

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 3rd day of May, 2019, by and between **CHRISTIAN BENEVOLENT OUTREACH, INC.**, a Kentucky non-profit corporation, 3775 Belleau Wood Drive, Lexington, Kentucky 40517, 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 **FIVE THOUSAND ONE HUNDRED EIGHTY AND 16/100 DOLLARS (\$5,180.16)**, 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 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 560 Greenfield Drive)

All of that tract or parcel of land being a permanent sewer easement situated south of Wilson Downing Road in

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

(CC-F)

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

Beginning at a point in the southeast corner of the property and being a common corner to 561 Greenfield Drive property (Deed Book 2840, Page 571), Belleau Wood Subdivision, and lying in the western property line of 3709 Belleau Wood Drive property (Deed Book 2302, Page 498) Belleau Wood Subdivision, Lot 3); thence N 21°22'00" E, 40.69 feet more or less along the common property line with the 3709 Belleau Wood Drive property to **THE POINT OF BEGINNING OF THE PROPOSED PERMANENT SANITARY SEWER EASEMENT**; thence N 30°11'22" W, a distance of 160.95 feet; thence N 30°01'38" W, a distance of 244.97 feet; thence S 42°20'43" W, a distance of 23.11 feet; thence N 47°39'17" W, a distance of 20.00 feet; thence N 42°20'43" E, a distance of 22.97 feet; thence N 65°49'27" W, a distance of 206.74 feet; thence N 64°35'20" W, a distance of 205.74 feet; thence N 35°43'11" W, a distance of 171.61 feet; thence N 57°02'01" W, a distance of 73.18 feet; thence N 22°26'37" E, a distance of 14.38 feet; thence S 57°55'12" E, a distance of 90.99 feet; thence S 35°43'11" E, a distance of 157.96 feet; thence S 64 °35'20" E, a distance of 200.38 feet; thence S 65°49'27" E, a distance of 223.56 feet; thence S 30°01'38" E, a distance of 244.27 feet; thence N 29°13'30" E, a distance of 47.24 feet; thence S 60°46'30" E, a distance of 20.00 feet; thence S 29°13'30" W, a distance of 59.12 feet; thence S 30°11'22" E, a distance of 139.40 feet; thence S 21°26'58" W, a distance of 25.51 feet, more or less to the **POINT OF BEGINNING**; and,

The above described parcel contains 22,769.26 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 1,605.22 square feet, resulting in a net increase of 21,164.04 square feet of new easement area; and,

Being a portion of the property conveyed to Christian Benevolent Outreach, Inc., a Kentucky non-profit corporation, by deed dated August 13, 1980, of record in Deed Book 1257, Page 209 and by deed dated March 6, 2008, of record in Deed Book 2790, Page 608, both referenced 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 tracts 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 560 Greenfield Drive)

A tract or parcel of land being a temporary construction access easement situated south of Lancelot Lane in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Beginning at a point in the southeast corner of the property and being a common corner to 561 Greenfield Drive property (Deed Book 2840, Page 571) Belleau Wood Subdivision and lying in the western property line of 3709 Belleau Wood Drive property (Deed Book 2302, Page 498) Belleau Wood, Lot 3; thence N 21°22'00" E, 130.15 feet more or less along the common property line with the 3709 Belleau Wood Drive and 2704 Belleau Wood Drive properties; thence N 33°11'34" W, 132.00 feet more or less along the northern boundary of the existing sanitary sewer easement; thence 48°06'33" W, 12.38 feet, more or less along the northern boundary of existing sanitary sewer easement to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence N 48°06'33" W, a distance of 10.22 feet; thence N 32°04'48" E, a distance of 98.62 feet; thence S 57°55'12" E, a distance of 15.00 feet; thence S 32°04'48" W, a distance of 98.51 feet; thence N 60°46'30" W, a distance of 5.02 feet; thence S 29°13'30" W, a distance of 1.60 feet, more or less

to the **POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 1,488.10 square feet of temporary construction access easement; and,

The above tract being a portion of the property conveyed to Christian Benevolent Outreach, Inc., a Kentucky non-profit corporation, by deed dated August 13, 1980, of record in Deed Book 1257, Page 209 and by deed dated March 6, 2008, of record in Deed Book 2790, Page 608, both referenced in the Fayette County Clerk's Office.

