

**GRANT OF EASEMENT**

This **EASEMENT** is made and entered into this 8 day of July, 2016, by and between **LEXINGTON-FAYETTE URBAN COUNTY HOUSING AUTHORITY**, a Kentucky corporation chartered pursuant to **KRS Chapter 80**, 300 New Circle Road, N.W. at Russell Cave Road, Lexington, Kentucky 40505 ("Grantor"), 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 nominal consideration of the sum of **NINE HUNDRED FIFTY-SIX DOLLARS AND 80 CENTS (\$956.80)**, and other good and valuable consideration, 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, 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**  
**(a Portion of 800-804 Edmond Street)**  
**UK Trunk "A" RMP**  
**Sanitary Sewer Replacement Project**

**Parcel 1**

All those tracts or parcels of land situated on the south side of Edmond Street and on the west side of Willard Street, as

Mail to:  
 Lexington-Fayette Urban County Government  
 200 E. Main Street  
 Department of Law, 11<sup>th</sup> Floor  
 Lexington, Kentucky 40507

(CCF)

shown on plat entitled Sanitary Sewer Easement Plat for LFUCG Housing Authority prepared by MSE of Kentucky, Inc., dated July 2015, and more fully described as follows:

Beginning at a point in the south right-of-way of Edmond Street, said point being 107.40 east of the centerline of Perry Street; thence with the northerly line of said twenty foot sanitary sewer easement and the south right-of-way of Edmond Street, S 60°07'00" E-36.23 feet to a point; thence S 26°36'40" E-92.33 feet to a point in the west right-of-way line of Willard Street; thence S 05°40'50" W-27.58 feet with the west right-of-way line of Willard Street; thence N 83°59'15" W-3.42 feet; thence N 26°36'40" W-142.48 feet to the south right-of-way line of Edmond Street and the point of beginning and containing a total area of 2,370.7 square feet, more or less; and,

#### Parcel 2

A 20-foot wide permanent sanitary sewer easement at the southwest corner of said property (800-804 Edmond Street) and more fully described as follows:

Beginning at a point in the south line of 800-804 Edmond Street, said point being 125.55 feet west of the west right-of-way of Willard Street and the southwest common corner with Paul Holland; thence with said south line and the line of Paul Holland, N 88°35'51" W-23.43 feet; thence N 27°27'59" W-.92 feet; thence with the line of Paul Holland, N 05°31'00" W-54.89 feet; thence S 27°27'59" E-69.15 feet to the point of beginning.

The permanent easements described herein contain an area of 3,151.2 square feet. The net, new permanent easement described above contains an area of 2,822.7 square feet when the existing, prescribed permanent easement area is deducted from the described area. The existing, prescribed permanent easement area to revert back to Grantor at the completion of the construction project is 1,200.3 square feet.

Being a portion of the property conveyed to Lexington-Fayette Urban County Housing Authority, by deed dated July 15, 1988, of record in Deed Book 1483, Page 571, in the Fayette County Clerk's Office.

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, Grantor has **BARGAINED** and **SOLD** and does 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**  
**(a Portion of 800-804 Edmond Street)**  
**UK Trunk "A" RMP**  
**Sanitary Sewer Replacement Project**

The description is for a ten (10) foot wide temporary construction easement lying on the northerly and easterly side of the above described permanent sanitary sewer easement identified above as Parcel 1 and a (10) foot wide temporary construction easement lying on the south and westerly side of the above described permanent sanitary sewer easement identified as Parcel 1; and,

The description is for a (10) foot wide temporary construction easement lying on the northerly and easterly side of the above described permanent sanitary sewer easement identified above as Parcel 2 and a temporary construction easement of varying width lying on the south and westerly side at the southwest corner of the property.

Said temporary easements shall be a total area of 3,535.3 square feet; and,

Being a portion of the property conveyed to Lexington-Fayette County Housing Authority, by deed dated July 15, 1988, of record in Deed Book 1483, Page 571, in the Fayette County Clerk's Office.

Described on Exhibit "A" 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.

Grantor does hereby covenant to and with said 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 conveyed herein, and that it will **WARRANT GENERALLY** said title.

