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FAYETTE CO, KY FEE \$89.00 PRESENTED / LODGED: 04-26-2023 09:18:02 AM

RECORDED: 04-26-2023 SUSAN LAMB

BY: BOBBIE MARSTELLA DEPUTY CLERK

**BK: DB 4013** PG: 266-283

## DEED OF EASEMENT

This PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT is made and entered into this the 24 day of 2023, by and between DONN ALLEN CHICKERING, a single person, 838 Euclid Avenue, Apt. 401, Lexington, Kentucky 40502, 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 THOUSAND FIVE HUNDRED DOLLARS AND 00/100 CENTS (\$5,500.00), 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

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

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 "Exhibits", and more particularly described as follows, to wit:

# Permanent Sanitary Sewer Easement Parkers Mill Trunk Sewer Improvement Project (a portion of 1645 Parkers Mill Road)

#### Tract A

All that strip or parcel of land situated on the north side of Parkers Mill Road, south of Versailles Road (US Highway 60) in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Parcel 1, of the Carr Property as shown on the Consolidation & Easement Minor Plat of Carr Property, 1475 & 1645 Parkers Mill Road (Plat Cabinet L, Slide 382), and Lot 9, of the Carr Property (Williamsburg Estates) as shown on the Final Record Plat of the Carr Property (Plat Cabinet L, Slide 550), said point being in the northerly right-of-way line of Parkers Mill Road;

Thence leaving the northerly right-of-way line of Parkers Mill Road, with the easterly property line of Lot 9, North 37°32'24" West, a distance of 104.70 feet to the *TRUE POINT OF BEGINNING:* 

Thence leaving the easterly property line of Lot 9, with a new permanent sanitary sewer easement line through the lands of Lot 1, South 40°36'06" East, a distance of 84.82 feet to a point;

Thence with an existing utility easement line, South 52°27'36" West, a distance of 4.01 feet to a point;

Thence with an existing sanitary sewer easement line, North 40°36'06" West, a distance of 9.82 feet to a point in the easterly property line of the aforesaid Lot 9;

Je. 4/12/23 Thence with the easterly property line of Lot 9, North 37°32'24" West, a distance of 74.89 feet to the <u>TRUE POINT OF</u> <u>BEGINNING</u>; and,

The above-described parcel contains 0.004 Acres (189 sq. ft.) of permanent easement; and

Tract A, being a portion of the property conveyed to Donn Allen Chickering, a single person, by Deed dated May 12, 2006, of record in Deed Book 2643, Page 449, in the Fayette County Clerk's Office.

# Permanent Sanitary Sewer Easement Parkers Mill Trunk Sewer Improvement Project (a portion of 2484 Versailles Road)

#### Tract A

All that strip or parcel of land situated on the south side of Versailles Road (US Highway 60), west of Parkers Mill Road in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

**BEGINNING**, at a common corner between Donn Allen Chickering (Deed Book 3073, Page 163) and TLD, LLC (Deed Book 3892, Page 201), said point also being in the southerly right-of-way line of Versailles Road;

Thence with the westerly property line of TLD, LLC, South 05°24'31" East, a distance of 65.71 feet to a point;

Thence leaving the westerly property line of TLD, LLC, with a new permanent sanitary sewer easement line through the lands of Donn Allen Chickering for five (5) calls:

- 1) South 84°35'29" West, a distance of 77.03 feet to a point;
- 2) North 80°54'59" West, a distance of 70.24 feet to a point;
- 3) South 61°04'49" West, a distance of 247.88 feet to a point:
- 4) South 22°50'38" West, a distance of 197.93 feet to a point; and
- 5) South 13°39'43" West, a distance of 314.48 feet to a point in the northerly property line of Lot 9, of the Carr Property (Williamsburg Estates) (Plat Cabinet L, Slide 550);

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Thence with the northerly property of Lot 9, North 67°36'31" West, a distance of 5.06 feet to a point;

Thence leaving the northerly property line of Lot 9, with a new permanent sanitary sewer easement line through the lands of Donn Allen Chickering (Deed Book 3073, Page 163) for four (4) calls:

- 1) North 13°39'43" East, a distance of 314.11 feet to a point:
- 2) North 22°50'38" East, a distance of 224.30 feet to a point;
- 3) North 61°04'49 East, a distance of 196.73 feet to a point; and
- 4) North 39°07'55" West, a distance of 24.83 feet to a point;