Temporary Construction Easements
Lansdowne South Trunk Sewer Replacement Project
(a portion of 560 Greenfield Drive)

Ten tracts or parcels of land being a temporary construction easements situated south of Wilson Downing Road in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Tract No. 1

Tract No. 1 not used.

Tract No. 2

Beginning at a point in the northwest corner of the property lying in the southern right-of-way line of a parcel of land belonging to the Lexington-Fayette Urban County Government (Deed Book 3554, Page 314) and being a common corner to 3824 Camelot Drive property (Deed Book 2802, Page 76) Belleau Wood Subdivision, Unit 1-F, Lot 2E; thence S 57°55'12" E, 90.99 feet more or less along the southern right-of-way line of LFUCG property to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence S 57°55'12" E, a distance of 26.47 feet; thence S 35°43'11" E, a distance of 130.89 feet; thence S 64°35'20" E, a distance of 197.70 feet; thence S 65°49'27" E, a distance of 226.68 feet; thence S 30°01'38" E, a distance of 134.66 feet; thence N 48°06'33" W, a distance of 32.22 feet; thence N 30°01'38" W, a distance of 100.80 feet; thence N 65°49'27" W, a distance of 223.56 feet; thence 64°35'20" W, a distance of 200.38 feet; thence N 35°43'11" W, a distance of 157.96 feet, more or less to **THE POINT OF BEGINNING OF THE**

**PROPOSED TEMPORARY CONSTRUCTION EASEMENT;
and,**

The above described parcel contains 6,863.18 square feet of temporary construction easement; and,

Tract No. 3

Beginning at a point in the southeast corner of the property and being a common corner to 561 Greenfield Drive property (Deed Book 2840, Page 571) Belleau Wood Subdivision and lying in the western property line of 3709 Belleau Wood Drive property (Deed Book 2302, Page 498) Belleau Wood Subdivision, Lot 3; thence N 21°22'00" E, 115.42 feet, more or less along the common property line with the 3709 Belleau Wood Drive and 3705 Belleau Wood Drive properties; thence N 33°11'34" W, 138.97 feet more or less along the southern boundary of the existing sanitary sewer easement; thence N 48°06'33" W, 8.12 feet, more or less along the southern boundary of the existing sanitary sewer easement to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT;** thence S 29°13'30" W, a distance of 33.34 feet; thence N 30°01'38" W, a distance of 104.81 feet; thence S 48°06'33" E, a distance of 32.22 feet; thence S 30°01'38" E, a distance of 56.59 feet; thence N 29°13'30" E, a distance of 18.00 feet; thence S 48°06'33" E, a distance of 10.25 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT;** and

The above described parcel contains 1,063.72 square feet of temporary construction easement; and,

Tract No. 4

Beginning at a point in the southeast corner of the property and being a common corner to 561 Greenfield Drive property (Deed Book 2840, Page 571) Belleau Wood Subdivision and lying in the western property line of 3709 Belleau Wood Drive property (Deed Book 2302, Page 498) Belleau Wood Subdivision Lot 3; thence N 21°22'00" E, 130 feet, more or less along the common property line with the 3709 Belleau Wood Drive and 2704 Belleau Wood Drive properties; thence N 33°11'34" W, 111.78 feet, more or less along the northern boundary of the existing sanitary sewer easement to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT;** thence N 33°11'34" W, a distance of 11.28 feet; thence N 29°13'30" E,

a distance of 8.45 feet; thence S 60°46'30" E, a distance of 10.00 feet; thence S 29°13'30" W, a distance of 13.68 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 110.67 square feet of temporary construction easement; and,

