

**From:** [Stephenson, Teri](#)  
**To:** [Gabbard, Lacey A](#)  
**Subject:** 6501 Old New Cut Road  
**Date:** Thursday, October 24, 2019 12:56:08 PM  
**Attachments:** [SAUBOC308CM19102413160.pdf](#)

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It is the high pressure gas line easement being cleared. The property owner, LDG Land Holdings signed the easement 12-11-18, which gives us the rights to remove trees. I have attached a copy of the recorded easement. Need anything else, just let me know.

**From:** Stephenson, Teri <Teri.Stephenson@lge-ku.com>  
**Sent:** Thursday, October 24, 2019 1:17 PM  
**To:** Stephenson, Teri <Teri.Stephenson@lge-ku.com>  
**Subject:** Message from AUBOC308CMFP06

----- The information contained in this transmission is intended only for the person or entity to which it is directly addressed or copied. It may contain material of confidential and/or private nature. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is not allowed. If you received this message and the information contained therein by error, please contact the sender and delete the material from your/any storage medium.

**From:** [Alexander, Elizabeth](#)  
**To:** [Liu, Emily](#); [Dock, Joel](#); [Dutrow, Mark B](#); [Gabbard, Lacey A](#)  
**Cc:** [Fox, Mark H.](#); [Nichols, Barbara J](#); [Metro 311](#)  
**Subject:** 6501 Old new Cut Road  
**Date:** Thursday, October 17, 2019 5:46:04 PM  
**Attachments:** [IMG\\_3874.jpg](#)  
[IMG\\_3878.jpg](#)  
[IMG\\_3879.jpg](#)  
[IMG\\_3880.jpg](#)  
[IMG\\_3872.jpg](#)  
[image001.png](#)  
[image002.png](#)  
**Importance:** High

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Good evening,

We have received multiple concerns/complaints about the status of the property at 6501 Old New Cut Road. Neighbors are VERY Upset about what is going on at that property. Residents reportedly have tried to reach members of Planning and Zoning and were passed off to several people without being able to provide any specifics as to why the developer was clearing large amounts of tress; removing LG&E markers; and generally moving forward with a project that has yet to be heard by any one as it pertains to the specifics of the apartments; design; concerns about the cemetery that is contained on that property, etc. One resident called to say that when she contacted planning and explained what was going on, the woman she spoke to told her to call Metro 311 because they were unaware of any work being conducted on that site. In addition, she told the resident that there was a property line concern but couldn't answer any other questions.

I went out there last week and took the pictures attached. Would you please advise on what the status of that development is and when it will be heard? Along with offering any other insight that may prove helpful in understanding what is going on out there? Thank you in advance, we look forward to hearing from you.

Best,  
Elizabeth

**Elizabeth Alexander** | Legislative Aide  
Office of Councilman Mark Fox  
601 W. Jefferson Street | Louisville, KY 40202  
p: (502) 574-1113 f: (502) 574-4422  
[www.louisvilleky.gov/district13](http://www.louisvilleky.gov/district13)

























**Bobbie Holsclaw**  
Jefferson County Clerk's Office

As evidenced by the instrument number shown below, this document  
has been recorded as a permanent record in the archives of the  
Jefferson County Clerk's Office.



**INST # 2018300573**

**BATCH # 162285**

**JEFFERSON CO, KY FEE \$23.00**

**PRESENTED ON: 12-27-2018 8 01:42:46 PM**

**LODGED BY: LOUISVILLE GAS & ELECTRIC CO**

**RECORDED: 12-27-2018 01:42:46 PM**

**BOBBIE HOLSCRAW**

**CLERK**

**BY: BECKY SEARCY**

**INDEXING CLERK**

**BK: D 11317**

**PG: 230-235**



# DEED OF EASEMENT

This DEED OF EASEMENT made and entered into on this the 11<sup>th</sup> day of December, 2018, by and between the undersigned, LDG LAND HOLDINGS, LLC, a Kentucky Limited Liability Company, 6501 Old New Cut Road, Fairdale, Kentucky 40118-8206 (Tax Parcel #1050-0721-0000) with a mailing address of 1469 South 4<sup>th</sup> Street, STE 1, Louisville, Kentucky 40208-5219 Grantor, and LOUISVILLE GAS & ELECTRIC COMPANY, a Kentucky corporation, having its principal office and place of business at 220 West Main Street, Louisville, Kentucky 40202-1346, Grantee.

