

**GRANT OF EASEMENT**

This **EASEMENT** is made and entered into this 23<sup>rd</sup> day of October, 2013, by and between **SUSAN ELAINE HAMMOND and WILLIAM GERALD SMITH, wife and husband**, 500 Bob-O-Link Drive, Lexington, Kentucky 40503 ("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 **Thirty Four Thousand Seven Hundred Twenty-Six and 45/100 Cents (\$34,726.45)**, 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:

**Bob-O-Link Sanitary Sewer Improvement Project**  
**Permanent Sanitary Sewer Easement**  
**(a portion of 500 Bob-O-Link Drive)**

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

Michael Keith Horn  
LFUCG Department of Law  
200 East Main Street, 11<sup>th</sup> Floor  
Lexington, Kentucky 40507

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:

**Bob-O-Link Sanitary Sewer Improvement Project**  
**Temporary Construction Easement**  
**(a portion of 500 Bob-O-Link Drive)**

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. ~~721-13~~<sup>391-13 SP</sup> 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



EXHIBIT A

Permanent Sanitary Sewer Easement  
A portion of 500 Bob-O-Link Drive  
Lexington, Fayette County, Kentucky

All that tract of land between Bob-O-Link Drive, Harrodsburg Road, Lafayette Drive and Springhill Drive and east of Vaughn's Branch in Lexington, Fayette County, Kentucky and being more fully described as follows:

BEGINNING at a point at the corner of Lafayette Drive and the rear corner of Lot 1 Block "D" of Oakdale Park Subdivision; thence through the parent tract for five calls:

- 1) S 54°49'35" W a distance of 25.65';
- 2) N 35°37'10" W a distance of 44.19';
- 3) N 35°49'48" W a distance of 339.85'
- 4) N 35°27'24" W a distance of 326.31';
- 5) N 73°37'46" W a distance of 38.52' to a point in the

line of South Grove Subdivision; thence with the line of said subdivision, N 53°42'47" E a distance of 25.16' to a point; thence through the parent tract for two calls:

- 1) S 73°37'46" E a distance of 20.15';
- 2) N 39°42'15" E a distance of 7.17' to a point in the

line of Oakdale Subdivision; thence with said subdivision, S 36°01'40" E a distance of 727.15' to the point of BEGINNING, having an area of 17,666 square feet, of which 7,303 square feet of said easement previously conveyed in Deed Book 795 Page 97, leaving 10,363 square feet of new easement area.

Being a part of the same property conveyed to Susan Elaine Hammond, a married person, by deed of David Cooper Hammond and Christine Hammond, his wife; Christopher Thomas Hammond and Kimberley Hammond, his wife; and Ashley Hammond, a single person, dated May 28, 2013 of record in Deed Book 3165 Page 416 in the Fayette County Clerk's Office, Fayette County, Kentucky.

**EXHIBIT B**

Temporary Construction Easements  
A portion of 500 Bob-O-Link Drive  
Lexington, Fayette County, Kentucky

**TRACT 1:**

All that tract of land adjacent to and north of the permanent sanitary sewer easement described above and being more fully described as follows:

BEGINNING at a point at the northernmost corner of Catherine C. Hammond property known as 500 Bob-O-Link Drive (Deed Book 1662 Page 246), said point also being the southeast corner of Lare Properties, LLC property known as 1610 Harrodsburg Avenue (Deed Book 2872 Page 366); thence S 36°01'44" E a distance of 14.49'; thence S 41°19'13" W a distance of 7.12'; thence N 73°37'46" W a distance of 20.15'; thence N 53°42'47" E a distance of 19.24' to the point of BEGINNING having an area of 204 square feet.

**TRACT 2:**

All that tract of land adjacent to and south of the permanent sanitary sewer easement described above and being more fully described as follows:

BEGINNING at a point being S 54°49'35" W a distance of 25.65' from the corner of Lafayette Drive and the rear corner of Lot 1 Block "D" of Oakdale Park Subdivision; thence S 54°49'35" W a distance of 15.00'; thence N 35°37'10" W a distance of 44.05'; thence N 35°49'48" W a distance of 339.88'; thence N 35°27'24" W a distance of 321.17'; thence N 73°37'46" W a distance of 39.49'; thence S 50°18'08" W a distance of 18.89'; thence N 36°17'37" W a distance of 5.33'; thence N 53°42'47" E a distance of 34.51'; thence S 73°37'46" E a distance of 38.52'; thence S 35°27'24" E a distance of 326.31'; thence S 35°49'48" E a distance of 339.85'; thence S 35°37'10" E a distance of 44.19' to the point of BEGINNING having an area of 11,324 square feet.

Being a part of the same property conveyed to Susan Elaine Hammond, a married person, by deed of David Cooper Hammond and Christine Hammond, his wife; Christopher Thomas Hammond and Kimberley Hammond, his wife; and Ashley Hammond, a single person, dated May 28, 2013 of record in Deed Book 3165 Page 416 in the Fayette County Clerk's Office, Fayette County, 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.

  
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By: DOUG BRADLEY ,dc

201311070182

November 7, 2013                      13:15:21    PM

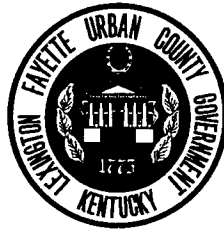
Fees	\$23.00	Tax	\$0.00
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Total Paid	\$23.00
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**6 Pages**

**291 - 296**



Lexington-Fayette Urban County Government  
DEPARTMENT OF LAW

Jim Gray  
Mayor

Janet M. Graham  
Commissioner

To: Meredith Nelson, Council Clerk  
Council Clerk's Office

From: Department of Law

Date: November 19, 2013

Re: Easements and Asset Acquisition Forms  
(500, 586, 366, 345 372, 370, 364, 380, 362, 374, and 368 Bob-O-Link Drive;  
1451, 1608, 1604, 1610, 1618, 1600, and 1614-1616 Harrodsburg Road;  
431, and 427 Springhill Drive; and 420 Lafayette Parkway)  
Log No. 13-RE0190

Enclosed are the original recorded easements conveying permanent easements across the above-referenced properties to the Urban County Government for the Bob-O-Link Sanitary Sewer Improvement Project. Please file the easements with the authorizing legislation, Resolution No. ~~721-2013~~.

391 - 2013 SP

Also enclosed are the completed Asset Acquisition forms for the properties. After you have signed and dated the form, please forward them to Kim Bryan in the Department of Finance.

If you have any questions, please let me know.

Keith Horn  
Managing Attorney

Enclosures

cc: Kim Bryan, Department of Finance  
Beth Florence, Department of Finance

VariousProperties(Memo to Nelson)/00416306