Tract No. 5

Beginning at a point in the southeast corner of the property and being a common corner to 561 Greenfield Drive property (Deed Book 2840, Page 571) Belleau Wood Subdivision and lying in the western property line of 3709 Belleau Wood Drive property (Deed Book 3202, Page 498) Belleau Wood Subdivision, Lot 3; thence N 21°22'00" E, 66.23 feet, more or less along the common property line with the 3709 Belleau Wood property to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence N 30°11'22" W, a distance of 136.86 feet; thence N 29°13'30" E, a distance of 37.13 feet; thence S 33°11'34" E, a distance of 11.28 feet; thence S 29°13'30" W, a distance of 26.20 feet; thence S 30°11'22" E, a distance of 123.21 feet; thence S 21°22'00" W, a distance of 12.77 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 1,616.98 square feet of temporary construction easement; and,

Tract No. 6

Beginning at a point in the northwest corner of the property lying in the southern right-of-way line of Wilson Downing Road and being a common corner to 3824 Camelot Drive property (Deed Book 2802, Page 76) Belleau Wood Subdivision, Unit 1-F, Lot 2E; thence S 22°26'37" W, 40.75 feet, more or less along the common property line with the 3824 Camelot Drive property to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence S 57°02'01" E, a distance of 10.66 feet; thence S 31°55'17" E, a distance of 23.56 feet; thence N 57°02'01" W, a distance of 30.14 feet; thence N 22°26'37" E, a distance of 10.17 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 204.04 square feet of temporary construction easement; and,

Tract No. 7

Beginning at a point in the northwest corner of the property lying in the southern right-of-way line of Wilson Downing Road and being a common corner to 3824 Camelot Drive property (Deed Book 2802, Page 76) Belleau Wood Subdivision, Unit 1-F, Lot 2E; thence S 22°26'37" W, 20.42 feet, more or less along the common property line with the 3824 Camelot Drive property; thence S 31°55'17" E, 47.11 feet, more or less along the northern boundary of the existing sanitary sewer easement to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence S 57°02'01" E, a distance of 34.24 feet; thence S 35°43'11" E, a distance of 171.61 feet; thence S 64°35'20" E, a distance of 205.74 feet; thence S 65°49'27" E, a distance of 206.74 feet; thence S 42°20'43" W, a distance of 9.85 feet; thence N 65°17'05" W, a distance of 204.13 feet; thence N 65°14'04" W, a distance of 203.32 feet; thence N 38°16'43" W, a distance of 170.33 feet; thence N 31°55'17" W, a distance of 16.45 feet; thence N 31°55'17" W, a distance of 23.56 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 5,733.18 square feet of temporary construction easement; and,

Tract No. 8

Beginning at a point in the southeast corner of the property and being a common corner to 561 Greenfield Drive property (Deed Book 2840, Page 571) Belleau Wood Subdivision and lying in the western property line of 3709 Belleau Wood Drive property (Deed Book 2302, Page 498) Belleau Wood Subdivision, Lot 3; thence N 21°22'00" E, 115.42 feet, more or less along the common property line with the 3709 Belleau Wood Drive and 3705 Belleau Wood Drive properties; thence N 33°11'34" W, 138.97 feet, more or less along the southern boundary of the existing sanitary sewer easement; thence N 48°06'33" W, 213.31 feet, more or less along the southern boundary of the existing sanitary sewer easement to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASTMENT**; thence S 42°20'43" W, a distance of 4.16 feet; thence N 47°39'17" W, a distance of 10.00 feet; thence N 42°20'43" E,

a distance of 4.08 feet; thence S 48°06'33" E, a distance of 10.00 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 41.19 square feet of temporary construction easement; and,

