

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 5TH day of JANUARY, 2022, by and between **WAR ADMIRAL PLACE LLC, a Kentucky limited liability company**, P.O. Box 12128, Lexington, Kentucky 40580-2128, 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 **FIFTEEN THOUSAND DOLLARS AND 00/100 CENTS (\$15,000.00)**, 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

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

Grantee, its successors and assigns, permanent right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction, installation 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
Tract A
Liberty Road Trunk
Sewer Improvement Project
(a portion of 2620 Sir Barton Way)

COMMENCING, at a point in the Northern right-of-way line of Sir Barton Way as depicted on Plat Cabinet L, Slide 243 in the Fayette County Clerk's records; said point being a corner to Lot 7 of Hamburg Place Farm as depicted in Plat Cabinet N, Slide 933 and conveyed to War Admiral Place, LLC by Deed in Deed Book 2599, Page 620; thence leaving the right-of-way of Sir Barton Way with the line of lot 7 for two (2) calls:

1. North 41°01'04" East 10.77 feet;
2. North 21°48'35" East 9.77 feet to the 20 foot utility easement depicted on Plat Cabinet R, Slide 439; thence leaving the line of lot 7 with the line of said utility easement for one (1) call;
3. South 48°59'35" East 45.33 feet to the **TRUE POINT OF BEGINNING**; point being in the line of the existing 30 foot sanitary sewer easement depicted on said plat; thence leaving said utility easement line with the existing sanitary easement line for one (1) call;
4. North 37°49'00" East 118.15 feet; thence leaving said sanitary easement with a new severance line for two (2) calls;
5. South 32°47'21" West 88.01 feet;
6. South 39°40'06" West 30.87 feet to the line of the 20 foot utility easement; thence with said utility easement line for one (1) call;
7. North 48°59'35" West 6.73 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.013 Acres (559.42 sq. ft.) of permanent easement; and

Permanent Sanitary Sewer Easement
Tract B
Liberty Road Trunk
Sewer Improvement Project
(a portion of 2620 Sir Barton Way)

COMMENCING, at a point in the Northern right-of-way line of Sir Barton Way as depicted on Plat Cabinet L, Slide 243 in the Fayette County Clerk's records; said point being a corner to Lot 7 of Hamburg Place Farm as depicted in Plat Cabinet N, Slide 933 and conveyed to War Admiral Place, LLC by Deed in Deed Book 2599, Page 620; thence with a line of reference for one (1) call:

1. North 40°38'13" East 255.58 feet to the **TRUE POINT OF BEGINNING**; said point being in the existing 30 foot sanitary sewer easement line depicted on Plat Cabinet R, Slide 439; thence leaving said easement line with a new severance for three (3) calls:
2. North 32°47'21" East 259.19 feet;
3. North 22°44'37" East 282.47 feet;
4. North 42°52'35" East 76.24 feet to a point in said thirty-foot easement line; thence with said easement for one (1) call:
5. South 23°43'11" West 60.95 feet; thence leaving said easement with a new severance line for three (3) calls:
6. South 42°52'35" West 15.12 feet;
7. South 22°44'37" West 280.67 feet;
8. South 32°47'21" West 0.65 feet to a point in said thirty-foot easement line; thence with said easement for one (1) call:
9. South 37°10'58" West 261.07 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.210 Acres (9,143.48 sq. ft.) of permanent easement; and

Permanent Sanitary Sewer Easement
Tract C
Liberty Road Trunk
Sewer Improvement Project
(a portion of 2620 Sir Barton Way)

COMMENCING, at a point in the Northern right-of-way line of Sir Barton Way as depicted on Plat Cabinet L, Slide 243, in the Fayette County Clerk's records; said point being a corner to Lot 7 of Hamburg Place Farm as depicted in Plat Cabinet N, Slide 933, and conveyed to War Admiral Place, LLC by Deed in Deed Book 2599, Page 620; thence with a line of reference for one (1) call:

1. North 29°09'54" East 873.91 Feet to the **TRUE POINT OF BEGINNING**; said point being on an arc in the line of Lot 11 as depicted on Plat Cabinet R, Slide 439; thence with the line of Lot 11 for one (1) call:
2. Along a Curve to the Left with a Radius of 275.00 feet, having a Long Chord of North 10°21'26" West, 294.65 feet; thence leaving the line of Lot 11 with a new severance line for one (1) call:
3. North 13°59'42" West 32.54 feet to a point in the 40 foot utility easement line depicted on Plat Cabinet R, Slide 439; thence with said utility easement line for one (1) call:
4. South 84°27'47" East 21.22 feet; thence leaving said utility easement line with a new severance line for five (5) calls:
 5. South 13°59'42" East 37.41 feet;
 6. South 30°32'49" East 109.56 feet;
 7. South 06°53'08" East 104.50 feet;
 8. South 13°00'09" West 67.31 feet;
 9. South 47°07'25" East 44.19 feet to a point in the existing 30 foot sanitary easement line depicted on said plat; thence with the 30 foot easement line for one (1) call:
10. South 31°34'50" West 8.64 feet to the intersection of said 30 foot easement with the 15 foot sanitary sewer easement depicted on said plat; thence with the 15 foot sanitary sewer line for one (1) call:

11. North 70°14'56" West 29.36 feet; thence leaving said easement line with a new severance line for two (2) calls:
12. North 47°07'25" West 9.48 feet;
13. South 19°36'02" West 3.72 feet to the line of said 15 foot easement; thence with said easement line for one (1) call:
14. North 70°14'56" West 15.33 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.128 Acres (5,566.98 sq. ft.) of permanent easement; and

The above Tracts A, B and C, being a portion of the property conveyed to War Admiral Place., LLC, a Kentucky limited liability company, by Deed dated November 7, 2005, of record in Deed Book 2599, Page 620, 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 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 A
Liberty Road Trunk
Sewer Improvement Project
(a portion of 2620 Sir Barton Way)

COMMENCING, at a point in the Northern right-of-way line of Sir Barton Way as depicted on Plat Cabinet L, Slide 243 in the Fayette County Clerk's records; said point being a corner to Lot 7 of Hamburg Place Farm as depicted in Plat Cabinet

N, Slide 933, and conveyed to War Admiral Place, LLC by Deed in Deed Book 2599, Page 620; thence with the line of Lot 7 for two (2) calls:

1. North 41°01'04" East 10.77 feet;
2. North 21°48'35" East 9.77 feet to the intersection of the line of Lot 7 and the 20 foot utility easement depicted on Plat Cabinet R, Slide 439; thence leaving the line of Lot 7 with said utility easement line for one (1) call:
3. South 48°59'35" East 5.27 feet to the **TRUE POINT OF BEGINNING**; thence leaving said utility easement line with a new severance line for seven (7) calls:
 4. North 37°49'00" East 168.33 feet;
 5. North 37°45'43" East 24.06 feet;
 6. South 58°26'29" East 3.17 feet;
 7. North 32°47'21" East 300.28 feet;
 8. North 22°44'37" East 271.96 feet;
 9. North 48°59'38" West 30.71 feet to Lot 7 (Plat Cabinet N, Slide 933) at a point on an arc; thence with the line of Lot 7 for one (1) call:
 10. Along a Curve to the Left with a Radius of 275.00 feet, having a long Chord of North 35°50' 37" East 45.18 feet to the corner of Lot 7 and Lot 11 (Plat Cabinet R, Slide 439); thence leaving Lot 7 now with the line of Lot 11 for one (1) call:
 11. Along a Curve to the Left with a Radius of 275.00 feet, having a long Chord of North 28°09' 01" West 28.61 Feet to the 15 foot sanitary sewer easement depicted on Plat Cabinet R, Slide 439; thence leaving the line of Lot 11 with said 15 foot sanitary sewer easement line for one (1) call:
 12. South 70°14'56" East 16.38 feet; thence leaving the line of said 15 foot easement for one (1) call:
 13. North 19°36'02" East 15.00 Feet to a corner of Tract C herein described, being also in the north line of the said 15 foot sanitary sewer easement; thence leaving said easement line with the line of Tract C for two (2) calls:
 14. North 19°36'02" East 3.72 feet;

15. South 47°07'25" East 9.48 feet to the north line of said 15 foot easement; thence leaving Tract C and the 15 foot easement for two (2) calls:
16. South 47°07'25" East 32.43 feet;
17. South 42°52'35" West 6.42 feet to the northernmost corner of Tract B, herein described, being a point in the line of an existing 30 foot sanitary sewer easement; thence leaving said easement line with the line of Tract B for three (3) calls:
18. South 42°52'35" West 76.24 feet;
19. South 22°44'37" West 282.47 feet;
20. South 32°47'21" West 259.19 feet to a point in the line of said 30 foot sanitary sewer easement; thence leaving the line of Tract B and said easement line for two (2) calls:
21. South 32°47'21" West 51.75 feet;
22. North 58°26'29" West 3.98 feet to the intersection of the said 30 foot sanitary sewer easement and the north line of a 15 foot sanitary sewer easement; thence with said 30 foot easement line for one (1) call:
23. South 37°45'43" West 15.09 feet to the intersection of said 30 foot easement with the south line of said 15 foot sanitary sewer easement; thence keeping with said 30 foot easement line for one (1) call:
24. South 37°49'00" West 168.90 feet to a point in the 20 foot utility easement line; thence with said utility easement line for one (1) call:
25. North 48°59'35" West 10.02 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 0.267 Acres (11,622.91 sq. ft.) of temporary construction easement; and

