

GRANT OF EASEMENT

This **EASEMENT** is made and entered into this 19th day of NOVEMBER, 2013, by and between **MIKE D. NATION and SHARON S. NATION, husband and wife**, 194 Redbud Lane, Glasgow, Kentucky 42141 ("Grantors"), 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");

WITNESSETH:

That for and in consideration of the sum of **Eight Thousand Sixty-Four Dollars and 65/100 Cents (\$8,064.65)**, 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
3340 Buckhorn Drive
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, 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

Mail to Grantee
c/o Department of Law, 11th Floor

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
3340 Buckhorn Drive
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 Grantors.

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. 389-2013 passed by the Lexington-Fayette Urban County Council on July 9, 2013. Pursuant to

KRS 382.135(2)(a), this public utility easement is exempt from the requirements related to certificate of consideration. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

IN TESTIMONY WHEREOF, the Grantors have signed this Easement, the day and year first above written.

GRANTORS:

BY: Mike D. Nation
MIKE D. NATION

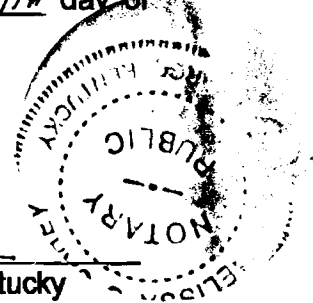
BY: Sharon S. Nation
SHARON S. NATION

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF BARREN)

The foregoing Easement was subscribed, sworn to and acknowledged before me by Mike D. Nation and Sharon S. Nation, husband and wife, on this the 19th day of November, 2013.

My commission expires: 08/12/15

Melvin C. [Signature]
Notary Public, State-At-Large, Kentucky



PREPARED BY:

John P. Watz
John P. Watz, Esq.
HENRY WATZ RAINE &
MARINO, PLLC
401 West Main Street, Suite 314
Lexington, Kentucky 40507
(859) 258-3500

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EXHIBIT A

**20-FOOT PERMANENT SANITARY SEWER EASEMENT
&
5-FOOT TEMPORARY CONSTRUCTION EASEMENTS
ON THE PROPERTY OF
MIKE D. NATION & SHARON S. NATION
(HUSBAND & WIFE)
DEED BOOK 2565, PAGE 105
LOT 36, BLOCK W, UNIT 7, SECTION 4 EAST LAKE SUBDIVISION
PLAT CABINET F, SLIDE 94
3340 BUCKHORN DRIVE
IN LEXINGTON, FAYETTE COUNTY, KENTUCKY**

All those tracts or parcels of land situated on the easterly side of Buckhorn Drive, between Fenwick Road and Smoky Mountain Drive, 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 easterly right-of-way of Buckhorn Drive, said point being approximately 18.8 feet northeasterly from the common corner of Lot 36, Block W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94) and Lot 35, Block "W, Unit 7, Section 1 of East Lake Subdivision (Plat Cabinet D, Slide 663) as measured along said right-of-way; thence along said right-of-way, N 25° 12' 46" E 20.08 feet; thence through Lot 36 for two calls, S 59° 31' 29" E 70.95 feet and S 31° 30' 34" E 59.47 feet to a point in the common line of Lot 36 aforesaid and Lot 40, Block W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94); thence along the common line of Lots 36 and 40 aforesaid and continuing along the common line of Lot 36 and Lot 41, Block W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94), S 17° 12' 55" W 26.61 feet; thence again through Lot 36, parallel with and twenty feet southwesterly from the second and third calls cited above, in reverse order, N 31° 30' 34" W 72.04 feet and N 59° 31' 29" W 64.12 feet to the beginning and containing 2666 square feet.

