

FAYETTE CO, KY FEE \$74.00

SUSAN LAMB
COUNTY CLERK

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DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 31st day of March, 2025, by and between **JENNY M. HILL and CHARLES T. HILL, wife and husband**, 2342 Maplewood Drive, Lexington, Kentucky 40503, which is the correct mailing and 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 **TWO THOUSAND FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$2,500.00)**, 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,

Return to:
Cynthia Cannon-Ferguson
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction, installation, repair, maintenance 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 Trunk G
Sewer Improvement Project
(a portion of 303 Southland Drive)

Tract A

All that strip or parcel of land situated on the north side of Southland Drive, east of Cherrybark Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a point in the southerly right-of-way line of Elam Park, said point also being a common corner with Lexington-Fayette Urban County Government (Deed Book 4107, Page 658) in the Fayette County Clerk's Office;

Thence with the southerly right-of-way line of Elam Park, South 68°13'00" East, a distance of 14.46 feet to a point;

Thence leaving the southerly right-of-way line of Elam Park, with a new permanent sanitary sewer easement line through the lands of Jenny M. and Charles T. Hill, South 25°08'19" West, a distance of 20.88 feet to a point;

Thence with an existing sanitary sewer easement line for two (2) calls:

- 1) North 65°06'19" West, a distance of 10.01 feet to a point; and
- 2) North 64°46'30" West, a distance of 3.25 feet to a point in the easterly property line of the aforesaid Lexington-Fayette Urban County Government;

Thence with the easterly property line of Lexington-Fayette Urban County Government, North 21°47'00" East, a distance of 20.11 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.007 Acres (284 sq. ft.) of permanent easement; and

Tract B

All that strip or parcel of land situated on the north side of Southland Drive, east of Cherrybark Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a point in the southerly right-of-way line of Elam Park, said point also being a common corner with Lexington-Fayette Urban County Government (Deed Book 4107, Page 658) in the Fayette County Clerk's Office;

Thence with the southerly right-of-way line of Elam Park, and continuing with the southerly property line of Lot 5, Block C, as shown on the Plat of Elam Park Subdivision (Plat Cabinet E, Slide 402), South 68°13'00" East, a distance of 147.30 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing with the southerly property line of Lot 5, South 68°13'00" East, a distance of 21.48 feet to a point;

Thence leaving the southerly property line of Lot 5, with a new permanent sanitary sewer easement line through the lands of Jenny M. and Charles T. Hill for two (2) calls:

- 1) South 00°23'05" West, a distance of 20.19 feet to a point;
- 2) South 20°19'06" West, a distance of 10.93 feet to a point;

Thence with an existing sanitary sewer easement line, North 65°06'19" West, a distance of 17.89 feet to a point;

Thence with a new permanent sanitary sewer easement line, North 00°23'05" East, a distance of 30.88 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.014 Acres (608 sq. ft.) of permanent easement; and

Tract C

All that strip or parcel of land situated on the north side of Southland Drive, east of Cherrybark Drive in Lexington, Fayette

County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a point in the westerly right-of-way line of Norfolk Southern Railroad (CNO&TP), said point also being a common corner with Deloris Delaney (Deed Book 2207, Page 269) in the Fayette County Clerk's Office;

Thence with the northerly property line of Deloris Delaney, North 43°39'00" West, a distance of 20.76 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing with the northerly property line of Deloris Delaney, North 43°39'00" West, a distance of 5.57 feet to a point;

Thence leaving the northerly property line of Deloris Delaney, with a new permanent sanitary sewer easement line through the lands of Jenny M. and Charles T. Hill, North 20°19'02" East, a distance of 138.99 feet to a point;

Thence with an existing sanitary sewer easement line for two (2) calls:

- 1) South 65°06'19" East, a distance of 5.02 feet to a point; and
- 2) South 20°19'06" West, a distance of 141.03 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.016 Acres (701 sq. ft.) of permanent easement; and

Tracts A, B and C, being a portion of the same property conveyed to Jenny M Hill and Charles T. Hill, wife and husband, by Deed dated December 11, 2001, of record in Deed Book 2248, Page 229, 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, repair, maintenance 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 Trunk G
Sewer Improvement Project
(a portion of 303 Southland Drive)

Tract D

All that strip or parcel of land situated on the north side of Southland Drive, east of Cherrybark Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a point in the southerly right-of-way line of Elam Park, said point also being a common corner with Lexington-Fayette Urban County Government (Deed Book 4107, Page 658) in the Fayette County Clerk's Office;

Thence with the southerly right-of-way line of Elam Park, South 68°13'00" East, a distance of 14.46 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing with the southerly right-of-way line of Elam Park, South 68°13'00" East, a distance of 10.02 feet to a point;

Thence leaving the southerly right-of-way line of Elam Park, with a new temporary construction easement line through the lands of Jenny M. and Charles T. Hill, South 25°08'19" West, a distance of 21.43 feet to a point;