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 the prior written consent of the Grantee.

The obtaining of this easement was authorized by Resolution No. 265-2016 passed by the Lexington-Fayette Urban County Council on May 12, 2016. 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 Grantor has signed this Easement, the day and year first above written.

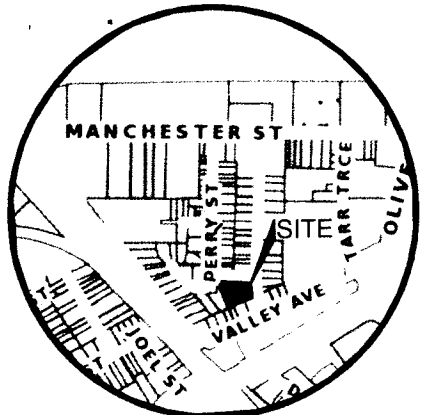
GRANTOR:

LEXINGTON-FAYETTE URBAN COUNTY  
HOUSING AUTHORITY

BY:

  
\_\_\_\_\_  
AUSTIN J. SIMMS,  
EXECUTIVE DIRECTOR

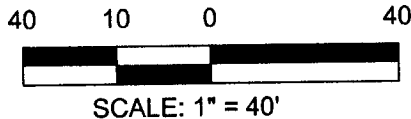




VICINITY MAP  
NOT TO SCALE

PROPERTY OWNER ADDRESS  
LFUCG HOUSING AUTHORITY  
300 W NEW CIRCLE RD  
LEXINGTON, KY 40505-1428

EXHIBIT "A"



