

**DANNY CLEMENS, DIRECTOR**  
GEORGE BROCK, MAINTENANCE SUPERVISOR  
THOMAS STOKES, CUSTODIAL SUPERVISOR  
ANDREA ROCK, ENERGY MANAGER

**DEPARTMENT OF FACILITIES**

**MEMO**

**TO:** Dr. Jesse Bacon, Superintendent  
**FROM:** Danny Clemens, Director of Facilities  
**Date:** September 6, 2023  
**RE:** Bernheim Middle School LWC Easement **DC**

Attached is the request for board approval of a deed of easement with the Louisville Water Company. This deed of easement will allow the Louisville Water Company to run 50 feet of easement along Audubon Drive in front of Bernheim Middle School. The easement will assist in helping increase water pressure in the southern part of the county. BCPS will be compensated \$17,214 for allowing LWC to use the property.

**I recommend approval of this request.**

Attachments:

Deed of Easement

Bullitt County School District Finance Corporation Plat

**OUR MISSION IS TO INSPIRE AND EQUIP OUR STUDENTS TO SUCCEED IN LIFE**

**BULLITT COUNTY PUBLIC SCHOOLS IS AN EQUAL EDUCATION AND EMPLOYMENT INSTITUTION**

**DEED OF EASEMENT**

THIS DEED OF EASEMENT, made as of this 25<sup>th</sup> day of September, 2023  
by and between:

**BULLITT COUNTY SCHOOL DISTRICT FINANCE CORPORATION**  
1040 HWY 44 East  
SHEPHERDSVILLE KY 40165

"GRANTOR"

And

**LOUISVILLE WATER COMPANY, acting through the agency of the  
Board of Water Works,**  
550 South Third Street  
Louisville, Kentucky 40202

"GRANTEES"

W I T N E S S E T H:

For a valuable consideration of Seventeen Thousand Two Hundred Fourteen dollars (\$17,214), the receipt and sufficiency of which is hereby acknowledged, Grantor in consideration of Grantees extending its service to the property of the Grantor, Grantor hereby grants and conveys to Grantees, an easement in perpetuity over, under and through the strip of land hereinafter described for the purpose of connecting, constructing, operating, maintaining, reconnecting, repairing, removing, reconstructing, replacing, and/or enlarging one or more water mains and appurtenances, including ingress and egress to and from said strip. Said strip of land is in Bullitt County, Kentucky and is described as follows:

BEING an easement Fifty Feet (50') in width as shown on the plat attached hereto and made a part hereof by reference; and

BEING a part of the same property acquired by GRANTOR and recorded in Deed Book 382, Page 675, in the Office of the Clerk of Bullitt County, Kentucky.

Grantor covenants that it has full right, power and authority to make this conveyance.

Grantor, its successors and assigns, further covenants not to erect permanent structures of any nature upon or change the grade of the surface within the above described Easement without written consent of Louisville Water Company. Non-permanent objects or improvements included, but not limited to, fences, shrubs, gardens, pastureland, signage, driveways, access roads and parking may occupy Easement area at Grantor's risk.

To the extent Grantees must disturb the Easement, Grantees agree to restore the property to the original condition at the time of granting the Easement, which condition shall not include any non-permanent objects or improvements made by the Grantor after granting the Easement.

Grantor, its successors and assigns, reserves the right to make use of the above described strip of land in such a way as to not interfere with the rights herein granted to Grantees. In the event that Grantor makes use of the strip of land in violation of the foregoing restrictions, it is understood and agreed that such use shall not give rise to a claim of adverse possession that may arise by such that would nullify or otherwise impair in whole or in part Grantees rights to the strip of land.

IN TESTIMONY WHEREOF, witness the signature of the Grantor the day and year first above written.

BULLITT COUNTY SCHOOL DISTRICT  
FINANCE CORPORATION

---

COUNTY OF BULLITT )  
COMMONWEALTH OF KENTUCKY ) :ss

The foregoing Deed of Easement was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2023 by

\_\_\_\_\_, as \_\_\_\_\_

My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC,  
License #

THIS INSTRUMENT WAS PREPARED BY:

\_\_\_\_\_  
LOUISVILLE WATER COMPANY  
550 S. 3<sup>rd</sup> Street  
Louisville, Ky. 40202  
(502) 569-3600

**NOTES**

- 1) THIS EASEMENT PLAT IS BASED ON FIELD WORK PERFORMED FROM 07/03/2022 TO 08/15/2022 BY CONVENTIONAL RADIAL SURVEY METHODS UTILIZING AN ELECTRONIC TOTAL STATION AND RTK GPS METHODS AND TIED INTO CONTROL WHICH WAS SET BY RTK GPS METHOD.
- 2) THE MONUMENTED CORNERS SHOWN HEREON ARE NOT VERIFIED AS BOUNDARY CORNERS AND SHOULD BE USED AS REFERENCE TIES FOR THE EASEMENT ONLY.
- 3) THE MEASUREMENTS SHOWN ON THIS PLAT MEET OR EXCEED A MINIMUM CLOSURE OF 1:10,000.
- 4) THE REFERENCE MERIDIAN USED ON THIS EASEMENT PLAT TO DETERMINE THE DIRECTION OF THE EASEMENT LINES WAS BASED ON GRID NORTH OF THE KENTUCKY SINGLE ZONE STATE PLANE COORDINATE SYSTEM OF 1983.

