

DEED OF EASEMENT

This **DEED OF EASEMENT** is made and entered into this 13th day of December, 2022, by and between **LEXMARK INTERNATIONAL INC.**, a Delaware corporation, whose mailing address is Attn: Roger L. Wallin, Dept. H508738, Bldg. 001-2, 740 West New Circle Road, Lexington, Kentucky 40550 ("Grantor"), which is also the in-care of tax mailing address for the current tax year, and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, whose mailing address is 200 East Main Street, Lexington, Kentucky 40507 ("Grantee");

WITNESSETH:

That for and in nominal consideration of the sum of **TEN AND 00/100 DOLLARS (\$10.00)**, and other good and valuable consideration, 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, a perpetual right-of-

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

way easement for ingress and egress, along, through, over and across the following tract of land located in the confines of Lexington-Fayette County, Kentucky, depicted on the attached Exhibit "01" and "02", and more particularly described as follows:

Permanent Access Easement
Upper Cane Run Wet Weather Storage Tank

750 Nandino Lane
(formerly a portion of 1170 Newtown Pike)

BEGINNING, at a point on the Grantor's northeastern property line, along a curve with a radius of 991.51 feet having a chord bearing S 60° 26' 05" E and a chord distance of 213.93 feet from the northern property corner to the point of beginning; thence continuing along said property line along a curve with a radius of 991.51 feet having a chord bearing of S 68° 05' 54" E and a chord distance of 51.30 feet; thence leaving said property line N 20° 42' 19" E 20.16 feet to a point; thence along a curve with a radius of 1,456.93 feet having a chord bearing of N 68° 25 '24" W and a chord distance of 50.15 feet to a point; thence S 24° 01' 22" W 19.88 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 1,019.17 sq. ft. of permanent access easement; and

Being a portion of the same property conveyed to Lexmark International, Inc., a Delaware corporation, by Deed dated September 22, 2021, of record in Deed Book 3903, Page 439, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described permanent access 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. Grantor shall have the full right to use the surface of the land lying over said permanent easement for any purpose desired, provided further that no building or structure shall be erected upon, across, over or through said permanent easement without written consent of the Grantee.

The parties hereto further mutually agree that no obstruction of any kind shall

exist in or on said easement and right-of-way which will in any way unreasonably prevent or obstruct free ingress and egress over the said easement and right-of-way.

And the Grantor does hereby covenant to and with said Grantee, its successors and assigns forever, that it is lawfully seized in fee simple of said property and has good right to sell and convey the interests herein conveyed, and that it will **WARRANT GENERALLY** said title.

CONSIDERATION CERTIFICATE

The parties do hereby certify pursuant to KRS 382.135 that the consideration stated herein is the full actual consideration paid for the property transferred herein and that the estimated fair cash value of the property conveyed is \$10.00. Grantee joins this Deed of Easement for the sole purpose of certifying the consideration, as authorized by Resolution No. 498-2022 passed by the Lexington-Fayette Urban County Council on October 22, 2020. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

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

GRANTOR:

LEXMARK INTERNATIONAL, INC., a
Delaware corporation

BY: Roger L. Wallin
ROGER L. WALLIN, MANAGER
CORPORATE REAL ESTATE,
FACILITIES ENGINEERING AND
SITE OPERATIONS

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing Deed of Easement and consideration certificate were subscribed, sworn to and acknowledged before me by Linda Gorton, Mayor, for and on behalf of the Lexington-Fayette Urban County Government, on this the 13th day of December, 2022.