Temporary Construction Easement B
Liberty Road Trunk
Sewer Improvement Project
(a portion of 2620 Sir Barton Way)

COMMENCING, at a point in the Northern right-of-way line of Sir Barton Way as depicted on Plat Cabinet L, Slide 243 in the Fayette County Clerk's records; said point being a corner to Lot 7 of Hamburg Place Farm as depicted in Plat Cabinet

N, Slide 933, and conveyed to War Admiral Place, LLC by Deed in Deed Book 2599, Page 620; thence with the line of Lot 7 for two (2) calls:

1. North 41°01'04" East 10.77 feet;
2. North 21°48'35" East 9.77 feet to the 20 foot utility easement line depicted on Plat Cabinet R, Slide 439; thence leaving Lot 7 and with said utility easement line for one (1) call:
3. South 48°59'35" East 52.05 feet to the **TRUE POINT OF BEGINNING**; said point being a corner of Tract A, herein described; thence leaving said easement with the line of Tract A for two (2) calls:
4. North 39°40'06" East 30.87 feet;
5. North 32°47'21" East 88.01 feet to a point in the existing 30 foot sanitary easement line; thence leaving Tract A and said easement with a new severance line for two (2) calls:
6. North 32°47'21" East 47.29 feet;
7. South 34°34'41" East 4.35 feet to an intersecting corner of two 30 foot sanitary easements; thence leaving said easement intersection for one (1) call:
8. North 37°35'48" East 31.51 feet to the adjacent intersection of two 30 foot sanitary easements; thence leaving said easement lines with a new severance line for two (2) calls:
9. North 34°34'41" West 7.21 feet;
10. North 32°47'21" East 302.23 feet to a corner of Tract B, herein described; thence with the line of Tract B for three (3) calls:
11. North 32°47'21" East 0.65 feet;
12. North 22°44'37" East 280.67 feet;
13. North 42°52'35" East 15.12 feet to the 30 foot sanitary sewer easement line; thence leaving Tract B and said easement line with a new severance line for two (2) calls:
14. North 42°52'35" East 83.99 feet;
15. North 47°07'25" West 27.12 feet to a corner of Tract C, herein described, point also being in the line of the 30 foot sanitary sewer easement; thence leaving said easement line with the line of Tract C for two (2) calls:

16. North 47°07'25" West 44.19 feet;
17. North 13°00'09" East 11.53 feet; thence leaving Tract C with a new severance line for six (6) calls:
 18. South 47°07'25" East 87.06 feet;
 19. South 42°52'35" West 107.34 feet;
 20. South 22°44'37" West 279.78 feet;
 21. South 32°47'21" West 433.09 feet;
 22. South 50°19'54" East 14.68 feet;
 23. South 39°40'06" West 70.73 feet to a point in the 20 foot utility easement line; thence with said easement line for one (1) call:
24. North 48°59'35" West 20.01 feet to the TRUE POINT OF BEGINNING; and,

The above described parcel contains 0.236 Acres (10,277.02 sq. ft.) of temporary construction easement; and

Temporary Construction Easement C
Liberty Road Trunk
Sewer Improvement Project
(a portion of 2620 Sir Barton Way)

COMMENCING, at the corner of Lot 11 and Lot 12 as depicted on Plat Cabinet R, Slide 439 in the Fayette County Clerk's records; thence with the line of Lot 12 for one (1) call:

1. Along a Curve to the Left with a Radius of 275.18 Feet, having a long Chord of North 45°54'50" West, 8.73 feet; thence leaving the line of Lot 12 with a new severance line for three (3) calls:
 2. North 13°59'42" West 9.76 feet;
 3. South 67°03'56" West 0.82 feet;
 4. North 22°56'04" West 10.68 feet to a 40 foot utility easement line depicted on said plat; thence with said utility easement line for one (1) call:
5. South 84°27'47" East 13.23 feet to a corner of Tract C, herein described; thence with the line of Tract C for one (1) call:
6. South 13°59'42" East 32.54 feet to the line of Lot 11 at a point on an arc; thence with the line of Lot 11 for one (1) call:

7. Along a Curve to the Left with a Radius of 275.00 feet, having a long Chord of North 43°52'36" West, 10.81 feet to the TRUE POINT OF BEGINNING; and,

The above described parcel contains 0.006 Acres (273.14 sq. ft.) of temporary construction easement; and

Temporary Construction Easement D
Liberty Road Trunk
Sewer Improvement Project
(a portion of 2620 Sir Barton Way)

COMMENCING, at a point at the terminus of call three of Tract C, herein described, said point also being in the line of a 40 foot utility easement depicted on Plat Cabinet R, Slide 439 in the Fayette County Clerk's records; thence leaving the line of Tract C with the 40 foot utility easement line for one (1) call:

1. South 84°27'47" East 10.61 feet; thence leaving said utility easement line with a new severance line for three (3) calls:
2. South 13°59'42" East 32.41 feet;
3. South 30°32'49" East 38.55 feet;
4. South 59°27'11" West 10.00 feet to a point in the line of Tract C; thence with the line of Tract C for two (2) calls:
5. North 30°32'49" West 40.00 feet;
6. North 13°59'42" West 37.41 feet to the TRUE POINT OF BEGINNING; and,

The above described parcel contains 0.017 Acres (741.86 sq. ft.) of temporary construction easement; and

The above Tracts A, B, C and D, being a portion of the property conveyed to War Admiral Place, LLC, a Kentucky limited liability company, by Deed dated November 7, 2005, of record in Deed Book 2599, Page 620, 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.

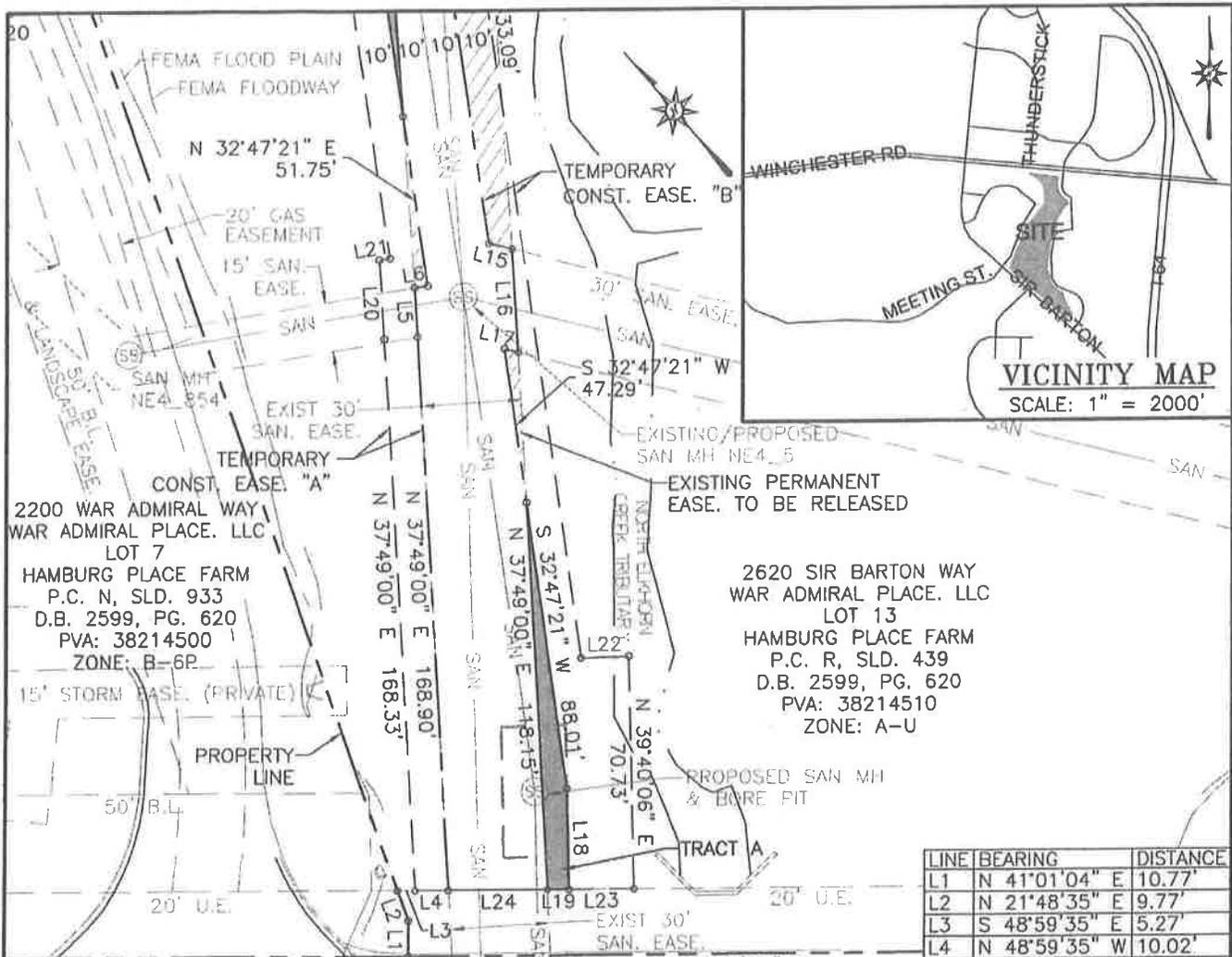
The above-described temporary construction easement runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantor. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

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 SPECIALLY** said title.