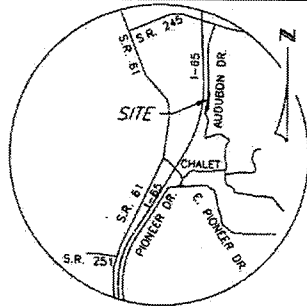
**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THIS PLAT WAS MADE UNDER MY SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS EASEMENT PLAT MEETS OR EXCEEDS THE MINIMUM STANDARDS PERTAINING TO NON-BOUNDARY SURVEY WORK LOCATED IN SECTION 13 OF 201 KAR 18-150, AS WELL AS, THE L.W.C. TECHNICAL SPECIFICATIONS AND STANDARD DRAWINGS FOR SURVEYING, PLATTING AND MAPPING, 2011 EDITION.

*Travis D. McCarty* 03/17/2023  
 TRAVIS D. MCCARTY, PLS#4136 03/17/2023



PARCEL ID: 048-000-00-074  
 ISAAC W. BERHEIM FOUNDATION  
 D.B. 73 PG. 419  
 D.B. 74 PG. 128



**LOCATION MAP**  
 NOT TO SCALE  
**LEGEND**

- - IRON PIPE
  - △ - DIMENSION POINT
  - R/W - RIGHT-OF-WAY
  - ▨ - EASEMENT AREA
  - - TEMP. ESMT. AREA
- ESMT. AREA = 42,848 SQ. FT.  
 L.W.C. ESMT.# 002-001

**LOUISVILLE WATER COMPANY  
 EASEMENT**

PLAT PREPARED BY:  
 GPD GROUP, INC.

PARCEL ID: 048-000-00-075A  
 BULLITT COUNTY SCHOOL DISTRICT  
 FINANCE CORPORATION  
 D.B. 382 PG. 675

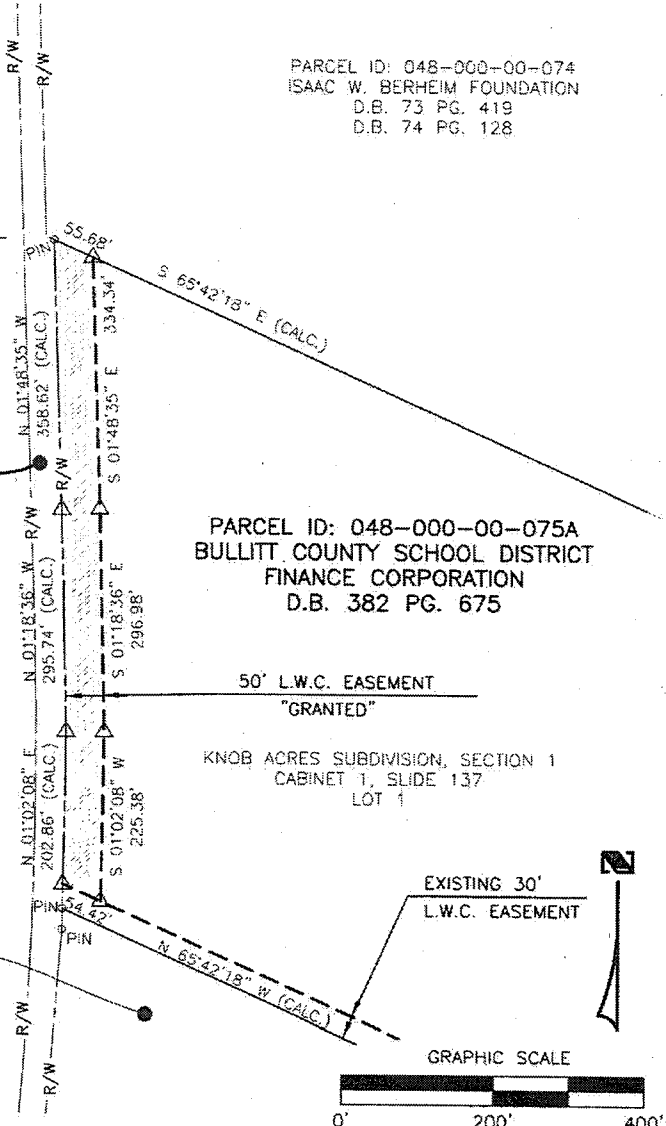
50' L.W.C. EASEMENT  
 "GRANTED"

KNOB ACRES SUBDIVISION, SECTION 1  
 CABINET 1, SLIDE 137  
 LOT 1

PARCEL ID: 048-000-00-075  
 CECILY G. BIERLY, GREGORY R. BIERLY  
 AND RENEE P. EDWARDS  
 D.B. 877 PG. 694

I-65 (R/W VARIES)

AUDUBON DRIVE (R/W VARIES)



EXISTING 30'  
 L.W.C. EASEMENT

GRAPHIC SCALE



THIS PLAT DOES NOT REPRESENT  
 A BOUNDARY SURVEY AND IS NOT  
 INTENDED FOR LAND TRANSFER.

**LOUISVILLE WATER COMPANY**  
 550 S. 3RD STREET - LOUISVILLE, KENTUCKY 40202  
 SPENCER W. BRUCE, PE - PRESIDENT  
 TIMOTHY KRAUS, PE - VICE PRESIDENT, CHIEF ENGINEER

PROPERTY OF  
**BULLITT COUNTY SCHOOL DISTRICT  
 FINANCE CORPORATION**

|                  |               |                            |      |
|------------------|---------------|----------------------------|------|
| AUDUBON DRIVE    |               | BULLITT COUNTY             |      |
| D.B. 382 PG. 675 |               | PARCEL ID: 048-000-00-075A |      |
| DATE 03-17-23    | SCALE 1"=200' | MAP NO. 002-001            |      |
| DRAWN RAK        | CHECKED BY TM | ENGR.                      |      |
| PROJ. NO. 16378  | SHEET 1       |                            | OF 1 |