

**SANITARY SEWER EASEMENT**

This **SANITARY SEWER EASEMENT** is made and entered into this the 3<sup>rd</sup> day of February, 2020, by and between **LUCILLE G. BARNES, by and through her Attorney-in-Fact KAREN J. BARNES**, 1204 Tates Creek Road, Lexington, Kentucky 40502, which is the in-care of tax mailing address for the current year ("Grantor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, ("Grantee").

**WITNESSETH:**

That for and in consideration of the sum of **TWENTY-SIX THOUSAND FIVE HUNDRED TWENTY-EIGHT DOLLARS AND 00/100 (\$26,528.00)**, 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, the permanent to right to lay, construct, operate, repair, reconstruct and remove a sanitary sewer, improvements and appurtenances thereto, which sanitary sewer and appurtenances shall be of such dimension, character, construction and use as determined by Grantee along, through, under, 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:

Return to:  
M. Keith Horn  
LFUCG, Dept. of Law, 11<sup>th</sup> Floor  
200 East Main Street  
Lexington, KY 40507

1774

**Force Main Permanent Easement  
Blue Sky Pump Station and Force Main Project  
(a portion of 4250 Athens Boonesboro Road)**

A portion of a tract or parcel of land being in Fayette County, Kentucky, and known as 4250 Athens Boonesboro Road and being more particularly described as follows:

Beginning at the Grantor's northeast property corner in the southwest right of way line of Athens Boonesboro Road; thence, with Grantor's east property line, S 16° 57' 45" E, 21.69 feet; thence N 60° 42' 22" W, 89.91 feet; thence N 54° 11' 55" W, 406.82 feet; thence N 03° 07' 58" W, 13.98 feet; thence N 54° 33' 30" W, 378.87 feet; thence S 81° 21' 03" W, 748.15 feet; thence S 72° 39' 55" W, 33.62 feet; thence S 81° 06' 28" W, 97.06 feet to the east right of way line of Richmond Road; thence, with said right of way line, N 17° 07' 28" W, 15.16 feet; thence, leaving said right of way line, N 81° 06' 28" E, 98.12 feet; thence N 72° 39' 55" E, 33.65 feet; thence N 81° 21' 03" E, 755.37 feet; thence S 54° 33' 30" E, 392.17 feet; thence S 03° 07' 58" E, 14.04 feet; thence S 54° 11' 55" E, 15.74 feet to the southwest right of way line of Athens Boonesboro Road; thence, with the southwest right of way line of Athens Boonesboro Road, S 54° 11' 55" E, 383.06 feet; thence S 60° 42' 22" E, 73.68 feet to the Point of Beginning and containing 26,507 square feet (0.609 acres); and

Being a part of the same property conveyed to Lucian W. Barnes and Martin Greenfield, as tenants in common, by Deed dated May 27, 1963, and of record in Deed Book 767, Page 282, in the Fayette County Clerk's Office, and by Deed dated May 22, 1964, and of record in Deed Book 797, Page 29, in the Fayette County Clerk's Office. Martin Greenfield subsequently died, and Esther Gordon Greenfield, individually, and as Executrix of the Estate of Martin Greenfield, conveyed his on-half interest in the property to Lucian W. Barnes and Lucille G. Barnes, as joint tenants with right of survivorship, by Deed dated February 1, 1977, and of record in Deed Book 1163, Page 414, in the Fayette County Clerk's Office, and by Deed dated September 5, 1978, and of record in Deed Book 1208, Page 116, in the Fayette County Clerk's Office. Said Lucian W. Barnes died on February 11, 1996. By virtue of the rights of survivorship contained in the aforesaid Deeds, Lucille G. Barnes became the owner of a one-half interest in the property and by virtue

of Deed dated October 7, 1997, and of record in Deed Book 1942, Page 473 in the Fayette County Clerk's Office, Lucille G. Barnes became the owner of the remaining one-half interest in the property.

**TO HAVE AND TO HOLD** the above-described easement together with all rights, appurtenances, and improvements thereunto belonging unto said Grantee, its successors and assigns, for the purposes and uses herein designated.

The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantor.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of her 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 she is lawfully seized in fee simple of it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 504-2013, passed by the Lexington-Fayette Urban County Council on September 26, 2013. Pursuant to KRS 382.135(2)(c), this grant of easement need not contain a statement of consideration.

**IN TESTIMONY WHEREOF**, the Grantor has signed this Sanitary Sewer Easement, this the day and year first above written.

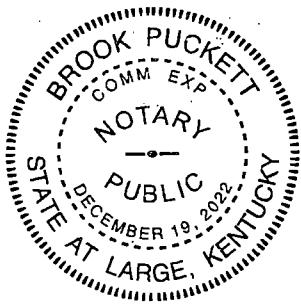
GRANTOR:

*[Handwritten Signature]* (POA)

LUCILLE G. BARNES,  
By and through her  
Attorney-in-Fact Karen J. Barnes  
POA of record in  
Deed Book 3235 Page 230 \*

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This instrument was acknowledged, subscribed and sworn to before me by  
Lucille G. Barnes, by and through her Attorney-in-Fact, Karen J. Barnes, on this the  
3<sup>rd</sup> day of February, 2020.