EXHIBIT B

Temporary Construction Easement - Tract 1:

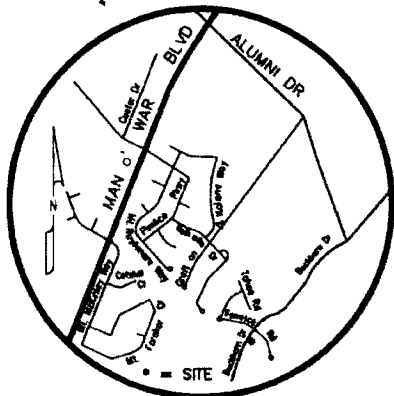
Beginning at a corner of the above described permanent sanitary sewer easement, said point being in the common line of Lot 36, Block W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94) and the easterly right-of-way of Buckhorn Drive; thence along said right-of-way, N 25° 12' 46" E 5.02 feet; thence through Lot 36, parallel with and five feet northeasterly from the northeasterly line of the above described permanent sanitary sewer easement, for two calls, S 59° 31' 29" E 72.65 feet and S 31° 30' 34" E 56.33 feet to a point in the common line of Lot 36 aforesaid and Lot 40, Block W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94); thence along said common line, S 17° 12' 55" W 6.65 feet; thence again through Lot 36, along the northeasterly line of the above described permanent sanitary sewer easement, for two calls, N 31° 30' 34" W 59.47 feet and N 59° 31' 29" W 70.95 feet to the beginning and containing 649 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 Lot 36, Block W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94) and the easterly right-of-way of Buckhorn Drive; thence through Lot 36, along the southwesterly line of the above described permanent sanitary sewer easement, for two calls, S 59° 31' 29" E 64.12 feet and S 31° 30' 34" E 72.04 feet to a point in the common line of Lot 36 aforesaid and Lot 41, Block W, Unit 7, Section 4 of East Lake Subdivision (Plat Cabinet F, Slide 94); thence along said common line, S 17° 12' 55" W 6.65 feet; thence again through Lot 36, parallel with and five feet southwesterly from the southwesterly line of the above described permanent sanitary sewer easement, for two calls, N 31° 30' 34" W 75.18 feet and N 59° 31' 29" W 62.41 feet to a point in the easterly right-of-way of Buckhorn Drive; thence along said right-of-way, N 25° 12' 46" E 5.02 feet to the beginning and containing 684 square feet.

It is expressly understood that the existing structures on subject property are excluded from the above described permanent and temporary construction easements and shall not be disturbed.

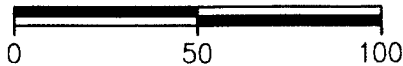
Being a twenty-foot wide permanent sanitary sewer easement and five-foot wide temporary construction easements on a portion of the same property conveyed to grantors by deed dated July 7, 2005, and recorded in Deed Book 2565, Page 105; being designated as Lot 36, Block W, Unit 7, Section 4 of East Lake Subdivision as per the Corrected Amended Final Subdivision Plat recorded in Plat Cabinet F, Slide 94. All of the above referenced instruments are of record in the Fayette County Clerk's office.