The obtaining of this easement was authorized by Resolution 298-2021, passed by the Lexington-Fayette Urban County Council on June 10, 2021. 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.



VICINITY MAP
SCALE: 1" = 2000'

2200 WAR ADMIRAL WAY
WAR ADMIRAL PLACE, LLC
LOT 7
HAMBURG PLACE FARM
P.C. N, SLD. 933
D.B. 2599, PG. 620
PVA: 38214500
ZONE: B-6P

2620 SIR BARTON WAY
WAR ADMIRAL PLACE, LLC
LOT 13
HAMBURG PLACE FARM
P.C. R, SLD. 439
D.B. 2599, PG. 620
PVA: 38214510
ZONE: A-U

SIR BARTON WAY

P.C. R, SLD. 439
100' R/W

NEW PERMANENT 20' EASEMENT: 0.351 AC.
EXISTING PERMANENT EASEMENT TO BE RETAINED: 1.029 AC.
TOTAL PERMANENT EASEMENTS: 1.379 AC.

EXISTING PERMANENT EASEMENT TO BE RELEASED: 0.377 AC.
TEMPORARY 10' CONSTRUCTION EASEMENT "A": 0.267 AC.
TEMPORARY 10' CONSTRUCTION EASEMENT "B": 0.236 AC.
TEMPORARY 10' CONSTRUCTION EASEMENT "C": 0.006 AC.
TEMPORARY 10' CONSTRUCTION EASEMENT "D": 0.017 AC.

LINE	BEARING	DISTANCE
L1	N 41°01'04" E	10.77'
L2	N 21°48'35" E	9.77'
L3	S 48°59'35" E	5.27'
L4	N 48°59'35" W	10.02'
L5	N 37°45'43" E	15.09'
L6	S 58°26'29" E	3.98'
L7	N 47°07'25" W	32.43'
L8	N 47°07'25" W	9.48'
L9	S 19°36'02" W	3.72'
L10	S 19°36'02" W	15.00'
L11	N 70°14'56" W	16.38'
L12	S 31°34'50" W	8.64'
L13	N 70°14'56" W	29.36'
L14	N 70°14'56" W	15.33'
L15	S 34°34'41" E	7.21'
L16	S 37°35'48" W	31.51'
L17	N 34°34'41" W	4.35'
L18	S 39°40'06" W	30.87'
L19	N 48°59'35" W	6.73'
L20	N 37°45'43" E	24.06'
L21	S 58°26'29" E	3.17'
L22	N 50°19'54" W	14.68'
L23	N 48°59'35" W	20.01'
L24	N 48°59'35" W	30.05'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	275.00'	310.95'	294.65'	N 10°21'26" W	64°47'12"
C2	275.00'	10.81'	10.81'	N 43°52'36" W	2°15'08"
C3	275.18'	8.73'	8.73'	N 45°54'50" W	1°49'02"
C4	275.00'	28.62'	28.61'	N 28°09'01" W	5°57'46"
C5	275.00'	15.04'	15.03'	N 23°36'09" E	3°07'58"
C6	275.00'	45.23'	45.18'	N 35°50'37" E	9°25'28"



