

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 16th day of August, 2019, by and between **JAMES E. STEPETAK, a single person**, 304 Masterson Station Drive, Lexington, Kentucky 40511 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 **SIX HUNDRED THIRTY AND 80/100 DOLLARS (\$630.80)**, 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
Wolf Run Trunk B & C Sewer Replacement Project
(a portion of 1999 Fair Oaks Drive)

COMMENCING, at a point in the south right-of-way of Versailles Road, being a common corner with 1997 Fair

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

(CC-F)

Oaks Drive (David Cole, Deed Book 2697, Page 532) and 1999 Fair Oaks Drive (James Stepetak, Deed Book 2250, Page 632); thence along the south right-of-way of Versailles Road, S 84°21'54" W, a distance of 117.51 feet; to the **TRUE POINT OF BEGINNING**; thence leaving said right-of-way and with a permanent easement, S 01°44'32" E, a distance of 12.23 feet; thence S 19°48'00" E, a distance of 60.46 feet, to a point in the common line of 1999 Fair Oaks Drive and 1500 Roanoke Road (LFUCG, Deed Book 2229, Page 699); thence along said common line, N 72°26'28" W, a distance of 5.18 feet, to a bend in said common line; thence S 83°39'27" W, a distance of 16.33 feet; thence leaving said common line and with a permanent easement, N 19°48'00" W, a distance of 45.03 feet; thence S 69°46'48" W, a distance of 20.22 feet, to a point in the common line of 1999 Fair Oaks Drive and 2284 Versailles Road (Stonehorse, LLC, Deed Book 2292, Page 675); thence along said common line, N 09°53'32" W, a distance of 20.33 feet; thence leaving said common line and with a permanent easement, N 69°46'48" E, a distance of 19.44 feet; thence N 01°44'32" W, a distance of 5.25 feet, to a point in the south right-of-way of Versailles Road; thence along said right-of-way, N 84°21'54" E, a distance of 20.05 feet, more or less to the **POINT OF BEGINNING**; and,

The above described parcel contains 1,797.77 square feet of permanent easement; and

Being a portion of the property conveyed to James Stepetak (a/k/a James E. Stepetak), a single person, by deed dated December 14, 2001, of record in Deed Book 2250, Page 632, 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 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 B & C Trunk Sewer Replacement Project
(a portion of 1999 Fair Oaks Drive)

COMMENCING, at a point in the south right-of-way of Versailles Road, being a common corner with 1997 Fair Oaks Drive (David Cole, Deed Book 2697, Page 532) and 1999 Fair Oaks Drive (James Stepetak, Deed Book 2250, Page 632); thence along the south right-of-way of Versailles Road, S 84°21'54" W, a distance of 107.49, to the **TRUE POINT OF BEGINNING**; thence leaving said right-of-way and with a temporary easement, S 01°44'35" E, a distance of 11.32 feet; thence S 19°48'00" E, a distance of 66.50 feet, to a point in the common line of 1999 Fair Oaks Drive and 1500 Roanoke Road (LFUCG, Deed Book 2229, Page 699); thence along said common line, N 72°26'28" W, a distance of 17.76 feet, to a bend in said common line; thence S 83°39'27" W, a distance of 26.61 feet; thence leaving said common line and with a temporary easement, N 19°48'00" W, a distance of 32.56 feet; thence leaving said common line and with a temporary easement, S 69°46'48" W, a distance of 11.97 feet, to a point in the common line of 1999 Fair Oaks Drive and 2284 Versailles Road (Stonehorse, LLC, Deed Book 2292, Page 675); thence along said common line, N 09°52'32" W, a distance of 40.66 feet, to a common corner of 1999 Fair Oaks Drive and 2284 Versailles Road, also being a point in the south right-of-way of Versailles Road; thence along the south right-of-way of Versailles Road, N 84°21'54" E, a distance of 49.99 feet, to the point of beginning, excepting the area covered by permanent easement (1,797.77 square feet); and,

The above described parcel contains a total area of 1,450.86 square feet of temporary construction easement;

Being a portion of the property conveyed to James Stepetak (a/k/a James E. Stepetak), a single person, by deed dated December 14, 2001, of record in Deed Book 2250, Page 632, 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 easement runs 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 easement 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.

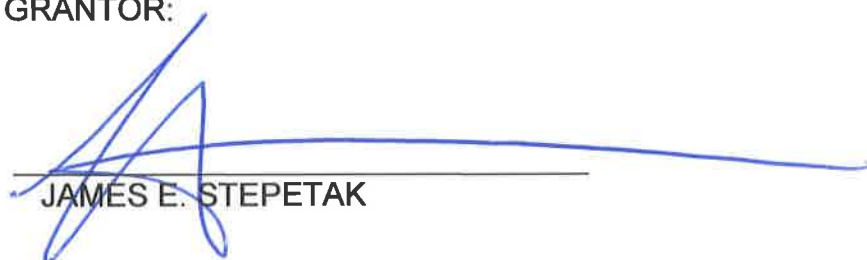
Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of his right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and does hereby covenant to and with the Grantee, its successors and assigns forever, that he is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that he will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 59-2019, 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:



JAMES E. STEPETAK

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by James E. Stepetak, a single person, on this the 16th day of August, 2019.




