



202302170089

FAYETTE CO, KY FEE \$56.00

PRESENTED / LODGED: 02-17-2023 01:51:27 PM

RECORDED: 02-17-2023

SUSAN LAMB

CLERK

BY: MELISSA STELTER
DEPUTY CLERK

BK: DB 4002

PG: 566-572

DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 13TH day of FEBRUARY, 2023, by and between **MARCIA TAYLOR (a/k/a MARCIA V. TAYLOR)**, a **single person**, 1745 Traveller Road, Lexington, Kentucky 40504, 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 HUNDRED DOLLARS AND 00/100 CENTS (\$500.00)**, 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

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

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
Parkers Mill Trunk
Sewer Improvement Project
(a portion of 1745 Traveller Road)

Tract A

All that strip or parcel of land situated on the west side of Traveller Road, north of Darien Road in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Lots 4 and 5, Block "F", as shown on the plat of Gardenside Subdivision, Unit 11-B (Plat Cabinet C, Slide 147), said point being in the easterly property line of Fayette County, Kentucky (Deed Book 992, Page 491);

Thence with the easterly property line of Fayette County, Kentucky, North $15^{\circ}43'46''$ East, a distance of 30.00 feet to the **TRUE POINT OF BEGINNING**;

Thence leaving the easterly property line of Fayette County, Kentucky, with a new permanent sanitary sewer easement line through the lands of Lot 5 for two (2) calls:

- 1) South $74^{\circ}16'14''$ East, a distance of 10.00 feet to a point; and
- 2) South $15^{\circ}43'46''$ West, a distance of 21.88 feet to a point;

Thence with an existing utility easement line, South $89^{\circ}28'11''$ West, a distance of 10.42 feet to a point in the easterly property line of the aforesaid Fayette County, Kentucky;

Thence with the easterly property line of the aforesaid Fayette County, Kentucky, North $15^{\circ}43'46''$ East, a distance of 24.79 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 0.005 Acres (233 sq. ft.) of permanent easement; and

Tract A, being a portion of the property conveyed to Marcia Taylor (a/k/a Marcia V. Taylor), a single person, by Deed dated May 28, 2008, of record in Deed Book 2807, Page 419, 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
Parkers Mill Trunk
Sewer Improvement Project
(a portion of 1745 Traveller Road)

Tract B

All that strip or parcel of land situated on the west side of Traveller Road, north of Darien Road in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Lots 4 and 5, Block "F", as shown on the plat of Gardenside Subdivision, Unit 11-B (Plat Cabinet C, Slide 147), said point being in the easterly property line of Fayette County, Kentucky (Deed Book 992, Page 491);

Thence with the easterly property line of Fayette County, Kentucky, North 15°43' 46" East, a distance of 30.00 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing with the easterly property line of Fayette County, Kentucky, North 15°43'46" East, a distance of 10.00 feet to a point;

Thence leaving the easterly property line of Fayette County, Kentucky, with a new temporary construction easement line through the lands of Lot 5 for two (2) calls:

- 1) South 74°16'14" East, a distance of 20.00 feet to a point; and
- 2) South 15°43'46" West, a distance of 28.96 feet to a point;

Thence with an existing utility easement line, South 89°28'11" West, a distance of 10.42 feet to a point;

Thence with a new permanent sanitary sewer easement line for two (2) calls:

- 1) North 15°43'46" East, a distance of 21.88 feet to a point; and
- 2) North 74°16'14" West, a distance of 10.00 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 0.009 Acres (404 sq. ft.) of temporary construction easement; and

Tract B, being a portion of the property conveyed to Marcia Taylor (a/k/a Marcia V. Taylor), a single person, by Deed dated May 28, 2008, of record in Deed Book 2807, Page 419, 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 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 said property and has good right to sell and convey the easements as herein done, and that she will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 460-2022, passed by the Lexington-Fayette Urban County Council on August 30, 2022. Pursuant to KRS 382.135(2)(a), this deed of easement, which pertains to a public utility, need not contain a statement of consideration.