Thence with an existing sanitary sewer easement line, North 65°06'19" West, a distance of 10.00 feet to a point;

Thence with a new permanent sanitary sewer easement line, North 25°08'19" East, a distance of 20.88 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.005 Acres (212 sq. ft.) of temporary construction easement; and

Tract E

All that strip or parcel of land situated on the north side of Southland Drive, east of Cherrybark Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a point in the southerly right-of-way line of Elam Park, said point also being a common corner with Lexington-Fayette Urban County Government (Deed Book 4107, Page 658) in the Fayette County Clerk's Office;

Thence with the southerly right-of-way line of Elam Park, and continuing with the southerly property line of Lot 5, Block C, as shown on the Plat of Elam Park Subdivision (Plat Cabinet E, Slide 402), South 68°13'00" East, a distance of 136.56 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing with the southerly property line of Lot 5, South 68°13'00" East, a distance of 10.74 feet to a point;

Thence leaving the southerly property line of Lot 5, with a new permanent sanitary sewer easement line through the lands of Jenny M. and Charles T. Hill, South 00°23'05" West, a distance of 30.88 feet to a point;

Thence with an existing sanitary sewer easement line, North 65°06'19" West, a distance of 10.99 feet to a point;

Thence with a new temporary construction easement line, North 00°23'05" East, a distance of 30.24 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.007 Acres (306 sq. ft.) of temporary construction easement; and

Tract F

All that strip or parcel of land situated on the north side of Southland Drive, east of Cherrybark Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a point in the westerly right-of-way line of Norfolk Southern Railroad (CNO&TP), said point also being a common corner with Deloris Delaney (Deed Book 2207, Page 269) in the Fayette County Clerk's Office;

Thence with the northerly property line of Deloris Delaney, North 43°39'00" West, a distance of 26.33 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing with the northerly property line of Deloris Delaney, North 43°39'00" West, a distance of 10.43 feet to a point;

Thence with the westerly property line of Deloris Delaney, South 46°32'00" West, a distance of 1.42 feet to a point;

Thence leaving the westerly property line of Deloris Delaney, with a new temporary construction easement line through the lands of Jenny M. and Charles T. Hill, North 20°19'02" East, a distance of 136.49 feet to a point;

Thence with an existing sanitary sewer easement line, South 65°06'19" East, a distance of 10.03 feet to a point;

Thence with a new permanent sanitary sewer easement line, South 20°19'02" West, a distance of 138.99 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.031 Acres (1,370 sq. ft.) of temporary construction easement; and

Tract G

All that strip or parcel of land situated on the north side of Southland Drive, east of Cherrybark Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a point in the westerly right-of-way line of Norfolk Southern Railroad (CNO&TP), said point also being a common corner with Lot 5, Block C as shown on the Plat of the Elam Park Subdivision (Plat Cabinet E, Slide 402) in the Fayette County Clerk's Office;

Thence with the westerly right-of-way line of Norfolk Southern Railroad for two (2) calls:

- 1) South 21°47'00" West, a distance of 182.72 feet to a point; and
- 2) South 21°37'25" West, a distance of 6.10 feet to a common corner with Deloris Delaney (Deed Book 2207, Page 269);

Thence leaving the westerly right-of-way line of Norfolk Southern Railroad, with the northerly property line of Deloris Delaney, North 43°39'00" West, a distance of 9.63 feet to a point;

Thence leaving the northerly property line of Deloris Delaney, with an existing sanitary sewer easement line through the lands of Jenny M and Charles T. Hill, and continuing with a new permanent sanitary sewer easement line, North 20°19'06" East, a distance of 166.08 feet to a point;

Thence with a new permanent sanitary sewer easement line, North 00°23'05" East, a distance of 20.19 feet to a point in the southerly property line of the aforesaid Lot 5;

Thence with the southerly property line of Lot 5, South 68°13'00" East, a distance of 20.36 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.049 Acres (2,135 sq. ft.) of temporary construction easement; and

Tracts D, E, F and G, being a portion of the same property conveyed to Jenny M. Hill and Charles T. Hill, wife and husband, by Deed dated December 11, 2001, of record in Deed Book 2248, Page 229, 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.

TOGETHER with the right to use the above-described easements during the time the sanitary sewer is being constructed, repaired or reconstructed, with the right of ingress and egress upon said easements as may be reasonably necessary for the construction and maintenance of said project.

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 or maintenance thereof.