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

OWNER:
WAR ADMIRAL PLACE, LLC.
P.O. BOX 12128
LEXINGTON KY 40580

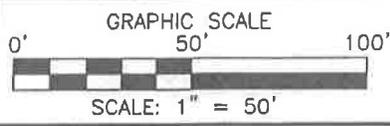
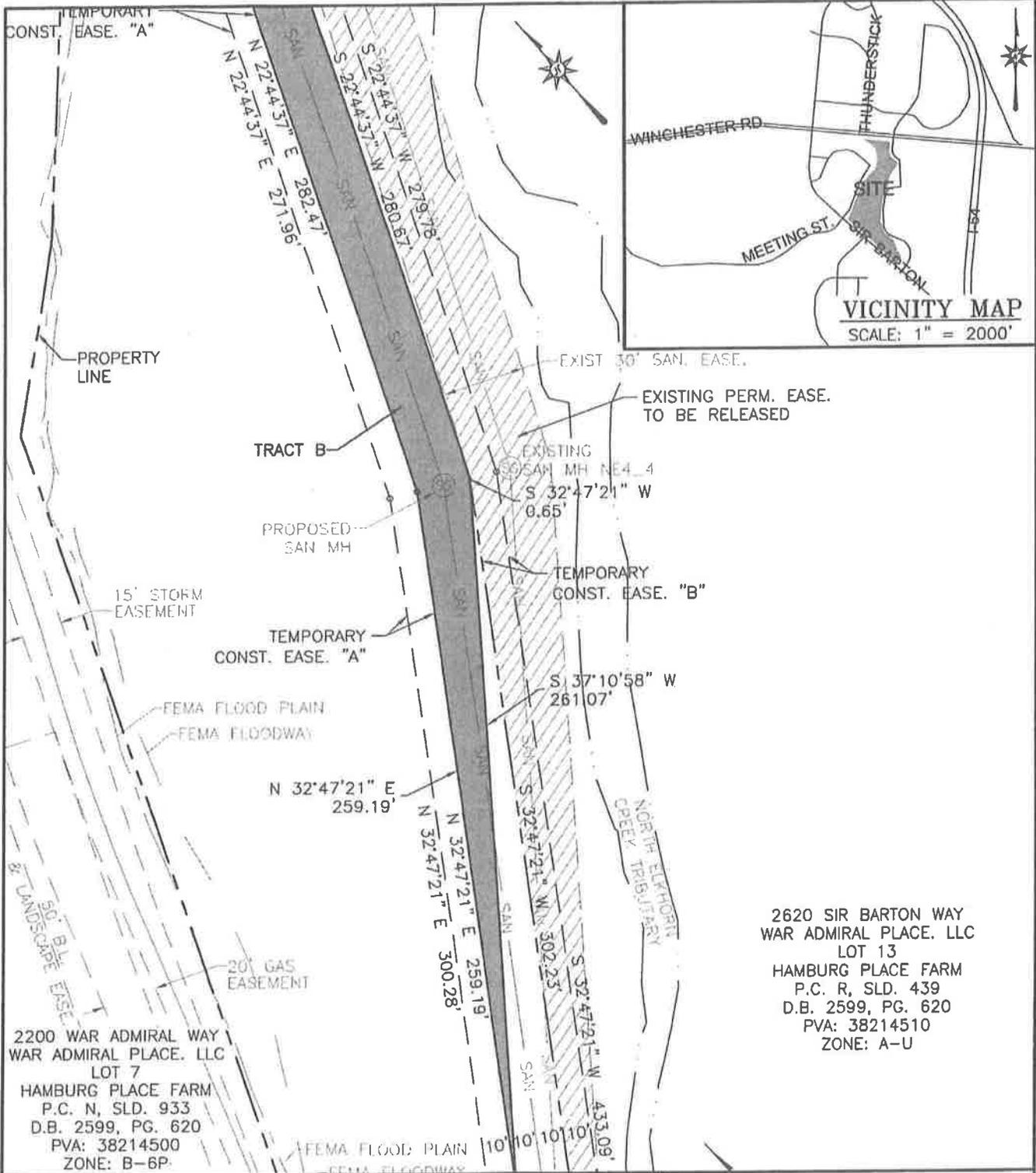


EXHIBIT SHOWING SANITARY SEWER EASEMENT TO BE ACQUIRED FROM WAR ADMIRAL PLACE, LLC.
2620 SIR BARTON WAY (LOT 13)
LEXINGTON, KENTUCKY