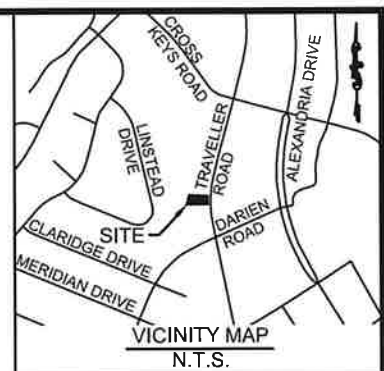
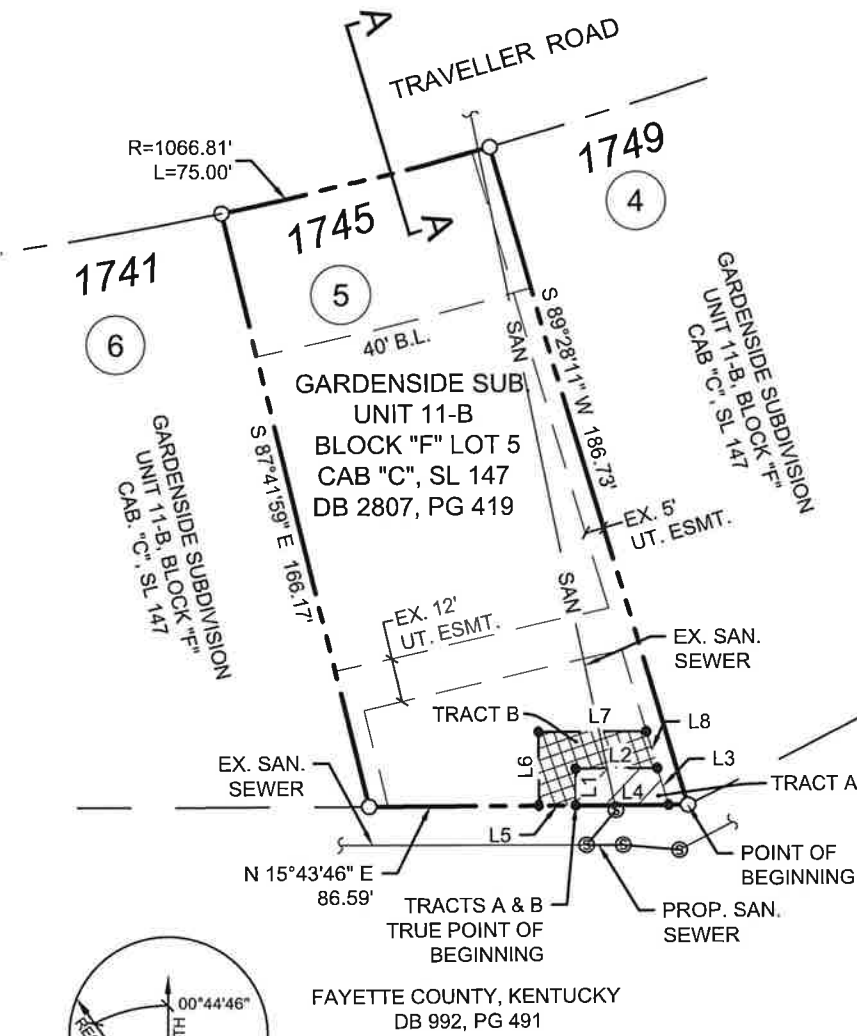
IN TESTIMONY WHEREOF, the Grantor has signed this Deed of Easement, this the day and year first above written.

GRANTOR:

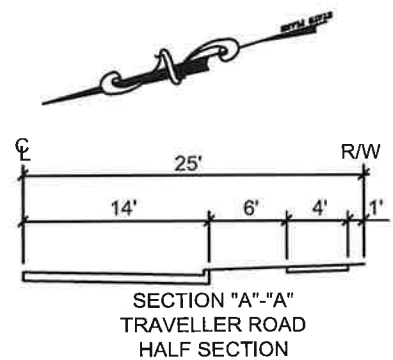
BY:



MARCIA TAYLOR (a/k/a
MARCIA V. TAYLOR

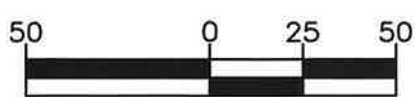


EASEMENT LINE TABLE		
LINE #	BEARING	LENGTH
L1	S 74°16'14" E	10.00'
L2	S 15°43'46" W	21.88'
L3	S 89°28'11" W	10.42'
L4	N 15°43'46" E	24.79'
L5	N 15°43'46" E	10.00'
L6	S 74°16'14" E	20.00'
L7	S 15°43'46" W	28.96'
L8	S 89°28'11" W	10.42'



PERM. ESMT. AREA
 233 SQ. FT. (0.005 AC)

TEMP. ESMT. AREA
 404 SQ. FT. (0.009 AC)



NOTES:

1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE RECORD DESCRIPTION (DEED BOOK 2807, PAGE 419) AND CORRESPONDING PLAT (CABINET "C" SLIDE 147) OF RECORD IN THE FAYETTE COUNTY CLERK'S OFFICE. THE ORIGIN OF BEARINGS SHOWN HEREON IS BASED ON THE NORTH AMERICAN DATUM OF 1983, STATE PLANE KENTUCKY NORTH ZONE AS OBSERVED FROM KYCORS STATION "KYTG" USING A TRIMBLE R12, DUAL FREQUENCY RECEIVER.
2. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A PROPOSED CONVEYANCE FOR A PERMANENT SANITARY SEWER EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
3. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.

SANITARY SEWER EASEMENT EXHIBIT
MARCIA TAYLOR
1745 TRAVELLER ROAD
PARKERS MILL TRUNK SEWER REPLACEMENT
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY



FIGURE 1

JANUARY 2023

2815.304