## WITNESSETH:

That for and in consideration of Ten dollars (\$10) and other consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey unto the Grantee, its successors, assigns, and lessees, the right, power and privilege to construct, inspect, maintain, operate, enlarge, rebuild and repair one or more pipelines for the transmission and distribution of gas, and all appurtenances thereto (including, without limitation, an electric service line), along and upon the permanent easement and right-of-way hereinafter described (the "Permanent Easement Area") together with the right of ingress and egress over the lands of the undersigned to and from said line or lines in the exercise of the rights and privileges herein granted; provided, however, that in exercising such rights of ingress and egress, the Grantee will, whenever practicable to do so, use regularly established highways, farm roads or other roadways upon such lands.

In addition, Grantor does hereby grant and convey unto the Grantee, its successors, assigns, and lessees, the right, power and privilege to use the temporary easement hereinafter described as "Temporary Work Space" for activities relating to pipeline construction within the Permanent Easement Area, including, without limitation, storage and staging of equipment and materials. Such Temporary Work Space shall terminate and automatically revert to the Grantor upon completion of the pipeline construction in the Permanent Easement Area.

Grantor grants to Grantee the further right to cut, trim and remove any and all trees located upon the Permanent Easement Area and also the right to cut, trim and remove vegetation and all other obstructions and obstacles from the Permanent Easement Area.

It is further expressly understood and agreed that the Grantee will pay to the undersigned any and all damage to real and tangible personal property that may be caused by the Grantee in going upon said lands in both the Permanent Easement Area and Temporary Work Space, except that the Grantee will not be liable for any damage for cutting, trimming and removing trees, vegetation, obstructions and obstacles in the manner and to the extent herein above specified.

Neither the granting nor termination of the easements granted under this instrument shall have the effect of limiting Grantee's rights under any other easement of record on Grantor's Property.

The Grantor, its successors, heirs or assigns, may use and enjoy the lands crossed by the easements granted herein, except, however, that such use shall not conflict with any of the rights and privileges herein granted. In particular, but not by way of limitation, no building, sign, tower, antenna, swimming pool or any other structure shall be erected or maintained along or upon the Permanent Easement Area nor shall any changes in grade be made to the lands crossed by this easement which shall interfere with the privileges and rights herein granted. Further, the activities of Grantor, its successors, heirs, and assigns upon and within the Permanent Easement Area shall be governed by the Gas Transmission Pipeline Restrictions attached hereto as Exhibit "B" and incorporated herein by reference.

The new Permanent Easement is located at 6501 Old New Cut Road (parcel 1050-0721-0000) and consist of the area depicted by the hatched area labeled Permanent Easement containing 0.10 acres on Exhibit "A" as shown by QK4's drawing dated July 2018 attached hereto and made a part hereof.

The Temporary Work Space is located at 6501 Old New Cut Road (parcel 1050-0721-0000) and consist of the area depicted by the hatched area and labeled Temporary Workspace containing 1.13 acres on Exhibit "A" as shown by QK4's drawing dated July 2018 attached hereto and made a part hereof.







## EXHIBIT B

### GAS TRANSMISSION PIPELINE RESTRICTIONS

As set forth in the Deed of Easement, the activities of Grantor, its successors, heirs, and assigns upon and within the Permanent Easement Area (as defined in the Deed of Easement) are governed by the Gas Transmission Pipeline Restrictions set forth in this Exhibit.