Cynthia A. Cannon-Ferguson
Notary Public, Kentucky, State-at-Large

My Commission Expires: 2/26/2025

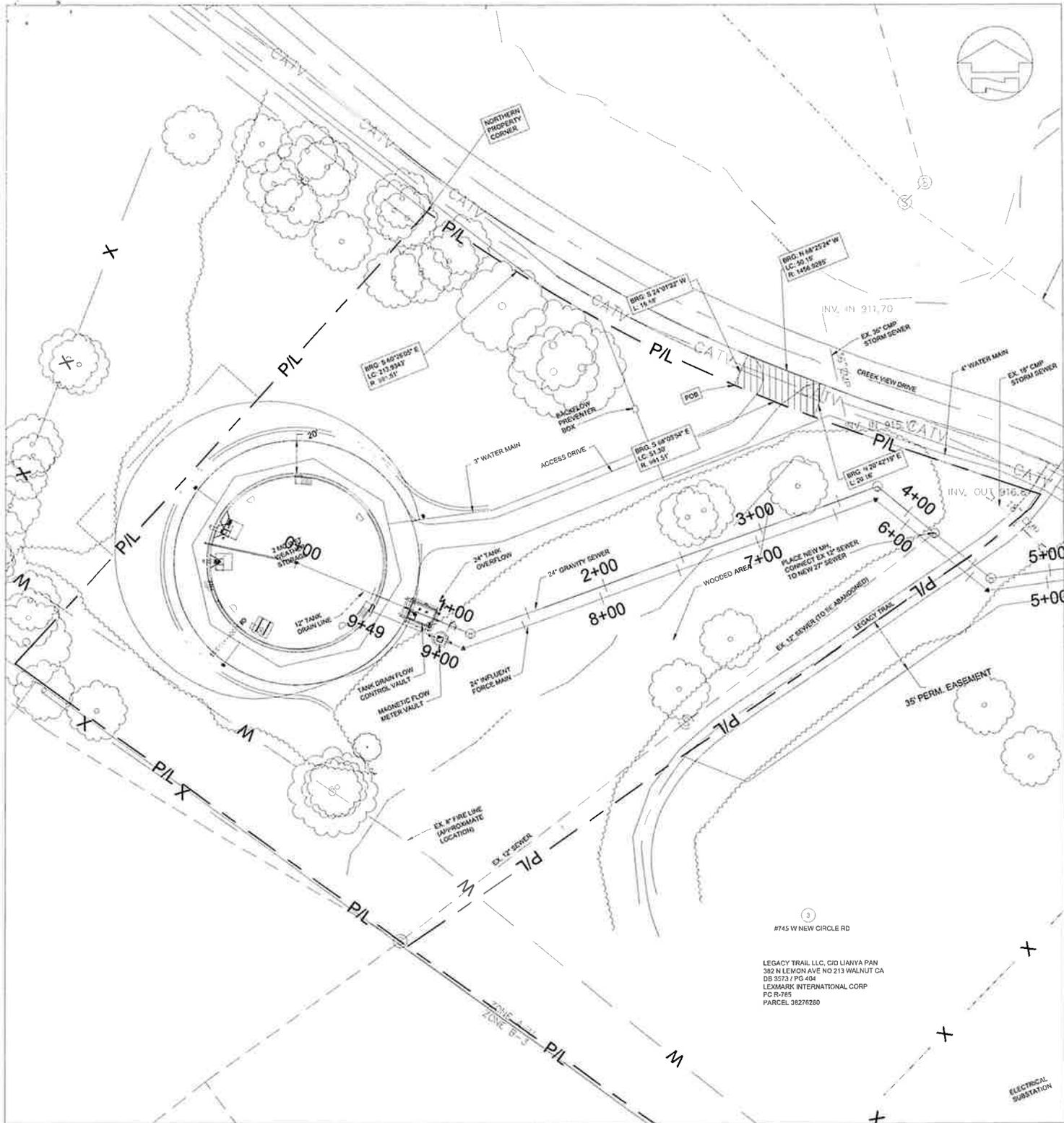
Notary ID # KYNP 21866



PREPARED BY:

A handwritten signature in blue ink, appearing to read 'Evan P. Thompson', written over a horizontal line.

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



LEGEND:



PERMANENT
ACCESS EASEMENT
(1019.17 SQ FT)

