

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 1 day of July, 2019, by and between **CHRISTIE A. CARTER and MIKE S. CARTER, wife and husband**, 3736 Forest Green Drive, Lexington, Kentucky 40517, which is the in-care of tax mailing address for the current year (hereinafter "Grantors"), 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 **EIGHT HUNDRED SIXTEEN AND 48/100 DOLLARS (\$816.48)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantors have **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 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
Lansdowne South Trunk Sewer Replacement Project
(a portion of 3736 Forest Green Drive)

All that tract or parcel of land being a permanent sewer easement situated north of Forest Green Drive in Lexington,

Return to:
Charles E. Edwards III
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

(CC-F)

Fayette County, Kentucky and being more particularly described as follows, to wit:

Beginning at a point in the northwest corner of the property and being a common corner to the 3732 Forest Green Drive property (Deed Book 2225, Page 183), Belleau Wood Subdivision, Unit 1-D, Lot 20; thence S 57°24'31" E, a distance of 41.22 feet, more or less along the common property line with 636 Belleau Wood Drive property (Deed Book 3054, Page 626) Belleau Wood Subdivision, Unit 1-A, Lot 2 to **THE POINT OF BEGINNING OF THE PROPOSED PERMANENT SANITARY SEWER EASEMENT**; S 57°22'17" E, a distance of 30.39 feet; thence S 27°20'44" E, a distance of 5.73 feet; thence S 18°24'49" E, a distance of 27.61 feet; thence S 00°32'32" E, a distance of 22.01 feet; thence S 27°53'49" W, a distance of 56.60 feet; thence N 10°42'44" E, a distance of 31.30 feet; thence N 10°42'44" E, a distance of 5.01 feet; thence N 00°46'34" W, a distance of 33.02 feet; thence N 18°24'49" W, a distance of 53.76 feet, more or less to the **POINT OF BEGINNING**; and,

The above described parcel contains 1,709.98 square feet of permanent easement; and

Included in the above described **PROPOSED PERMANENT SANITARY SEWER EASEMENT** area description is an existing sanitary sewer easement of 202.90 square feet, resulting in a net increase of 1,507.08 square feet of new easement area; and,

Being a portion of the property conveyed to Christie A. Carter, a married person, by deed dated May 20, 2011, of record in Deed Book 3009, Page 25, 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, Grantors have **BARGAINED** and **SOLD** and do 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 Access Easement
Lansdowne South Trunk Sewer Replacement Project
(a portion of 3736 Forest Green Drive)

Three tracts or parcels of land being a temporary construction access easement situated north of Forest Green Drive in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Tract No. 1

Beginning at a point in the northwest corner of the property and being a common corner to 3732 Forest Green Drive property (Deed Book 2225, Page 183) Belleau Wood Subdivision, Unit 1-D, Lot 20; thence S 57°25'51" E, a distance of 25.78 feet, more or less along the common property line with the 636 Belleau Wood Drive property (Deed Book 3054, Page 626) Belleau Wood Subdivision, Unit 1-A, Lot 2); thence S 57°22'19" E, a distance of 46.30 feet, more or less along the common property line with the 3732 Forest Green Drive property and the northwest line of **THE PROPOSED PERMANENT SANITARY SEWER EASEMENT**; thence S 28°26'16" E, a distance of 6.15 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence S 43°13'06" E, a distance of 0.43 feet; thence S 28°26'16" E, a distance of 36.20 feet; thence S 28°09'15" W, a distance of 18.24 feet; thence N 00°32'32" W, a distance of 22.03 feet; thence N 18°24'49" W, a distance of 27.61 feet, more or less along the common property line with the 3732 Forest Green Drive property to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; and,

The above described parcel contains 187.91 square feet of temporary construction easement;

Tract No. 2

Beginning at a point in the northwest corner of the property and being a common corner to 3732 Forest Green Drive property (Deed Book 2225, Page 183) Belleau Wood Subdivision, Unit 1-D, Lot 20; thence S 57°25'51" E, a

distance of 25.78 feet, more or less along the common property line with the 636 Belleau Wood Drive property (Deed Book 3054, Page 626) Belleau Wood Subdivision, Unit 1-A, Lot 2 to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence S 57°22'23" E, a distance of 15.90 feet; thence S 18°24'49" E, a distance of 53.76 feet; thence S 00°43'55" E, a distance of 20.26 feet; thence N 62°17'56" W, a distance of 11.49 feet; thence N 00°17'52" W, a distance of 13.25 feet; thence N 18°24'49" W, a distance of 64.56 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; and,

The above described parcel contains 760.10 square feet of temporary construction easement;

Tract No. 3

Beginning at a point in the northeast corner of the property and being a common corner to the 636 Belleau Wood Drive property (Deed Book 3054, Page 626) Belleau Wood Subdivision, Unit 1-A, Lot 2; thence S 27°58'26" W, a distance of 74.83 feet, more or less along the common property line with the 3770 Forest Green Drive property to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence S 27°55'27" W, a distance of 33.79 feet; thence N 10°42'44" E, a distance of 66.64 feet; thence S 62°17'56" E, a distance of 10.46 feet; thence S 10°42'44" W, a distance of 31.30 feet, more or less along the **EXISTING SANITARY SEWER EASEMENT** to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; and,

The above described parcel contains 489.70 square feet of temporary construction easement;

The above tracts or parcels being a portion of the property conveyed to Christie A. Carter, a married person, by deed dated May 20, 2011, of record in Deed Book 3009, Page 25, 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 easements run with the land for the duration of the improvement project and are binding upon the successors and assigns of the Grantors. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantors. The temporary easements shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

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 prior written consent of the Grantee.

Grantors do hereby release and relinquish unto the Grantee, its successors and assigns forever, all of their 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 they are lawfully seized in fee simple of said property and have good right to sell and convey the easements as herein done, and that they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 58-2019, passed by the Lexington-Fayette Urban County Council on February 7, 2019. Pursuant to KRS

PREPARED BY:



CHARLES E. EDWARDS III
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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EXHIBIT

tabbies

A

3732 FOREST GREEN DRIVE
GRAY LARRY T &
HALE VICKIE L
PARCEL 20428812
DB 2225, PG 183

3736 FOREST GREEN DRIVE
CARTER CHRISTIE A
PARCEL 20428813
DB 3009, PG 25

CUT & PLUG
EX. SAN PIPE

2

1

1

3

2

12+00

dd

pp

BASIS OF BEARINGS:
NAD 83 KY NORTH

GRAPHIC SCALE: 1" = 30'



- ① PERMANENT EASEMENT TRACT NO.
- 1 TEMPORARY CONSTRUCTION EASEMENT TRACT NO.
- ⚠ EXISTING EASEMENT TO BE RELEASED TRACT NO.

- EXISTING EASEMENT AREA
- TEMPORARY CONSTRUCTION EASEMENT
- NEW PERMANENT EASEMENT AREA
- EX. EASEMENT AREA TO BE RELEASED



SANITARY SEWER EASEMENT

3736 FOREST GREEN DRIVE



ECSI, LLC

CIVIL • ENVIRONMENTAL • MINING

340 S BROADWAY • LEXINGTON, KY 40517 • (859) 233-2103 • fax (859) 259-3394

DATE - 10/30/2018 PROJECT NO. 1016-001

DRAWN - kmf

PROJECT NAME - LANSDOWNE SOUTH TRUNK SEWER REPLACEMENT

PROJECT LOCATION - LEXINGTON, 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.



By: MELISSA STELTER ,dc

201907020145

July 2, 2019

13:34:26 PM

Fees	\$32.00	Tax	\$.00
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Total Paid	\$32.00
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