1. Prior notification shall be given to Grantee no less than forty-eight (48) hours in advance of any construction to be performed within the Permanent Easement Area to allow Grantee the opportunity to have representation on site during construction. Please call (502) 364-8550.
2. Above and below ground obstructions (including but not limited to fire hydrants, valves, utility poles, guy wires, pad transformers, splice and pull boxes, light standards, buildings, pools, ponds, trees, drainage culverts, and shrubbery) shall not be permitted on the Permanent Easement Area without Grantee's express prior written approval. Any obstructions allowed by Grantee are subject to future removal by Grantee for purposes of pipeline maintenance or construction and Grantee shall not be liable for their replacement.
3. The depth of cover, defined as the distance from the top of pipe to grade, of Grantee's gas pipelines shall be maintained at a minimum of 36 inches, but 48 inches is preferred. Changes in grade cannot be made without the written permission from Grantee. Special conditions may exist for stream crossings.
4. In the event of erosion, rutting or other loss of cover over Grantee's pipeline or within Grantee's Permanent Easement Area caused by activities of the Grantor, its successors, heirs, and assigns or other third party, including without limitation reductions in cover due to operation of all-terrain vehicles or other motor vehicles, the party causing the erosion shall restore cover over or around the pipeline and shall enact methods of erosion control approved by Grantee. Erosion control shall be installed, where and when necessary to prevent loss of cover over the pipeline, at no expense to Grantee.
5. No blasting shall be permitted within the Permanent Easement Area. When blasting operations are to be conducted within the vicinity of the Permanent Easement Area, prior notification shall be given to Grantee no less than five (5) business days in advance by calling the number referenced in in Section 1.
6. During construction and/or maintenance on the Permanent Easement Area, wheel loads and/or track loads (one-half of single axle load or one-half of tandem axle load) shall not exceed sixteen thousand (16,000) pounds without express prior written approval by Grantee. Notification to 811 or [www.kentucky811.org](http://www.kentucky811.org) is required for excavation as defined by under KRS 367.4901 to 367.4917.
7. Installation of shoring and bracing on trench side walls, where necessary, shall be used by excavators to prevent caving and to limit the trench width to a maximum of ten (10) feet across the Permanent Easement Area. Any plans to support suspended pipelines must be approved by Grantee.
8. If directional drilling is used to install facilities within the vicinity of the Permanent Easement Area, the pipelines shall be exposed with sufficient visual area so that it can be assured that the drilling operations do not impact Grantee's pipelines.
9. All roads, foreign lines, and utilities should cross the Permanent Easement Area as close to ninety (90) degrees as practical and at an acute angle of no less than seventy-five (75) degrees unless express prior written approval is obtained from Grantee.
10. One (1) foot minimum and two (2) feet preferred clearance is required between LG&E's pipeline and the Permanent Easement Area and all foreign facilities.
11. Any metallic foreign line laid within the Permanent Easement Area shall have a dielectric coating, expressly approved in writing by the Grantee's representative, to protect the integrity of the cathodic protection on Grantee's facilities. The coated portion of foreign pipe shall extend across the width of the Permanent Easement Area, unless less coating is expressly approved in writing by Grantee's representative. Grantee may require that foreign line crossings be installed inside of a casing. Grantee may further require that such casing be manufactured of a dielectric material. The requirements set forth in this



paragraph are minimum standards and Grantee may impose additional requirements as are necessary to maintain safety and the integrity of pipelines.

12. Backfill between a foreign line within the Permanent Easement Area shall be hand-placed and compacted to 95% of the maximum density at optimum moisture content as determined by AASHTO99 to prevent sagging from settlement. During backfilling, Grantee's pipelines shall be shielded to avoid damaging the pipe coating or the surface of barc steel pipelines.
13. Joints in the foreign line shall not be located directly over or under Grantee's pipelines to prevent possible settlement damage to joints, and provide for future maintenance of both facilities.

Pipeline markers are in in-ground test stations are required per Department of Transportation regulations and shall not be removed or altered under any circumstances without Grantee's express prior written approval.





