'16" E a distance of 55.48'; thence S 41°19'13" W a distance of 128.10'; thence N 36°01'44" W a distance of 14.49' to the point of BEGINNING having an area of 1321 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 on the west right-of-way of Bob-O-Link Drive and being S 36°01'44" E a distance of 10.59' from the common corner of Lot 1 and Lot 4 of Block "B" of Oakdale Park Subdivision; thence S 36°01'44" E a distance of 15.01'; thence S 47°58'16" W a distance of 29.45'; thence N 36°40'35" W a distance of 14.95'; thence N 47°53'34" E a distance of 29.62' to the point of BEGINNING having an area of 440 square feet.

**TRACT 3:**

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 being N 36°01'44" W a distance of 6.04' from the southwest corner of the Lot 5 Block "B" of Oakdale Park Subdivision (Plat Cabinet E Slide 556); thence N 36°01'44" W a distance of 15.48'; thence N 39°42'15" E a distance of 115.85'; thence N 47°53'34" E a distance of 11.63'; thence S 39°09'20" E a distance of 15.10'; thence S 48°23'19" W a distance of 9.78'; thence S 39°42'15" W a distance of 118.59' to the point of BEGINNING having an area of 1,919 square feet.

Being a part of the property conveyed to Garland T. Smith and Nancy C. Smith, husband and wife, of record in Deed Book 3146, Page 664, 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.

  
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By: DOUG BRADLEY ,dc

201311120019

November 12, 2013                      8:33:43      AM

Fees	\$26.00	Tax	\$0.00
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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~~.  
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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