EXHIBIT "01"
PERMANENT ACCESS EASEMENT
EXHIBIT

12/08/2021

LEXMARK INTL. INC.
740 NEW CIRCLE RD.
LEXINGTON, KY

UPPER CANE RUN
WET WEATHER STORAGE
REMEDIAL MEASURES PLAN ID NO. CR-10

200 E MAIN STREET
LEXINGTON, KY 40507

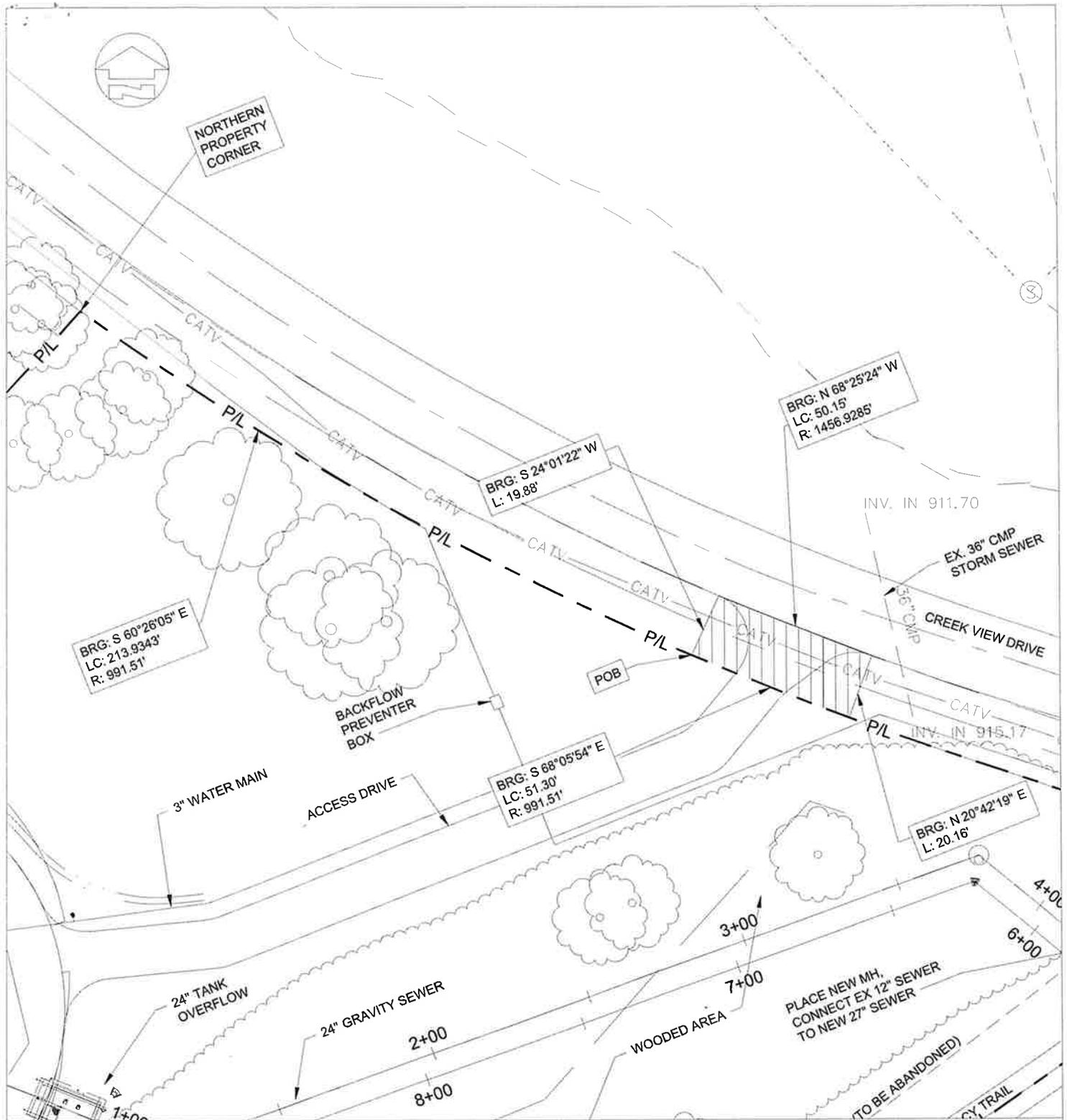


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0 40' 80' 160'



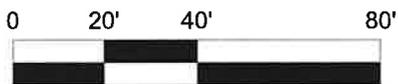
1" = 80'-0"



LEGEND:



PERMANENT
ACCESS EASEMENT
(1019.17 SQ FT)



1" = 40'

EXHIBIT "02"

PERMANENT ACCESS EASEMENT
EXHIBIT

12/08/2021

LEXMARK INTL. INC.
740 NEW CIRCLE RD.
LEXINGTON, KY

UPPER CANE RUN
WET WEATHER STORAGE
REMEDIAL MEASURES PLAN ID NO. CR-10

200 E MAIN STREET
LEXINGTON, KY 40507



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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: BOBBIE MARSTELLA ,dc

202212160064

December 16, 2022 9:45:41 AM

| | | | |
|------|---------|-----|--------|
| Fees | \$56.00 | Tax | \$.00 |
|------|---------|-----|--------|

| | |
|------------|---------|
| Total Paid | \$56.00 |
|------------|---------|

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8 Pages

45 - 52