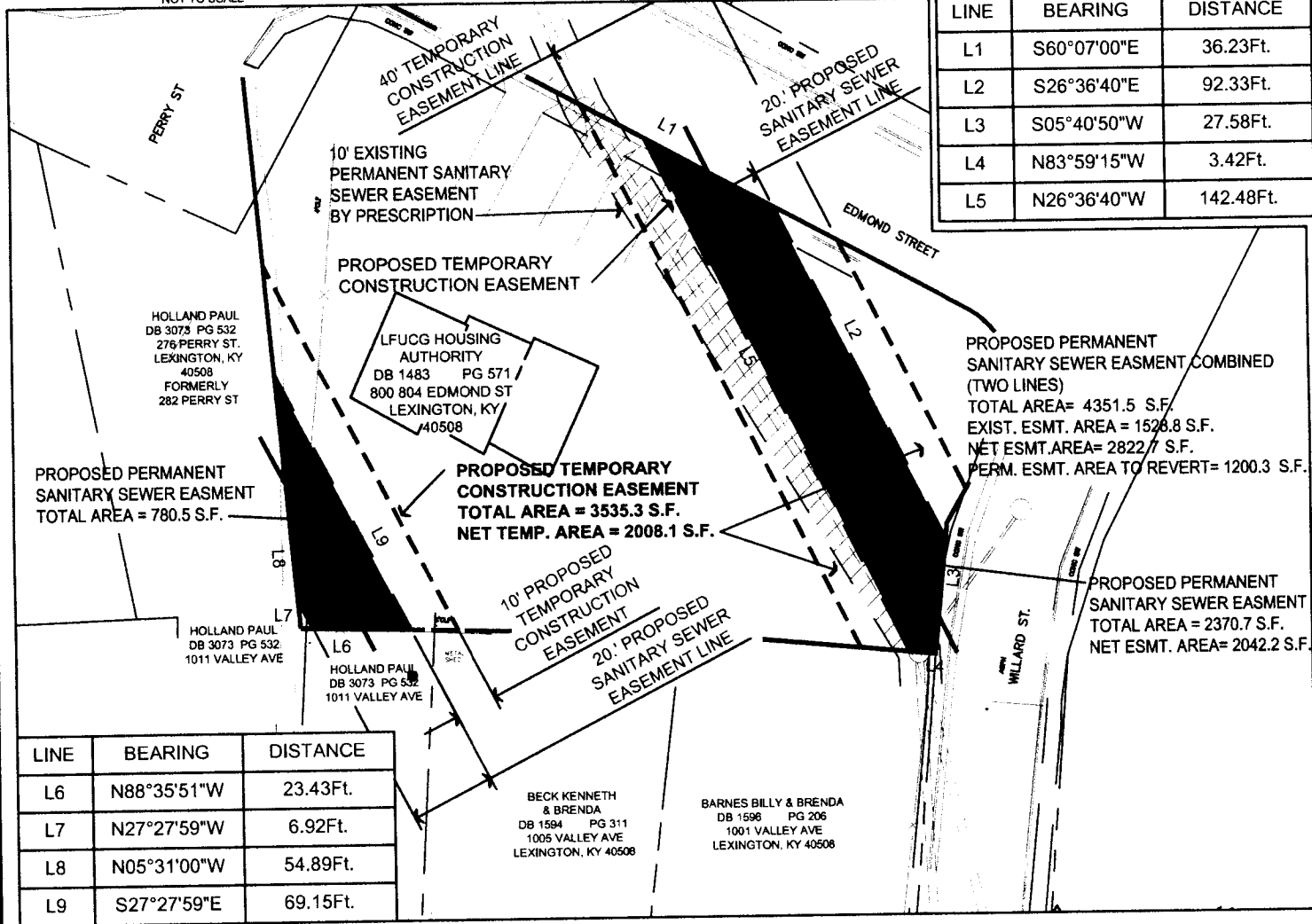
LEGEND

- 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 RIGHT-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.

LINE	BEARING	DISTANCE
L1	S60°07'00"E	36.23Ft.
L2	S26°36'40"E	92.33Ft.
L3	S05°40'50"W	27.58Ft.
L4	N83°59'15"W	3.42Ft.
L5	N26°36'40"W	142.48Ft.



PROPOSED PERMANENT  
SANITARY SEWER EASMENT  
TOTAL AREA = 780.5 S.F.

PROPOSED TEMPORARY  
CONSTRUCTION EASEMENT

LFUCG HOUSING  
AUTHORITY  
DB 1483 PG 571  
800 804 EDMOND ST  
LEXINGTON, KY  
40508

PROPOSED TEMPORARY  
CONSTRUCTION EASEMENT  
TOTAL AREA = 3535.3 S.F.  
NET TEMP. AREA = 2008.1 S.F.

PROPOSED PERMANENT  
SANITARY SEWER EASMENT COMBINED  
(TWO LINES)  
TOTAL AREA= 4351.5 S.F.  
EXIST. ESMT. AREA = 1528.8 S.F.  
NET ESMT. AREA= 2822.7 S.F.  
PERM. ESMT. AREA TO REVERT= 1200.3 S.F.

PROPOSED PERMANENT  
SANITARY SEWER EASMENT  
TOTAL AREA = 2370.7 S.F.  
NET ESMT. AREA= 2042.2 S.F.

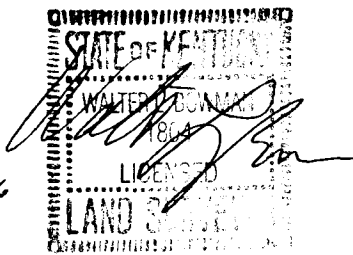
LINE	BEARING	DISTANCE
L6	N88°35'51"W	23.43Ft.
L7	N27°27'59"W	6.92Ft.
L8	N05°31'00"W	54.89Ft.
L9	S27°27'59"E	69.15Ft.

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..

*Walter L. Bowman* 5/17/16  
WALTER L. BOWMAN, PLS KY, 1804  
3561 CEPHAS WAY  
LEXINGTON, KY. 40503

DATE



SANITARY SEWER EASEMENT PLAT

LFUCG HOUSING AUTHORITY  
PROPERTY  
800 804 EDMOND ST  
LEXINGTON, FAYETTE COUNTY, KENTUCKY  
40508



624 Wallington Way  
Lexington, KY 40503  
www.mseky.com

PHONE: (859)223-9894  
FAX: (859)223-2807

DATE: JULY 1, 2015

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: SHEA BROWN ,dc

201607190060

July 19, 2016

11:07:59 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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