Tract No. 9

Beginning at a point in the southeast corner of the property and being a common corner to 561 Greenfield Drive property (Deed Book 2840, Page 571) Belleau Wood Subdivision and lying in the western property line of 3709 Belleau Wood Drive property (Deed Book 2302, Page 498) Belleau Wood Subdivision, Lot 3; thence N 21°22'00" E, 115.42 feet, more or less along the common property line with the 3709 Belleau Wood Drive and 3705 Belleau Wood Drive properties; thence N 33°11'34" W, 138.97 feet, more or less along the southern boundary of the existing sanitary sewer easement; thence N 48°06'33" W, 223.31 feet, more or less along the southern boundary of the existing sanitary sewer easement; thence N 42°20'43" E, 12.00 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence N 42°20'43" E, a distance of 7.03 feet; thence S 30°01'38" E, a distance of 22.65 feet; thence N 48°06'33" W, a distance of 21.59 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 75.86 square feet of temporary construction easement; and,

Tract No.10

Beginning at a point in the southeast corner of the property and being a common corner to 561 Greenfield Drive property (Deed Book 2840, Page 571) Belleau Wood Subdivision and lying in the western property line of 3709 Belleau Wood Drive property (Deed Book 2302, Page 498) Belleau Wood Subdivision, Lot 3; thence N 21°22'00" E, 27.93 feet, more or less along the common property line with the 3709 Belleau Wood Drive property to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence N 30°11'27" W, a distance of 166.40 feet; thence N 30°01'38" W, a distance of 214.30 feet; thence S 48°06'33" E, a distance of 32.22 feet;

thence S 30°06'09" E, a distance of 342.11 feet; thence S 21°22'00" W, a distance of 12.76 feet, more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; and,

The above described parcel contains 3,654.98 square feet of temporary construction easement; and,

All of the above tracts being a portion of the property conveyed to Christian Benevolent Outreach, Inc., a Kentucky non-profit corporation, by deed dated August 13, 1980, of record in Deed Book 1257, Page 209 and by deed dated March 6, 2008, of record in Deed Book 2790, Page 608, both referenced 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 easements run 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 easements 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 does 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 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 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.

GRANTOR:

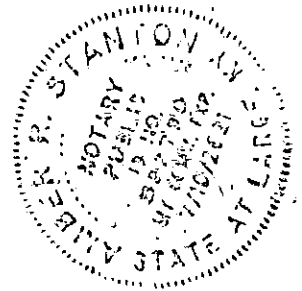
CHRISTIAN BENEVOLENT OUTREACH, INC., a
Kentucky non-profit corporation