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

- 1) North 84°23'34" East, a distance of 93.70 feet to a point: and
- 2) North 12°30'56" East, a distance of 23.45 feet to a point in the southerly right-of-way line of Versailles Road:

Thence with the southerly right-of-way line of Versailles Road, North 84°35' 29" East, a distance of 96.92 feet to the <u>TRUE POINT</u> <u>OF BEGINNING</u>; and,

The above-described parcel contains 0.369 Acres (16,056 sq. ft.) of permanent easement; and

### Tract B

All that strip or parcel of land situated on the south side of Versailles Road (US Highway 60), west of Parkers Mill Road in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

**BEGINNING,** at a common corner between Donn Allen Chickering (Deed Book 3073, Page 163) and TLD, LLC (Deed Book 3892, Page 201), said point also being in the southerly right-of-way line of Versailles Road;



Thence with the southerly right-of-way line of Versailles Road, South 84°35'29" West, a distance of 212.94 feet to the <u>TRUE</u> **POINT OF BEGINNING:** 

Thence with the southerly right-of-way line of Versailles Road, North 84°35'29" East, a distance of 105.51 feet to a point;

Thence leaving the southerly right-of-way line of Versailles Road, with an existing sanitary sewer line through the lands of Donn Allen Chickering for two (2) calls:

- 1) South 12°30'56" West, a distance of 12.97 feet to a point; and
- 2) South 84°23'34" West, a distance of 93.07 feet to a point;

Thence with a new permanent sanitary sewer easement line, North 39°07'55" West, a distance of 15.22 feet to the TRUE POINT OF BEGINNING; and,

The above-described parcel contains 0.028 Acres (1,241 sq. ft.) of permanent easement; and

### Tract C

All that strip or parcel of land situated on the south side of Versailles Road (US Highway 60), west of Parkers Mill Road in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Donn Allen Chickering (Deed Book 3073, Page 163) and Terry Webb (Deed Book 3413, Page 293), said point also being in the northerly property line of Parcel 1, of the Carr Property (1745 & 1645 Parkers Mill Road) (Plat Cabinet L, Slide 382);

Thence with the northerly property line of Parcel 1, and continuing with the northerly property line of Lot 9, of the Carr Property (Williamsburg Estates) (Plat Cabinet L, Slide 550), North 67°36'31" West, a distance of 332.11 feet to the <u>TRUE POINT OF BEGINNING</u>;

Thence leaving the northerly property line of Lot 9, with a new permanent sanitary sewer easement line through the lands of Donn Allen Chickering for three (3) calls:

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- 1) North 13°39'43" East, a distance of 313.02 feet to a point:
- 2) North 22°50'38" East, a distance of 206.47 feet to a point; and
- 3) North 61°04'49" East, a distance of 8.08 feet to a point;

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

- 1) South 22°50'38" West, a distance of 212.41 feet to a point; and
- 2) South 13°39'43" West, a distance of 313.38 feet to a point in the northerly property line of the aforesaid Lot 9:

Thence with the northerly property line of Lot 9, North 67°36'31" West, a distance of 5.06 feet to the <u>TRUE POINT OF BEGINNING</u>; and.

The above-described parcel contains 0.060 Acres (2,613 sq. ft.) of permanent easement; and

Tract A, Tract B and Tract C, being a portion of the property conveyed to Donn Allen Chickering, a single person, by Deed dated May 16, 2012, of record in Deed Book 3073, Page 163, 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 the "Exhibits" attached hereto, and more particularly described as follows:



# Temporary Construction Easement Parkers Mill Trunk Sewer Improvement Project (a portion of 1645 Parkers Mill Road)

#### Tract B

All that strip or parcel of land situated on the north side of Parkers Mill Road, south of Versailles Road (US Highway 60) in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Parcel 1, of the Carr Property as shown on the Consolidation & Easement Minor Plat of Carr Property, 1475 & 1645 Parkers Mill Road (Plat Cabinet L, Slide 382), and Lot 9, of the Carr Property (Williamsburg Estates) as shown on the Final Record Plat of the Carr Property (Plat Cabinet L, Slide 550), said point being in the northerly right-of-way line of Parkers Mill Road;

Thence leaving the northerly right-of-way line of Parkers Mill Road, with the easterly property line of Lot 9, North 37°32'24" West, 104.70 feet to the *TRUE POINT OF BEGINNING:* 

Thence continuing with the easterly property line of Lot 9 for two (2) calls:

- 1) North 37°32'24" West, a distance of 51.12 feet to a point; and
- 2) North 00°44'08" West, a distance of 11.34 feet to a point;

Thence leaving the easterly property line of Lot 9, with a new temporary construction easement line through the lands of Lot 1, South 40°36'06" East, a distance of 145.11 feet to a point;

Thence with an existing utility easement line, South 52°27'36" West, 10.01 feet to a point;

Thence with a new permanent sanitary sewer easement line, North 40°36'06" West, 84.82 feet to the <u>TRUE POINT OF</u> <u>BEGINNING</u>; and,

The above-described parcel contains 0.030 Acres (1,323 sq. ft.) of temporary construction easement; and



Tract B, being a portion of the property conveyed to Donn Allen Chickering, a single person, by Deed dated May 12, 2006, of record in Deed Book 2643, Page 449, in the Fayette County Clerk's Office.

# Temporary Construction Easement Parkers Mill Trunk Sewer Improvement Project (a portion of 2484 Versailles Road)

## Tract D

All that strip or parcel of land situated on the south side of Versailles Road (US Highway 60), west of Parkers Mill road in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

**BEGINNING**, at a common corner between Donn Allen Chickering (Deed Book 3073, Page 163) and TLD, LLC (Deed Book 3892, Page 201), said point also being in the southerly right-of-way line of Versailles Road;

Thence with the southerly right-of-way line of Versailles Road, South 84°35'29" West, a distance of 212.94 feet to the <u>TRUE</u> <u>POINT OF BEGINNING</u>;

Thence leaving the southerly right-of-way line of Versailles Road, with a new permanent sanitary sewer easement line through the lands of Donn Allen Chickering, South 39°07'55" East, a distance of 15.22 feet to a point;

Thence with an existing sanitary sewer easement line, South 84°23'34" West, a distance of 12.00 feet to a point;

Thence with a new temporary construction easement line, North 39°0 7'55" West, a distance of 15.27 feet to a point in the southerly right-of-way line of Versailles Road;

Thence with the southerly right-of-way line of Versailles Road, North 84°35'29" East, a distance of 12.02 feet to the <u>TRUE POINT</u> <u>OF BEGINNING</u>; and,

The above-described parcel contains 0.003 Acres (152 sq. ft.) of temporary construction easement; and



#### Tract E

All that strip or parcel of land situated on the south side of Versailles Road (US Highway 60), west of Parkers Mill road in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

**BEGINNING**, at a common corner between Donn Allen Chickering (Deed Book 3073, Page 163) and TLD, LLC (Deed Book 3892, Page 201), said point also being in the southerly right-of-way line of Versailles Road;

Thence with the southerly right-of-way line of Versailles Road, South 84°35'29" West, a distance of 96.92 feet to a point;

Thence leaving the southerly right-of-way line of Versailles Road, with an existing sanitary sewer easement line through the lands of Donn Allen Chickering for two (2) calls:

- 1) South 12°30'56" West, a distance of 23.45 feet to a point; and
- 2) South 84°23'34" West, a distance of 93.70 feet the TRUE POINT OF BEGINNING:

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

- 1) South 39°07'55" East, a distance of 24.83 feet to a point; and
- 2) South 61°04'49" West, a distance of 196.73 feet to a point;

Thence with an existing sanitary sewer easement line, North 22°50' 38" East, a distance of 16.16 feet to a point;

Thence with a new temporary construction easement line for two (2) calls:

- 1) North 61°04'49" East, a distance of 172.08 feet to a point; and
- 2) North 39°07'55" West, a distance of 19.49 feet to a point;

Thence with an existing sanitary sewer easement line, North 84°23' 34" East, a distance of 12.00 feet to the <u>TRUE POINT OF</u> **BEGINNING**; and,

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The above-described parcel contains 0.047 Acres (2,066 sq. ft.) of temporary construction easement; and

#### Tract F

All that strip or parcel of land situated on the south side of Versailles Road (US Highway 60), west of Parkers Mill road in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Donn Allen Chickering (Deed Book 3073, Page 163) and Terry Webb (Deed Book 3413, Page 293), said point also being in the northerly property line of Parcel 1, of the Carr Property (1745 & 1645 Parkers Mill Road) (Plat Cabinet L, Slide 382);

Thence with the northerly property line of Parcel 1, and continuing with the northerly property line of Lot 9, of the Carr Property (Williamsburg Estates) (Plat Cabinet L, Slide 550), North 67°36' 31" West, a distance of 301.76 feet to the <u>TRUE POINT OF</u> <u>BEGINNING</u>;