VICINITY MAP
Not To Scale

PROPERTY OWNERS' ADDRESS
MIKE D. & SHARON S. NATION
194 REDBUD LANE
GLASGOW, KY 42141

SCALE IN FEET

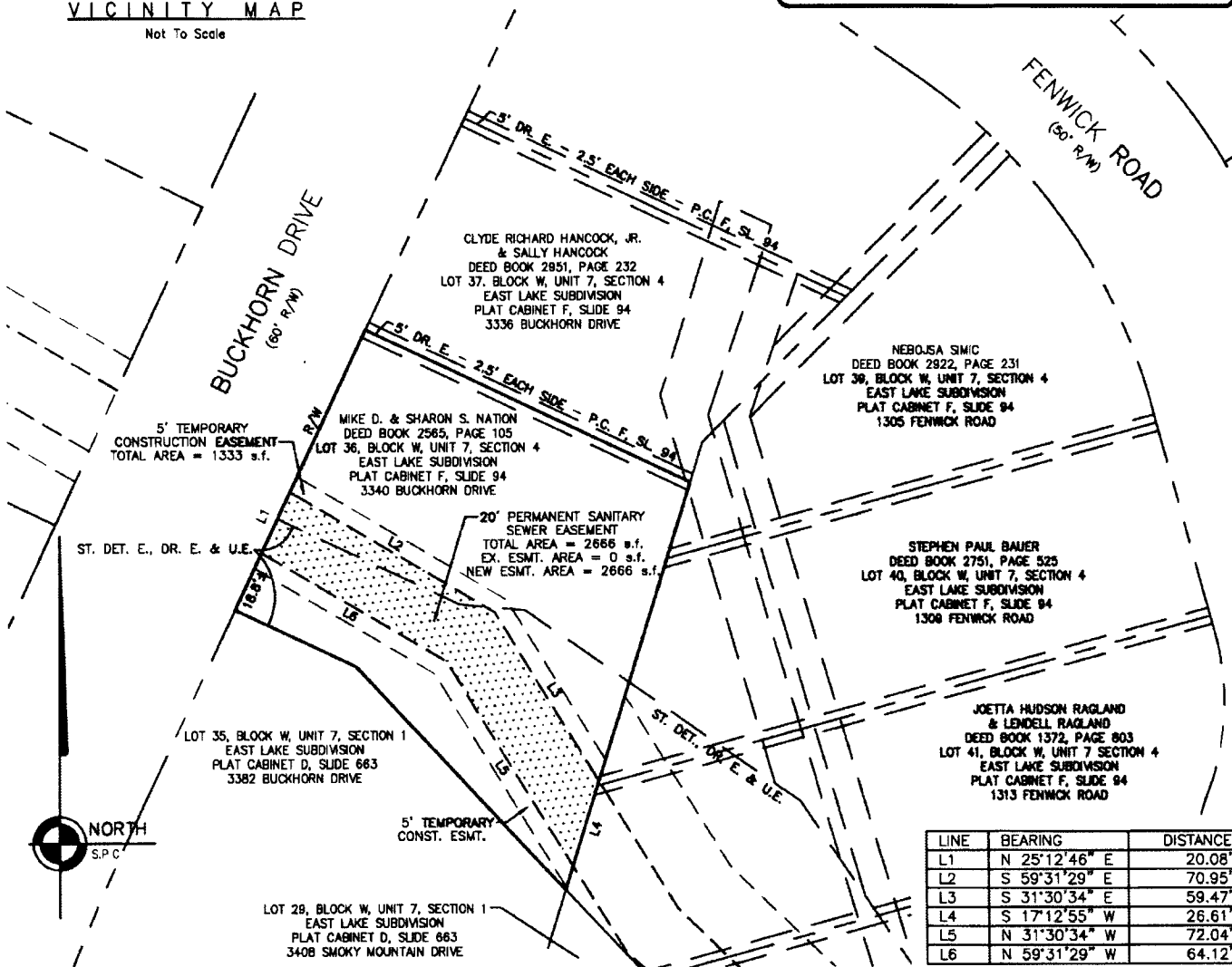


LEGEND

- 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 25°12'46" E	20.08'
L2	S 59°31'29" E	70.95'
L3	S 31°30'34" E	59.47'
L4	S 17°12'55" W	26.61'
L5	N 31°30'34" W	72.04'
L6	N 59°31'29" W	64.12'

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



SANITARY SEWER EASEMENT PLAT
MIKE D. NATION & SHARON S. NATION
(HUSBAND & WIFE)
PROPERTY
3340 BUCKHORN DRIVE
LEXINGTON, FAYETTE COUNTY, KENTUCKY

cdpengineers
3250 Blazer Parkway
Lexington KY 40506
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

201401290026

January 29, 2014 9:55:05 AM

Fees \$26.00 Tax \$0.00

Total Paid \$26.00

THIS IS THE LAST PAGE OF THE DOCUMENT

7 Pages

319 - 325