BY: *Karen Venis*
KAREN VENIS,
CEO AND EXECUTIVE DIRECTOR

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

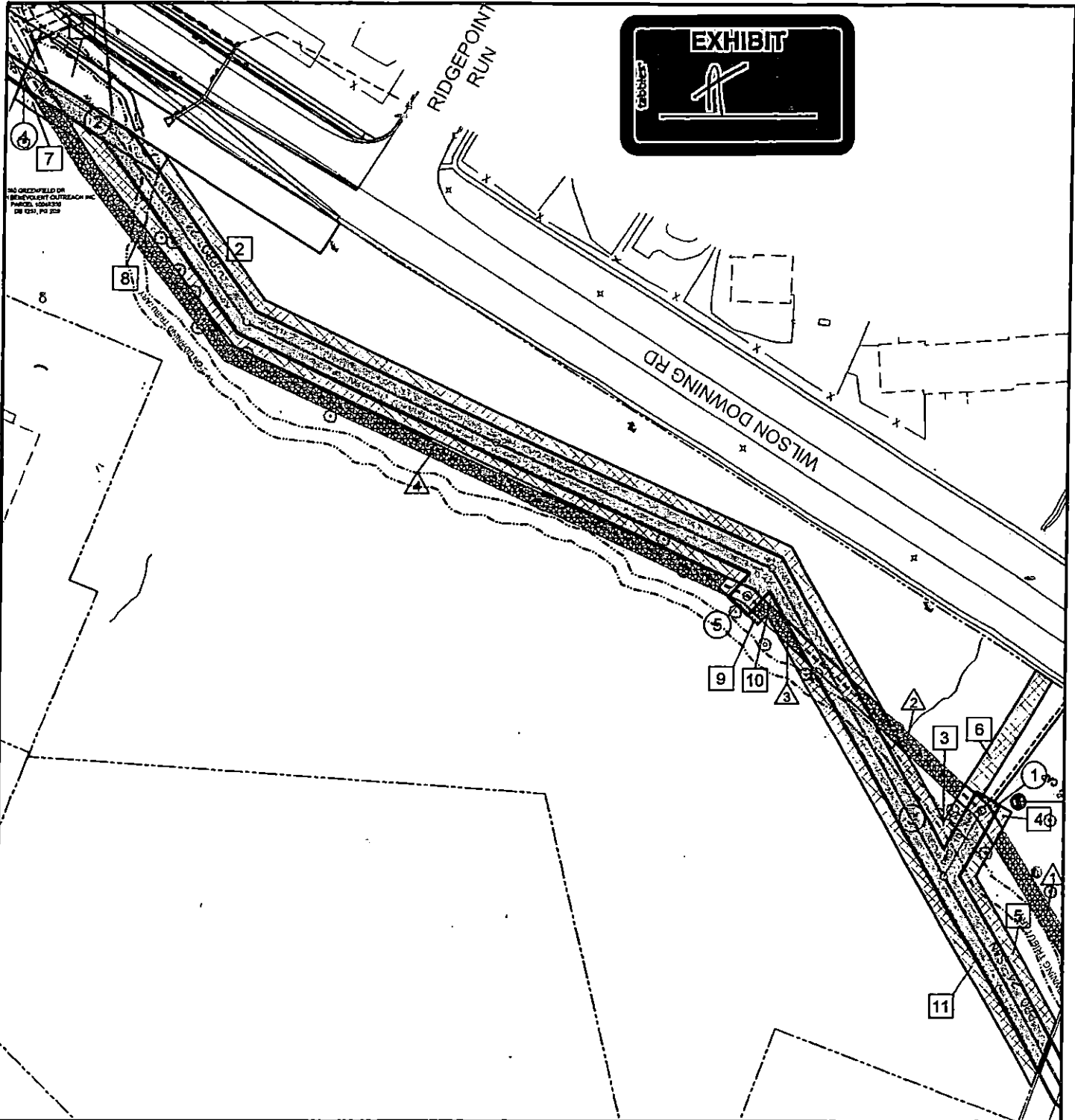
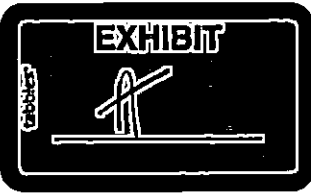
This instrument was acknowledged, subscribed and sworn to before me by Karen Venis, as CEO and Executive Director, for and on behalf of Christian Benevolent Outreach, Inc., a Kentucky non-profit corporation, on this the 3 day of May, 2019.

Ann R. Jeter
Notary Public, Kentucky, State-at-Large
My Commission Expires: 7/10/21
Notary ID #: 582790



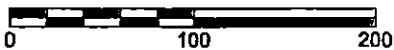
PREPARED BY:

Charles E. Edwards III
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



BASIS OF BEARINGS:
NAD 83 KY NORTH

GRAPHIC SCALE: 1" = 100'



- 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 560 GREENFIELD DRIVE



CIVIL, ENVIRONMENTAL, MINING

340 S BROADWAY | LEXINGTON, KY 40517 | f: (659) 233-2103 | fax: (659) 259-3394

DATE - 5/14/2018 PROJECT NO. 1016-001

DRAWN - kmf

PROJECT NAME - LANSLOWNE 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: EMILY GENTRY ,dc

201905080108

May 8, 2019

10:27:48 AM

Fees	\$44.00	Tax	\$.00
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Total Paid	\$44.00
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13 Pages

225 - 237