REVISED: 4/15/2021
SHEET 1 OF 4



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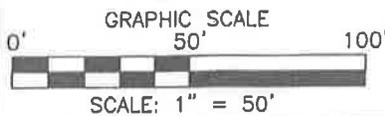
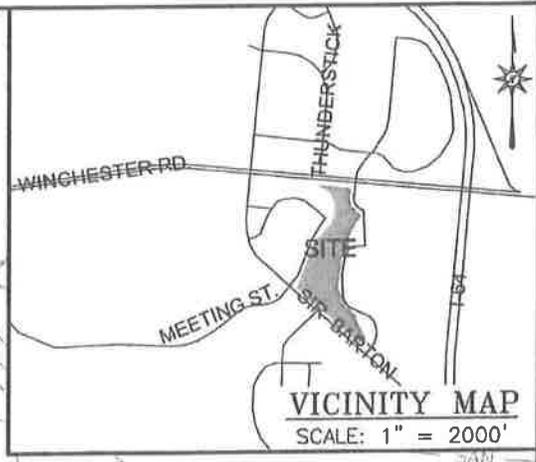
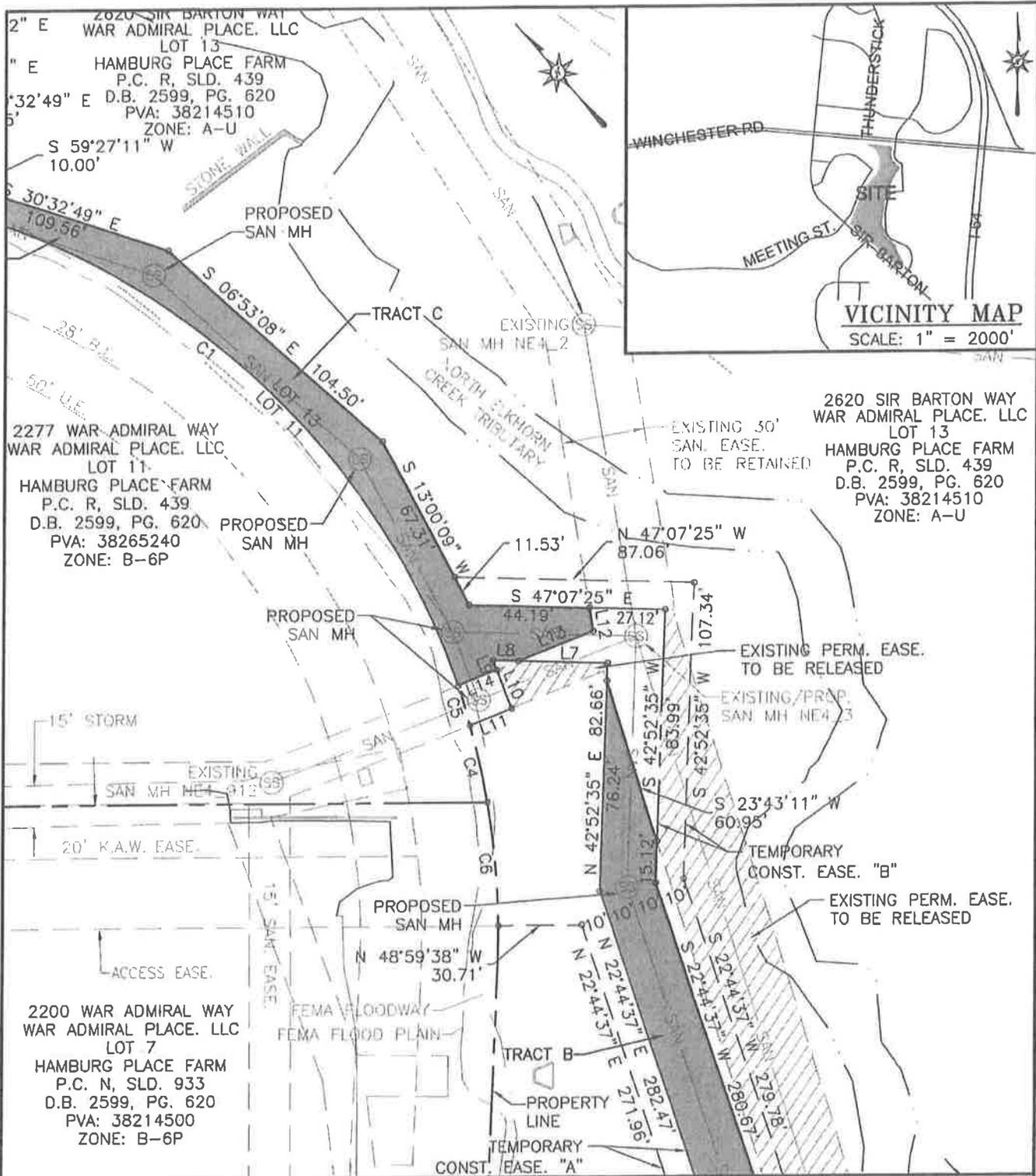


EXHIBIT SHOWING SANITARY SEWER EASEMENT TO BE ACQUIRED FROM WAR ADMIRAL PLACE, LLC.

2620 SIR BARTON WAY (LOT 13) LEXINGTON, KENTUCKY

REVISED: 4/15/2021
SHEET 2 OF 4



2620 SIR BARTON WAY
 WAR ADMIRAL PLACE, LLC
 LOT 13
 HAMBURG PLACE FARM
 P.C. R, SLD. 439
 D.B. 2599, PG. 620
 PVA: 38214510
 ZONE: A-U

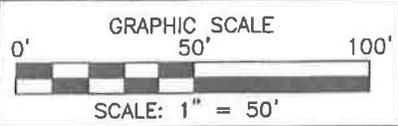
2277 WAR ADMIRAL WAY
 WAR ADMIRAL PLACE, LLC.
 LOT 11
 HAMBURG PLACE FARM
 P.C. R, SLD. 439
 D.B. 2599, PG. 620
 PVA: 38265240
 ZONE: B-6P

2200 WAR ADMIRAL WAY
 WAR ADMIRAL PLACE, LLC
 LOT 7
 HAMBURG PLACE FARM
 P.C. N, SLD. 933
 D.B. 2599, PG. 620
 PVA: 38214500
 ZONE: B-6P