Notary Public, Kentucky, State-at-Large

My Commission Expires: 7 110 12023

Notary ID # 626440

PREPARED BY:



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

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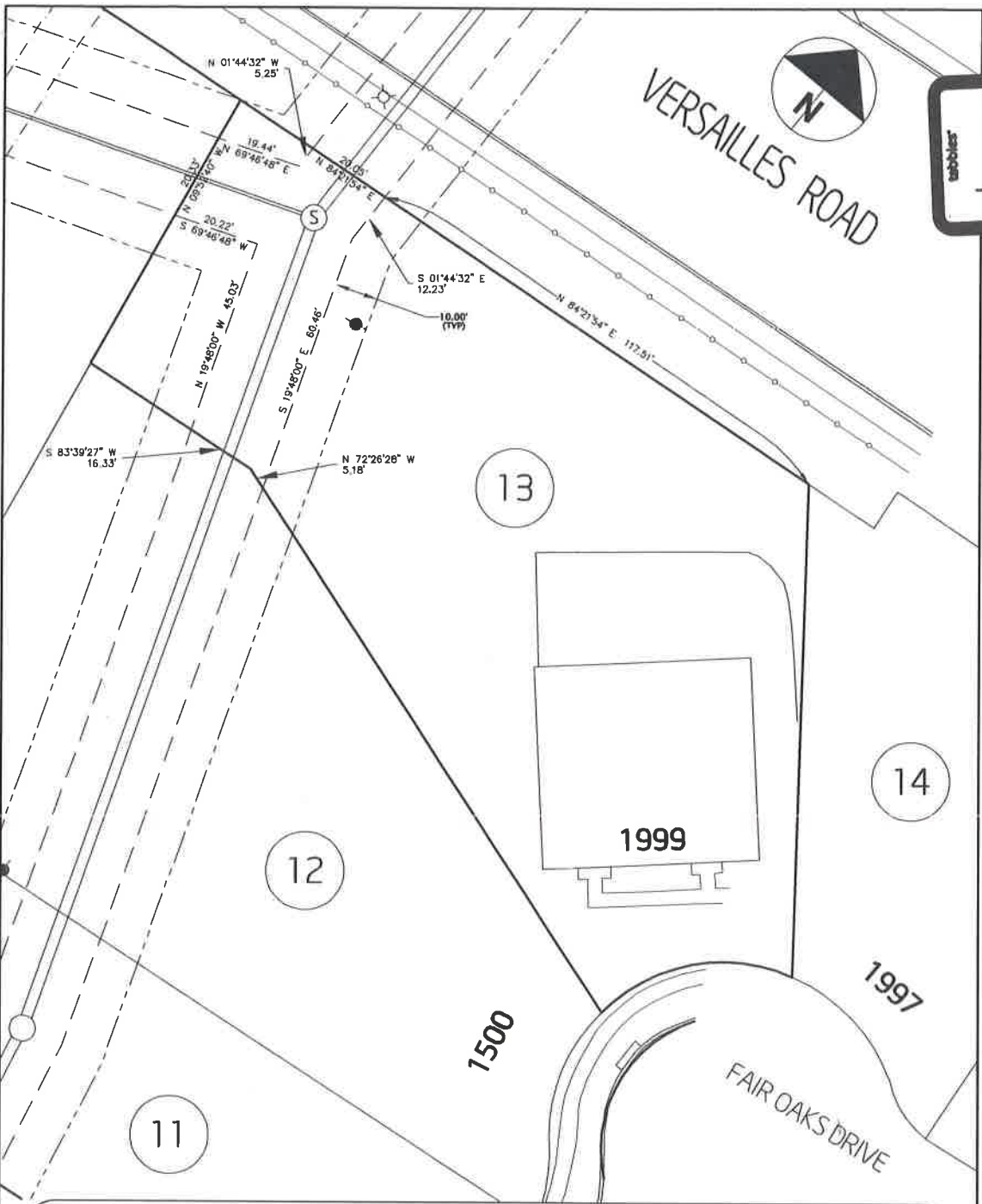


EXHIBIT
 A

SURVEY EXHIBIT

1999 FAIR OAKS DRIVE
 LEXINGTON FAYETTE CO., KY
 GARDENSIDE UNIT 16-B
 RECORDED IN PLAT CABINET C SLIDE 770
 LOT 13 BLOCK C
 DATE JAN-2018

STATE of KENTUCKY
 JUSTIN D. DRURY
 3843
 LICENSED PROFESSIONAL LAND SURVEYOR

2020
 LAND SURVEYING
 2216 YOUNG DRIVE
 SUITE 7B
 LEXINGTON KY, 40505
 PHONE 859-268-1044
 FAX 859-268-1049
 MOBILE 229-2278



SURVEY NOTES

- 1- THE BASIS OF BEARINGS FOR THIS SURVEY IS KENTUCKY STATE PLANE NORTH (NAD83). GEOID MODEL 12-B.
- 2- THIS SURVEY IS SUITABLE AS AN URBAN CLASS SURVEY.

LEGEND

- NEW SEWER LINE
- EASEMENT (PERMANENT)
- EASEMENT (TEMPORARY)
- EASEMENT (RELEASED)
- PROPERTY LINE

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**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

201908260082

August 26, 2019 9:25:05 AM

Fees	\$26.00	Tax	\$.00
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Total Paid	\$26.00
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7 Pages

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