

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 7th day of August, 2020, by and between **JOHN D. JONES and BETTY J. JONES, husband and wife**, 1849 Normandy Road, Lexington, Kentucky 40504, 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 **FIVE HUNDRED EIGHT DOLLARS AND 84/100 DOLLARS (\$508.84)**, 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
Wolf Run Trunks D & E Sewer Replacement Project
(a portion of 1849 Normandy Road)

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

BEGINNING, at a point on the southern property line shared with Iron Will Properties, approximately 159' from the southeastern property corner, thence 62.75 feet at a bearing N 23°36'19" E to the northern property line shared with Harold & Eliz Haley, thence 0.45 feet at a bearing N 65°42'00" W along the northern property line to the western property line shared with LFUCG, thence 54.11 feet at a bearing S 41°05'06" W along the western property line to a point, thence 11.24 feet at a bearing S 20°12'20" W along the western property line to the southern property line shared with Iron Will Properties, thence 16.04 feet at a bearing S 66°41'08" E along the southern property line back to the **POINT OF BEGINNING**; and,

The above described parcel contains 625.68 square feet of permanent easement; and

Being a portion of the property conveyed to John D. Jones and Betty J. Jones, husband and wife, by Deed dated February 28, 1986, of record in Deed Book 1397, Page 179, 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 Easement
Wolf Run D & E Trunk Sewer Replacement Project
(a portion of 1849 Normandy Road)

BEGINNING, at a point southern property line shared with Iron Will Properties, approximately 149' from the southeastern property corner, thence 10.00 feet at a bearing N 66°41'08" W along the southern property line to a point,

thence 62.75 feet at a bearing N 23°36'19" E to the northern property line shared with Harold & Eliz Haley, thence 10.00 feet at a bearing S 65°42'00" E along the northern property line to a point, thence 62.58 feet at a bearing S 23°36' 19" W to the southern property line back to the **POINT OF BEGINNING**; and,

The above described parcel contains a total area of 626.62 square feet of temporary construction easement;

Being a portion of the property conveyed to John D. Jones and Betty J. Jones, husband and wife, by Deed dated February 28, 1986, of record in Deed Book 1397, Page 179, 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 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 construction easement 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 256-2020, passed by the Lexington-Fayette Urban County Council on June 11, 2020. 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 Grantors have signed this Deed of Easement, this the day and year first above written.

GRANTORS:

BY:  _____
JOHN D. JONES

BY:  _____
BETTY J. JONES

[Intentionally Left Blank]



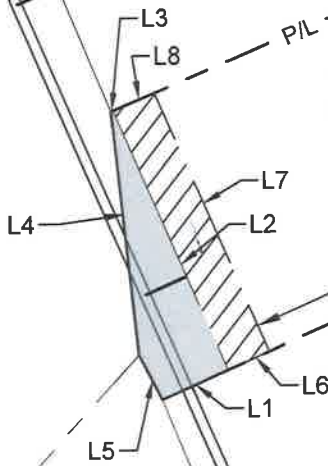
PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L1	S66°41'08"E	16.04'
L2	N23°36'19"E	62.75'
L3	N65°42'00"W	0.45'
L4	S41°05'06"W	54.11'
L5	S20°12'20"W	11.24'
L6	N66°41'08"W	10.00'
L7	S23°36'19"W	62.58'
L8	S65°42'00"E	10.00'

1835 YORKTOWN RD.
 PARCEL NO. 94022140
 DB 634 PG 213
 LFUCG

1845 NORMANDY RD.
 PARCEL NO. 20636900
 DB 2036 PG 402
 HAROLD & ELIZ HALEY

1849 NORMANDY RD.
 PARCEL NO. 26663400
 DB 1397 PG 197
 JOHN & BETTY JONES

1853 NORMANDY RD.
 PARCEL NO. 27013700
 DB 3626 PG 637
 IRON WILL PROPERTIES LLC



NOTES:

1. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A PROPOSED CONVEYANCE FOR A SANITARY SEWER EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
2. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.

LEGEND:

- PERMANENT UTILITY EASEMENT (625.6799 SQ. FT.)
- 10' TEMPORARY CONSTRUCTION EASEMENT (626.6232 SQ. FT.)
- PROPOSED SEWER LINE

EXHIBIT "A"
 UTILITY EASEMENT EXHIBIT
 MAY 11, 2020
 JOHN & BETTY JONES
 PROPERTY
 1849 NORMANDY RD
 LEXINGTON, KY 40504

SCALE: 1" = 40'



LFUCG
 DIVISION OF WATER QUALITY
 WOLF RUN TRUNK SEWER LINES D & E

200 E MAIN STREET
 LEXINGTON, KY 40507



engineering | architecture | geospatial
 www.grwinc.com

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: PATTY DAVIS ,dc

202008180093

August 18, 2020 10:07:15 AM

Fees	\$53.00	Tax	\$.00
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Total Paid	\$53.00
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7 Pages

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MAYOR LINDA GORTON



LEXINGTON

SUSAN B. SPECKERT
COMMISSIONER
DEPARTMENT OF LAW

To: Abigail Allan, Council Clerk
Council Clerk's Office

From: Department of Law

Date: August 21, 2020

Re: Permanent and Temporary Construction Easement
1849 Normandy Road

Our File No. 20-RE0185
Wolf Run Trunks D & E Sewer
Replacement Project

Enclosed is the original recorded Permanent and Temporary Construction Easement for the above-referenced property to the Urban County Government for the Wolf Run Trunks D & E Sewer Replacement Project. Please file the easement with the authorizing legislation, Resolution No. 256-2020.

Please note that the attached asset acquisition form is for the permanent easement only.

If you have any questions, please let me know.

Sincerely,



Keith Horn
Managing Attorney

Enclosure

X:\Cases\jWATER-AIR\20-RE0185\MEMO\00693077.DOC

