

# CERTIFICATE OF SANITARY SEWER AND DRAINAGE EASEMENT

For valuable consideration, the receipt of which is hereby acknowledged by GRANTOR, GRANTOR hereby grants to 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 appurtenances unless 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 by 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 9<sup>th</sup> day of January, 2014.

GRANTOR:  
JEFFERSON COUNTY SCHOOL DISTRICT  
FINANCE CORPORATION

BY: Dr. Donna M. Hargens  
Dr. Donna M. Hargens, President

LOUISVILLE AND JEFFERSON COUNTY  
METROPOLITAN SEWER DISTRICT  
700 WEST LIBERTY STREET  
LOUISVILLE, KENTUCKY 40203-1911

Record No.: 329025

Parcel No.: 14

(Notary for Individual)

~~COMMONWEALTH OF KENTUCKY~~

COUNTY OF JEFFERSON

I, the undersigned Notary Public in and for the Commonwealth and County of 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.

(Notary for Business)

OR

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

Witness my hand this 9th day of January, 2014

My Commission Expires: July 7, 2017

Julie Klayko  
NOTARY PUBLIC

This Instrument Prepared By:

\_\_\_\_\_  
Attorney At Law  
700 West Liberty Street  
Louisville, Kentucky 40203-1911

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METROPOLITAN SEWER DISTRICT  
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