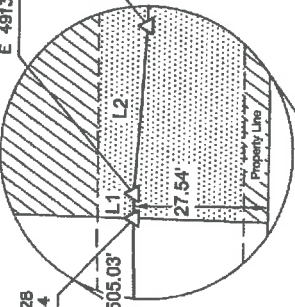
**EXHIBIT 'A'**

009

Tax Map # 1050-0721-0000  
**Owner**  
**LDG Land Holdings, LLC**  
 DB 11077, Pg 266  
 6501 Old New Cut Rd

N 3928975.53  
 E 4913182.28

N 3928996.17  
 E 4913209.87



N 3928972.28  
 E 4913178.54

N48°52'06"E 505.03'

Property Line

N 3929424.36  
 E 4913703.65

N 3929354.84  
 E 4913627.85

N 3928433.01  
 E 4913744.54

Mary L. Gantt  
 PARCEL 000C  
 DB 10284, Pg 558

Robert Gene  
 Samuels, Sr.  
 PARCEL 0010  
 DB 10032, Pg 474

Temporary Work Space

30' Existing Esmt. DB 4368, Pg 243

N49°17'12"E 236.55'

Jack I. Hawkins  
 PARCEL 009B  
 DB 9756, Pg 807

Chris Smith  
 PARCEL 009A  
 DB 8862, Pg 920

Frazer Ruiz  
 PARCEL 007B  
 DB 10763, Pg 686

N49°17'12"E 293.75'

N49°21'59"E 550.77'

N49°17'12"E 293.75'

N49°17'12"E 134.37'

N49°17'12"E 103.40'

N49°17'12"E

Line	Bearing	Distance
L1	N48°52'08"E	4.84'
L2	N53°13'03"E	34.47'
L3	N47°26'39"E	102.86'
L4	S88°08'14"E	40.91'
L5	N49°17'12"E	58.79'

**LEGEND**

- NAD 83
- KY Single Zone
- N XXXXX.XX
- E XXXXXX.XX
- Parcel ID Number
- Existing Easement
- Permanent Easement: 0.10 AC
- Temporary Work Space Easement: 1.13 AC

**NOTES**  
 The intent of this plat is to create a variable width permanent easement to the east property line of LDG Land Holdings, LLC and a temporary work space easement across the lands of LDG Land Holdings, LLC as shown hereon.  
 Internal property lines are shown for reference purposes only.  
 This survey is a pipeline corridor survey only, and does not meet requirements to be considered a property survey for any properties included within the pipeline corridor survey. It is not intended to be used in place of a boundary or a condemnation survey. Coordinates for the proposed centerline and easement extents shown hereon are based on the NAD 83 Kentucky State Plane Single Zone.



Engineering + Planning  
 1148 E. Chestnut Street  
 Louisville, KY 40204  
 Phone: (502) 585-2222 www.epm.com



**LOUISVILLE GAS & ELECTRIC**  
**TRANSMISSION EASEMENT**  
 PENILE - PRESTON 24" GAS TRANSMISSION  
 JEFFERSON COUNTY, KENTUCKY

**LDG Land Holdings, LLC**  
 6501 Old New Cut Rd  
 1050-0721-0000  
 DB 11077, Pg 266

SCALE 1"=80'