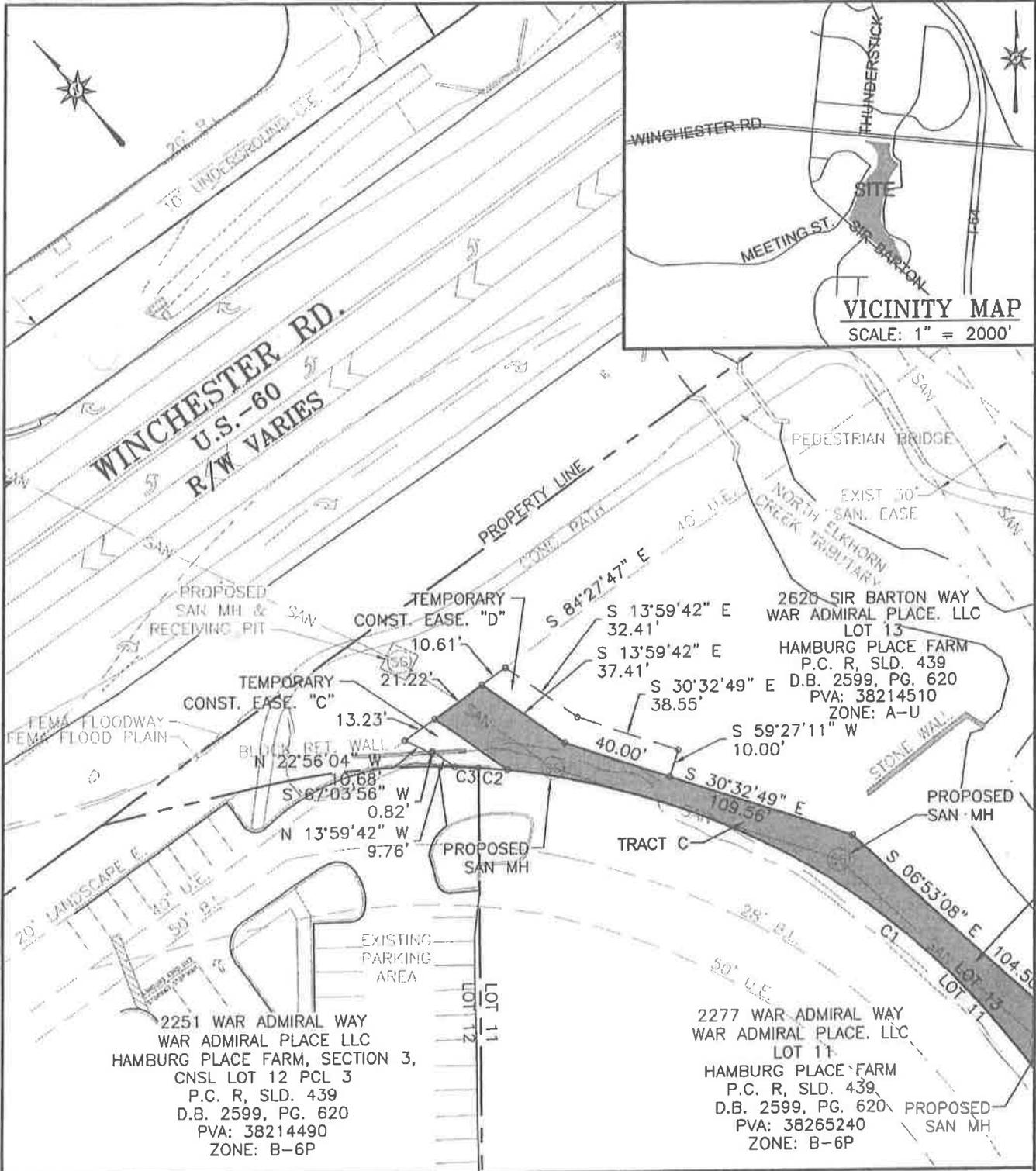
Environmental, Civil Engineering Consultants, Land Surveying
 128 E. Reynolds Rd, Suite 150, Lexington, KY 40517
 Ph. (859) 559-0516 - Fax: (859) 523-0095
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OWNER:
 WAR ADMIRAL PLACE, LLC.
 P.O. BOX 12128
 LEXINGTON KY 40580



**EXHIBIT SHOWING SANITARY SEWER
 EASEMENT TO BE ACQUIRED FROM
 WAR ADMIRAL PLACE, LLC.
 2620 SIR BARTON WAY (LOT 13)
 LEXINGTON, KENTUCKY**

REVISED: 4/15/2021
 SHEET 3 OF 4



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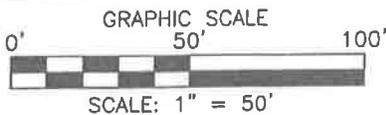


EXHIBIT SHOWING SANITARY SEWER EASEMENT TO BE ACQUIRED FROM WAR ADMIRAL PLACE, LLC.

2620 SIR BARTON WAY (LOT 13) LEXINGTON, KENTUCKY

REVISED: 4/15/2021
 SHEET 4 OF 4

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: EMILY GENTRY ,dc

202201120006

January 12, 2022 8:21:33 AM

Fees	\$83.00	Tax	\$.00
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Total Paid	\$83.00
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