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 they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 308-2023, passed by the Lexington-Fayette Urban County Council on June 15, 2023. 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:


JENNY M. HILL

JENNY M. HILL

BY:

Chad Neil

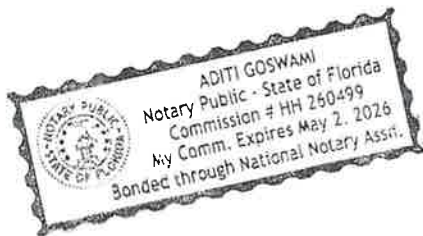
CHARLES T. HILL

STATE OF FLORIDA

COUNTY OF SARASOTA

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This instrument was acknowledged, subscribed and sworn to before me by Jenny M. Hill and Charles T. Hill, wife and husband, on this the 31 day of March, 2025.



Notary Public, Florida, ~~State-at-Large~~

My Commission Expires: 05 / 02 / 2026

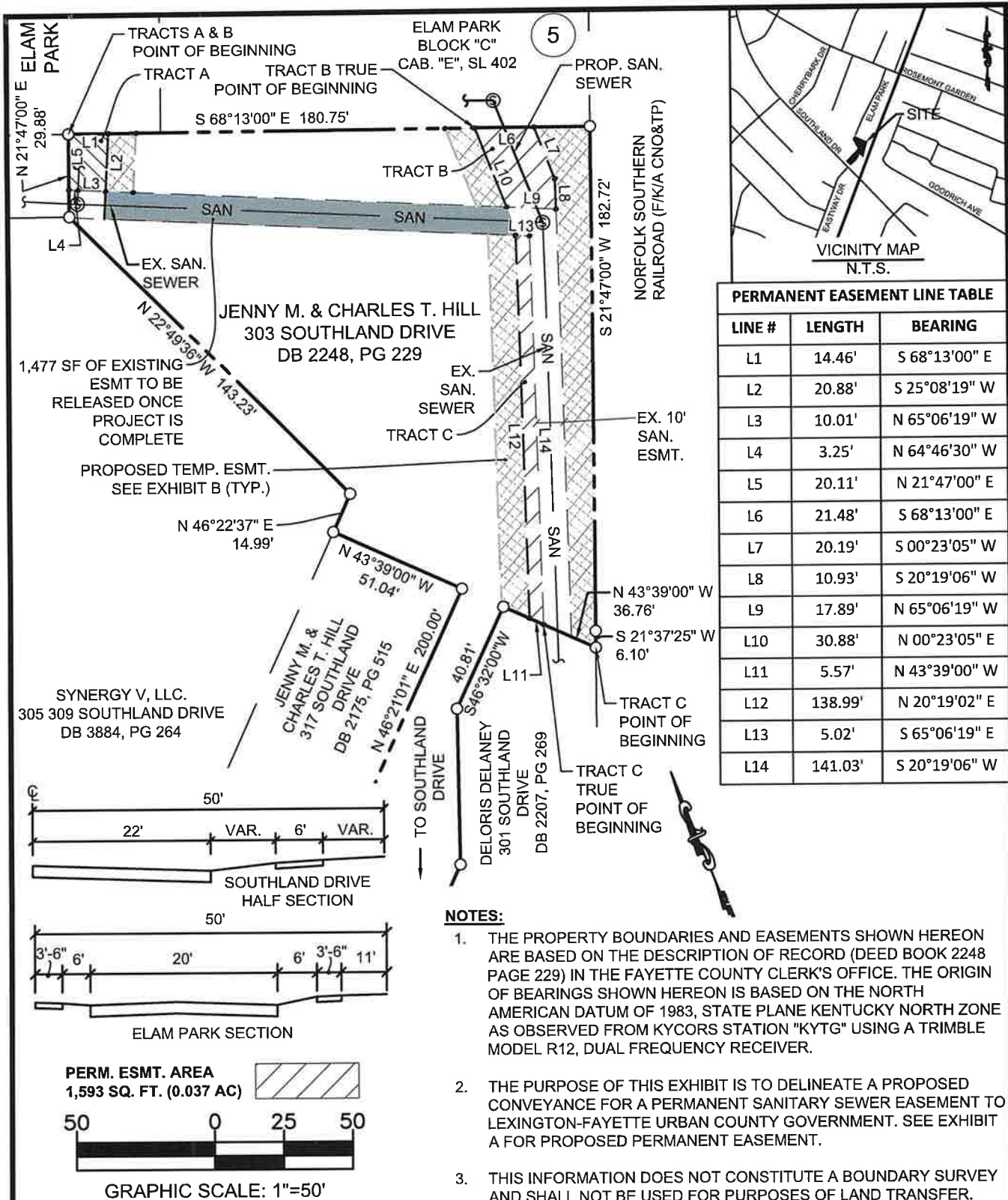
PREPARED BY:



TIFFANY AMBER HOLSKEY,
Attorney

Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

4928-6382-8512, v. 1



SANITARY SEWER PERMANENT EASEMENT EXHIBIT
JENNY M. & CHARLES T. HILL
303 SOUTHLAND DRIVE
WOLF RUN TRUNK G SEWER IMPROVEMENTS
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY



EXHIBIT A

2815.298

FEBRUARY 2025