Thence continuing with the northerly property line of Lot 9, North 67°36'31" West, a distance of 10.12 feet to a point;

Thence leaving the northerly property line of Lot 9, with a new permanent sanitary sewer easement line through the lands of Donn Allen Chickering for five (5) calls:

- 1) North 13°39'43 East, a distance of 314.48 feet to a point;
- 2) North 22°50'38" East, a distance of 197.93 feet to a point:
- 3) North 61°04'49" East, a distance of 247.88 feet to a point;
- 4) South 80°54'59" East, a distance of 70.24 feet to a point; and
- 5) North 84°35'29" East, a distance of 21.27 feet to a point;

Thence with a new temporary construction easement line for six (6) calls:

- 1) South 05°24'31" East, a distance of 10.00 feet to a point;
- 2) South 84°35'29" West, a distance of 22.54 feet to a point;
- 3) North 80°54'59" West, a distance of 68.07 feet to a point;

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- 4) South 61°04'49" West, a distance of 240.97 feet to a point;
- 5) South 22°50'38" West, a distance of 193.66 feet to a point; and
- 6) South 13°39'43" West, a distance of 315.21 feet to TRUE POINT OF BEGINNING; and,

The above-described parcel contains 0.194 Acres (8,461 sq. ft.) of temporary construction easement; and

### Tract G

All that strip or parcel of land situated on the south side of Versailles Road (US Highway 60), west of Parkers Mill road in Lexington, Fayette County, Kentucky, and being more fully described and bounded as follows, to wit:

BEGINNING, at a common corner between Donn Allen Chickering (Deed Book 3073, Page 163) and Terry Webb (Deed Book 3413, Page 293), said point also being in the northerly property line of Parcel 1, of the Carr Property (1745 & 1645 Parkers Mill Road) (Plat Cabinet L, Slide 382);

Thence with the northerly property line of Parcel 1, and continuing with the northerly property line of Lot 9, of the Carr Property (Williamsburg Estates) (Plat Cabinet L, Slide 550), North 67°36'31" West, a distance of 332.11 feet to the <u>TRUE POINT OF</u> <u>BEGINNING</u>;

Thence continuing with the northerly property line of Lot 9, North 67°36'31" West, a distance of 10.12 feet to a point;

Thence leaving the northerly property line of Lot 9, with a new temporary construction easement line through the lands of Donn Allen Chickering for three (3) calls:

- 1) North 13°39'43" East, a distance of 312.28 feet to a point;
- 2) North 22°50'38" East, a distance of 210.74 feet to a point; and
- 3) North 61°04'49" East, a distance of 24.24 feet to a point :

Thence with an existing sanitary sewer line, South 22°50'38" West, a distance of 16.16 feet to a point;

Thence with a new permanent sanitary sewer easement line for three (3) calls:

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- 1) South 61°04'49" West, a distance of 8.08 feet to a point:
- 2) South 22°50'38" West, a distance of 206.47 feet to a point; and
- 3) South 13°39'43" West, a distance of 313.02 feet to the TRUE POINT OF BEGINNING; and,

The above-described parcel contains 0.123 Acres (5,374 sq. ft.) of temporary construction easement; and

Tract D, Tract E, Tract F and Tract G, being a portion of the property conveyed to Donn Allen Chickering, a single person, by Deed dated May 16, 2012, of record in Deed Book 3073, Page 163, 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

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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 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:	
DONN ALKEN CHICKERING	
COMMONWEALTH OF KENTUCKY	)
COUNTY OF FAYETTE	)

This instrument was acknowledged, subscribed and sworn to before me by Donn Allen Chickering, a single person, on this the <u>12</u> th day of <u>Opril</u>, 2023.

NATHANIEL STERLING FISKE Notary Public Commonwealth of Kentucky Commission Number KYNP54738 My Commission Expires Jul 5, 2026 Notarý Public, Kentucky, State-at-Large

My Commission Expires: 07 105 12026

Notary ID# <u>KYNP54738</u>

4/12/23

PREPARED BY:

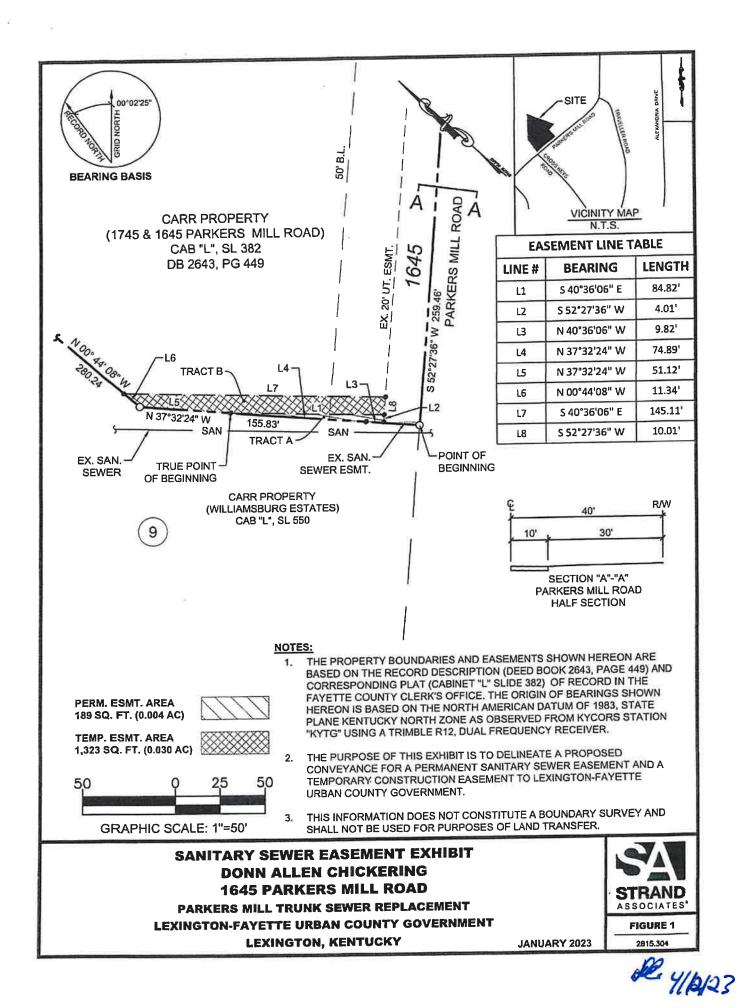
**EVAN P. THOMPSON,** 

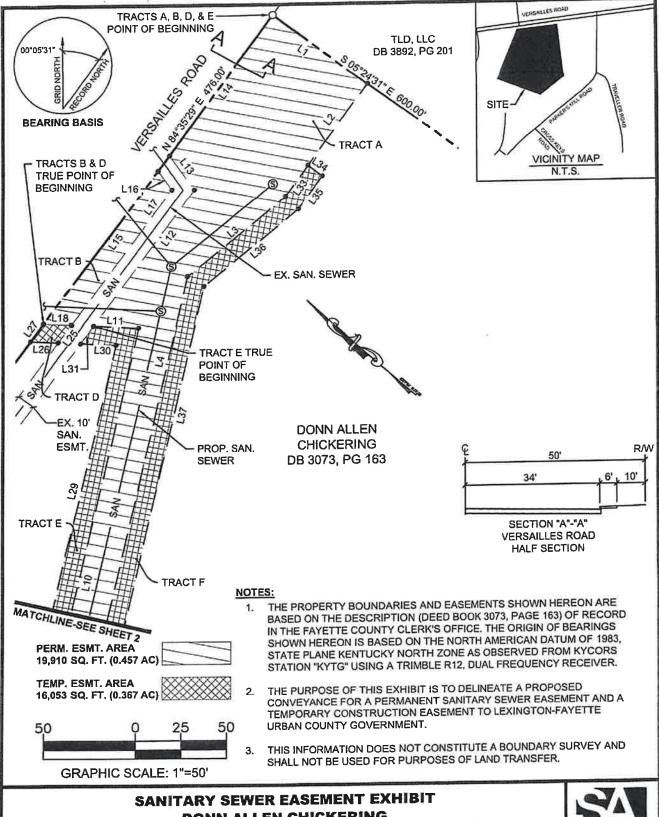
Attorney Sr.

Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street

Lexington, Kentucky 40507 (859) 258-3500

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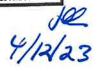


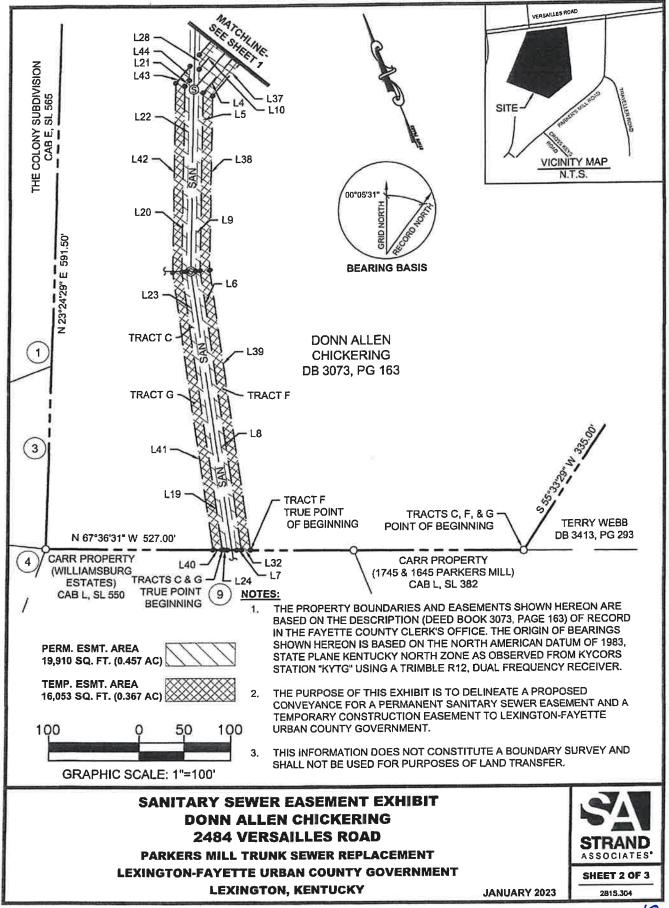
## SANITARY SEWER EASEMENT EXHIBIT DONN ALLEN CHICKERING 2484 VERSAILLES ROAD

PARKERS MILL TRUNK SEWER REPLACEMENT LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT LEXINGTON, KENTUCKY

**JANUARY 2023** 







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EASEMENT LINE TABLE			
LINE#	BEARING	LENGTH	
L1	S 05"24'31" E	65.71	
L2	S 84°35'29" W	77.03	
L3	N 80°54'59" W	70.24'	
L4	S 61°04'49" W	247.88'	
L5	S 22°50'38" W	197.93'	
L6	S 13*39'43" W	314.48'	
L7	N 67°36'31" W	5.06'	
L8	N 13°39'43" E	314.11'	
L9	N 22*50'38" E	224.30'	
L10	N 61°04'49" E	196.73'	
L11	N 39°07'55" W	24.83'	
L12	N 84°23'34" E	93.70	
L13	N 12*30'56" E	23.45'	
L14	N 84°35'29" E	96.92	
L15	N 84°35'29" E	105.51	
L16	S 12°30'56" W	12.97	
L17	S 84°23'34" W	93.07'	
L18	N 39°07'55" W	15.22'	
L19	N 13°39'43" E	313.02'	
L20	N 22°50'38" E	206.47	
121	N 61°04'49" E	8.08'	
L22	S 22°50'38" W	212.41	

	EASEMENT LINE TABLE			
LINE#	BEARING	LENGTH		
L23	S 13*39'43" W	313.38'		
124	N 67*36'31" W	5.06'		
L25	S 84°23'34" W	12.00		
L26	N 39°07'55" W	15.27'		
L27	N 84°35'29" E	12.02'		
L28	N 22°50'38" E	16.16'		
L29	N 61°04'49" E	172.08		
L30	N 39°07'55" W	19.49'		
L31	N 84°23'34" E	12.00'		
L32	N 67°36'31" W	10.12'		
L33	S 84°35'29" W	21.27'		
L34	5 05°24'31" E	10.00'		
L35	S 84°35'29" W	22.54'		
L36	N 80°54'59" W	68.07'		
L37	S 61°04'49" W	240.97		
L38	S 22°50'38" W	193.66		
L39	S 13*39'43" W	315.21		
L40	N 67°36'31" W	10.12'		
L41	N 13°39'43" E	312.28		
L42	N 22*50'38" E	210.74		
L43	N 61°04'49" E	24.24'		
L44	S 22°50'38" W	16.16'		

# SANITARY SEWER EASEMENT EXHIBIT DONN ALLEN CHICKERING 2484 VERSAILLES ROAD

PARKERS MILL TRUNK SEWER REPLACEMENT LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT LEXINGTON, KENTUCKY

**JANUARY 2023** 