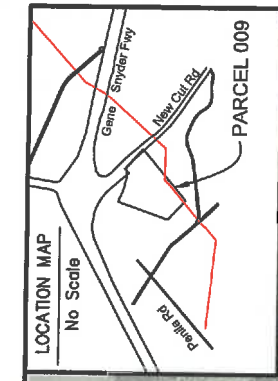
PROJ. # 17515

CHK BY: BPS

JULY 2018

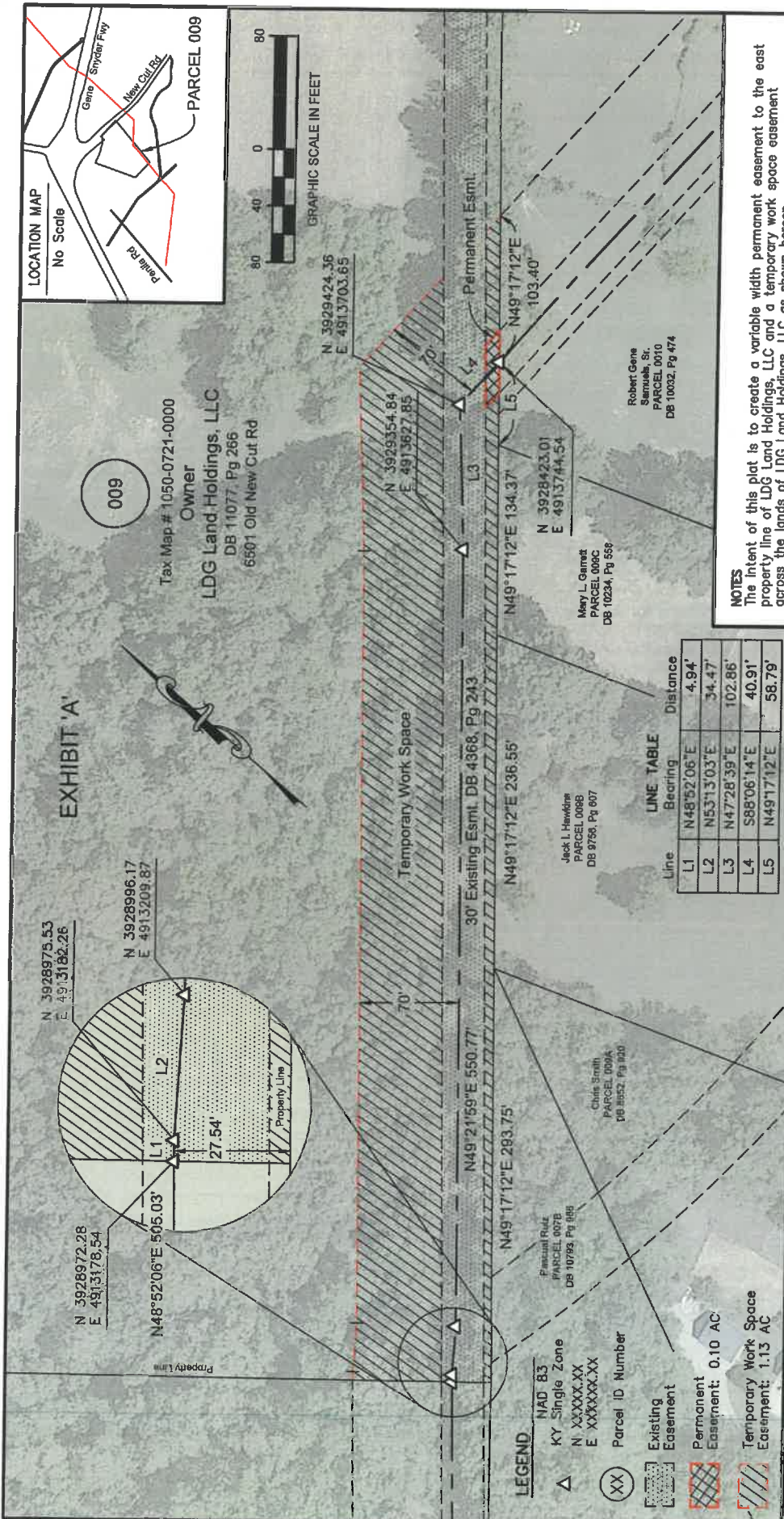
Parcel 009





**009**  
 Tax Map # 1050-0721-0000  
 Owner  
**LDG Land Holdings, LLC**  
 DB 11077, Pg 266  
 6501 Old New Cut Rd

EXHIBIT 'A'



Line	Bearing	Distance
L1	N48°52'06"E	4.94'
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L3	N47°28'39"E	102.86'
L4	S88°06'14"E	40.91'
L5	N49°17'12"E	58.79'

**LEGEND**  
 NAD 83  
 KY Single Zone  
 N XXXX.XX  
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**LOUISVILLE GAS & ELECTRIC TRANSMISSION EASEMENT**  
 PENILE - PRESTON 24" GAS TRANSMISSION  
 JEFFERSON COUNTY, KENTUCKY

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PROJ. # 17515  
 SCALE 1"=80'  
 CHK BY: BPS  
 JULY 2018  
 Parcel 009