*[Handwritten Signature]* # 613802  
Notary Public, Kentucky, State at Large  
My Commission Expires: 12 / 19 / 2022

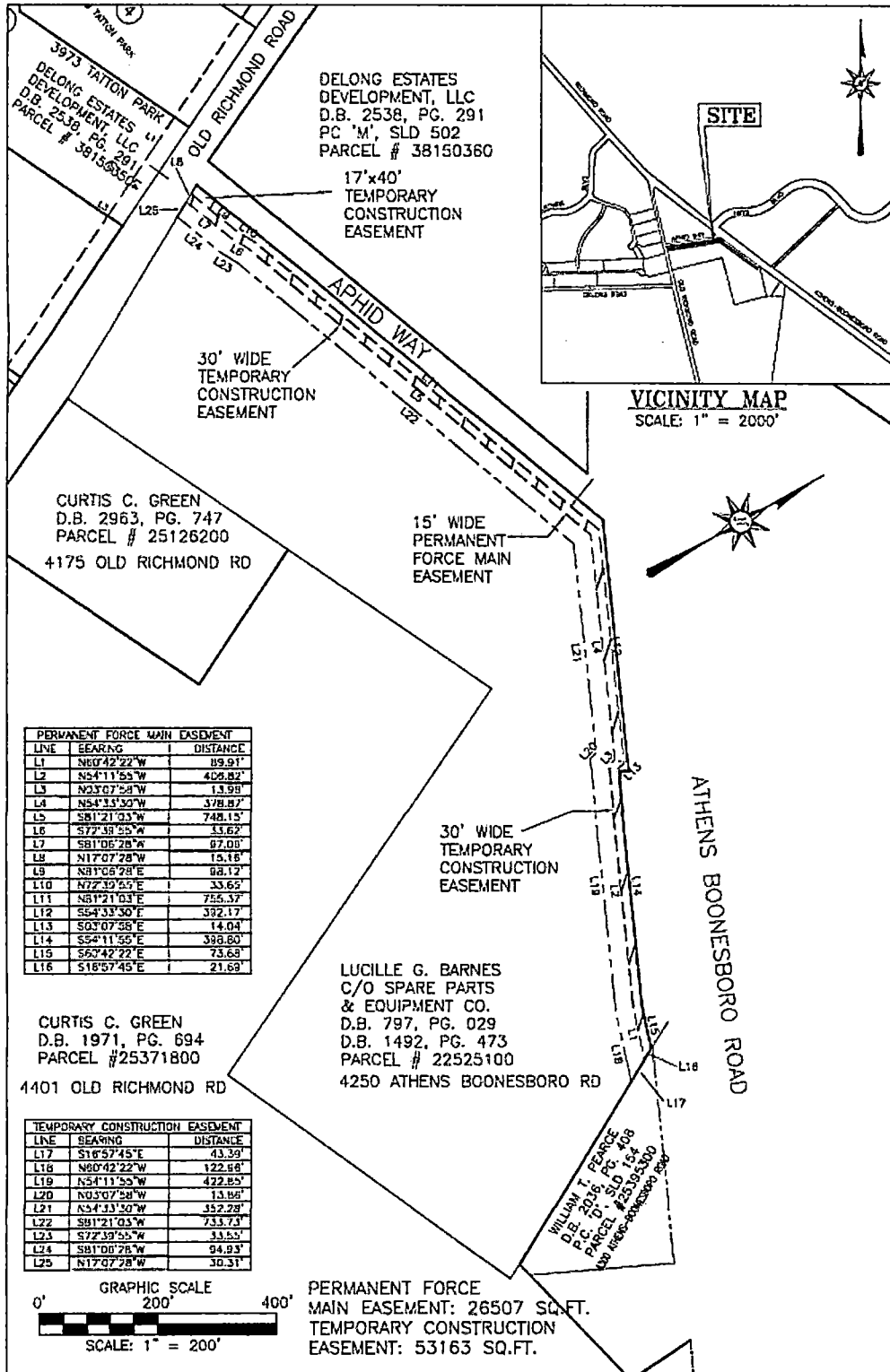
PREPARED BY:

*[Handwritten Signature]*

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

\* Appointed alternate POA,  
upon the death of Mitchell  
Barnes (DOD 11/17/2017),  
per item number 21.

EXHIBIT "A"



**VE VISION ENGINEERING**  
Environmental, Civil Engineering, Construction, Land Surveying  
3399 Tycoo Creek Road Suite 250  
Lexington, KY 40502  
Ph (606) 333-3015  
Fax: (606) 339-8033  
www.visioneng.com

EXHIBIT SHOWING  
FORCE MAIN EASEMENT  
TO BE ACQUIRED FROM  
LUCILLE G. BARNES  
C/O SPARE PARTS & EQUIPMENT CO.  
4250 ATHENS-BOONESBORO ROAD  
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.



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By: SHEA BROWN ,dc

202002030174

February 3, 2020                      14:58:40    PM

Fees	\$50.00	Tax	\$ .00
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Total Paid	\$50.00
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**6    Pages**

**602    -    607**

MAYOR LINDA GORTON



**LEXINGTON**

SUSAN B. SPECKERT  
COMMISSIONER  
DEPARTMENT OF LAW

To: Abigail Allan, Council Clerk  
Council Clerk's Office

From: Department of Law

Date: February 6, 2020

Re: Permanent Sanitary Sewer Easement  
4250 Athens Boonesboro Road

Our File No. 13-LI0883  
Blue Sky Pump Station and Force Main Project

Enclosed is the original recorded Permanent Sanitary Sewer Easement for the above-referenced property to the Urban County Government for the Blue Sky Pump Station and Force Main Project. Please file the easement with the authorizing legislation, Resolution No. 504-2013.

Also enclosed is the asset acquisition form for the property.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Keith Horn".

Keith Horn  
Managing Attorney

Enclosure

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