

### CERTIFICATE OF SANITARY SEWER AND DRAINAGE EASEMENT

For valuable consideration, the receipt of which is hereby acknowledged by LOUISVILLE AND JEFFERSON COUNTY METRO GOVERNMENT, (GRANTOR), hereby grants to the LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), its successors and assigns, a perpetual easement on, over, and under strips of land and spaces as defined and marked "Sanitary Sewer and Drainage Easement" on the plat attached hereto.

This grant is made on the following terms:

- 1. **MSD** has the right of ingress and egress over **GRANTOR**'s property to and from the easement at all times for the purpose of constructing, operating, maintaining, repairing, and reconstructing sanitary sewers, drains, and related equipment, structures or materials, hereinafter referred to as appurtenances, under **MSD**'s jurisdiction, control, and supervision.
- 2. Nothing shall be placed in, on, over, or under the sanitary sewer and drainage easement which will obstruct or interfere with the purposes of said easement.
- 3. **MSD** may authorize any public agency or others to carry out the purposes as set forth in Paragraph 1.
- 4. The **GRANTOR** covenants that they are (he/she is) lawfully seized of the property through which the sanitary sewer and drainage easement is granted and that they have (he/she has) full right and power to convey the same and said property is free from all encumbrances, except current taxes and restrictions and/or mortgages of record.
- 5. The **GRANTOR** acknowledges that the consideration received for the conveyance made herein does not include any express or implied release or waiver by **MSD** of rights to subject **GRANTOR** and their (his/her) property to sewer rates, drainage fees, rentals, and other charges, including special assessments, as may be authorized by law.
- 6. **MSD** covenants that it will assume full responsibility for claims resulting from damage to any land improvement, or the environment within or outside the sanitary sewer and drainage easement granted herein, or to any land or improvements used for ingress and egress to such easement, caused by **MSD** during construction, operation, maintenance, repair or reconstruction of said sanitary sewers, drains, and appurtenance <u>unless</u> damage is caused by the placing of any structure within or outside the easement in violation of this certificate, in such case no liability will be assumed by **MSD**.
- 7. If shown, a temporary easement, as defined and marked "Temporary Construction Easement" on the plat attached hereto is hereby reserved for **MSD**'s use as needed during original construction of said sanitary sewers, drains, and appurtenances. Such easement shall terminate and automatically revert to the property owners upon completion of the original construction.

IN TESTIMONY WHEREOF, witness the signature of the **GRANTOR** on this day of

\_\_\_\_\_, 20\_\_\_\_\_.

GRANTOR

GRANTOR

LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT 700 WEST LIBERTY STREET LOUISVILLE, KENTUCKY 40203-1913

Record No.\_\_\_\_\_

Parcel No. \_\_\_\_\_

Sheet 2 of 4

# COMMONWEALTH OF \_\_\_\_\_

## COUNTY OF \_\_\_\_\_

I, the undersigned Notary Public in and for the Commonwealth and County aforesaid, do hereby certify that the foregoing instrument was this day presented to me by \_\_\_\_\_

and

being the within named **GRANTOR(S)**, who being by me first duly sworn, declared that signed the foregoing instrument as \_\_\_\_\_\_\_ true and proper act and deed.

## <u>OR</u>

I, the undersigned Notary Public in and for the Commonwealth and County aforesaid, do hereby certify that the foregoing instrument was this day presented to me by , who, being by me first duly sworn, declared that \_\_\_\_\_\_\_\_\_ signed the foregoing instrument as \_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_ by authority and direction of its Board of Directors, as a true and proper act and deed.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission expires:

NOTARY PUBLIC

This Instrument Prepared By:

Attorney-at-Law

LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT 700 WEST LIBERTY STREET LOUISVILLE, KENTUCKY 40203-1913

Record No.\_\_\_\_\_

Parcel No. \_\_\_\_\_

Sheet 3 of 4

The spaces outlined by dashed lines and marked "electric and telecommunication easement" are hereby reserved as nonexclusive easements for electric and telecommunication utility purposes which include: (1) the right of ingress and egress across all lots, access areas, and ways to and from the easement; (2) the right to cut down or trim any trees within the easement; (3) the right to trim or cut down any trees outside easement area within 10' of the closest conductor within the easement or a public way; (4) the right to cut down or trim any trees on private property that may be so defective as to present a hazard to the utility lines after reasonable notice to the property owner; (5) the right of any utility company using said easements to remove permanent structures or obstructions within the easement. No permanent structures shall be erected within the easement. Fences, shrubbery, and gardens may occupy easement area at property owner's risk. The developer is to remove all trees that may interfere with the original construction of the electric lines and telecommunication lines to serve this subdivision.

- (A) All property owners' electric utility service lines shall be underground at locations designated by Louisville Gas and Electric Company (from LG&E's termination point throughout length of service lines to customer's building) and title thereto shall remain in and the cost of installation and maintenance thereof shall be borne individually by the respective lot owner upon which the said service line is located. Appropriate easements are hereby dedicated and reserved to each property owner together with the right ingress and egress over abutting lots or properties to install, operate, and maintain electric service lines to LG&E's termination points. Electric service lines as installed shall determine the exact location of said easements.
- (B) The gas, electric and telecommunication easements shown on this plat shall be maintained and preserved in their present condition and no encroachment therein and no change in the grade of elevation thereof shall be made by any person or lot owner without the consent in writing of the Louisville Gas and Electric Company and AT&T Telecommunications, Inc.
- Easements for underground and/or overhead electric transmission and distribution feeder lines, poles, and equipment (C) appropriate in connection therewith are reserved over, across, and under all spaces including park, open, and drainage space areas, outlined by dash lines and designated for underground and/or overhead facilities. Above ground electric transformers and pedestals may be installed at appropriate point in any electric easement. In consideration of LG&E bringing service to the property shown on this plat it is granted the right to make further extensions of its lines from all overhead and underground distribution lines.
- (D) Above ground telecommunication facilities and pedestals may be installed at appropriate point in any telecommunication easement.

#### NOTE:

Also the right to overhang lots with service wires to serve adjoining lots.

Louisville and Jefferson County Metro Government 601 W. Jefferson Street Louisville, Kentucky 40202

Ву:	By:
Name:	Name:
Title:	Title:
COMMONWEALTH OF KENTUCKY ) ) SS.	
COUNTY OF JEFFERSON )	

COUNTY OF JEFFERSON

The foregoing instrument was acknowledged, subscribed and sworn to before me this day of \_, do certify that the foregoing plat of Springwood Lane, Partial Street Closure, by Greg , 20\_ Fischer, as Mayor of Louisville/Jefferson County Metro Government, Kentucky, a political subdivision of the Commonwealth of Kentucky, for and on behalf of same.

My Commission expires:

(SEAL)

NOTARY PUBLIC

Electric & Telecommunication Easement

Owner: Louisville and Jefferson County Metro Government 601 W. Jefferson Street Louisville, Kentucky 40202

Sabak, Wilson & Lingo, Inc. Engineers, Landscape Architects & Planners 608 South Third Street Louisville, Kentucky 40202

Location: 416 & 417 Springwood Lane Louisville, Kentucky 40207

SHEET 4 OF 4