

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 9th day of October, 2018, by and between **HELUE H. SHALASH and SULIMAN J. SHALASH, husband and wife**, 3711 Combs Ferry Road, Lexington, Kentucky 40509, which is the in-care of tax mailing address for the current year ("Grantors"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, ("Grantee").

WITNESSETH:

That for and in consideration of the sum of **ONE HUNDRED THIRTY-SEVEN DOLLARS AND 50 CENTS (\$137.50)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantors have **BARGAINED** and **SOLD** and do hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, temporary right to excavate, grade, install, construct, alter, inspect, maintain, re-grade and perform related work for the purpose of construction, improvement, and replacement of a storm water culvert through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on Exhibit "A" attached hereto, and more particularly described as follows, to wit:

Temporary Construction Easement
(a portion of 3711 Combs Ferry Road)
Riviera Road Culvert
Replacement Project

Beginning at the northwest corner of the property of Helue H. & Suliman J. Shalash (DB 2522, PG 40), located in Fayette

Return to:
Charles E. Edwards III
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

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County, Lexington, Kentucky, a common corner with Ronald Dee & Jill Price (DB 2001, PG 679) and in the South right-of-way of Riviera Road; thence with the North property line of Shalash, South 89°25'08" East (L1) a distance of 10.00 feet to a point; thence South 00°23'52" West (L2) a distance of 110.00 feet to a point; thence North 89°25'08" West (L3) a distance of 10.00 feet to a point in the common property line with Price; thence following the common property line North 00°23'52" East (L4) a distance of 110.00 feet to the POINT OF BEGINNING; and

The above described parcel contains 1,100.00 sq. ft. or 0.025 Acres of temporary construction easement; and

Being a portion of the property conveyed to Helue H. Shalash and Suliman J. Shalash, husband and wife, by deed dated October 29, 2004, of record in Deed Book 2522, Page 40, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD said easement together with all rights, appurtenances, and improvements thereunto belonging unto said Grantee, its successors and assigns, 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 Grantors. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon the completion of the project.

Grantors do hereby release and relinquish unto the Grantee, its successors and assigns forever, all of its right, title, and interest in and to the property to the extent of the interest conveyed herein, including all exemptions allowed by law, and do hereby covenant to and with the Grantee, its successors and assigns forever, that they are

lawfully seized in fee simple of said property and have good right to sell and convey the same as herein done, and that they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 528-2018, passed by the Lexington-Fayette Urban County Council on August 30, 2018. Pursuant to KRS 382.135(2)(a), this public utility easement is exempt from the requirements related to certificate of consideration. The conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

IN TESTIMONY WHEREOF, the Grantors have signed this Temporary Construction Easement, this the day and year first above written.

GRANTORS:

BY:


HELUE H. SHALASH


BY:


SULIMAN J. SHALASH

COMMONWEALTH OF KENTUCKY)

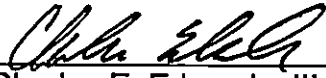
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Helue H. Shalash and Suliman J. Shalash, husband and wife, on this the 9th day of October, 2018.

 #587350
Notary Public, Kentucky, State at Large

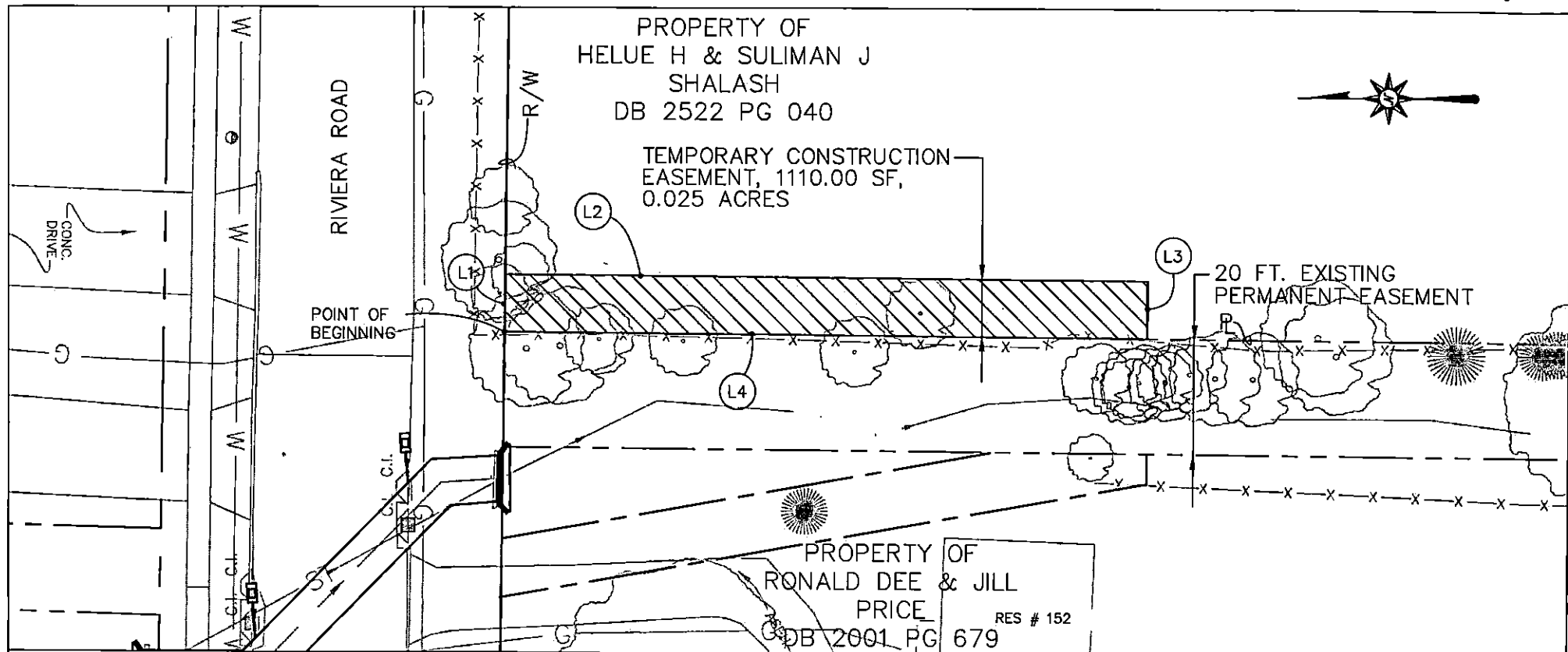
My Commission Expires: 10/14/2021

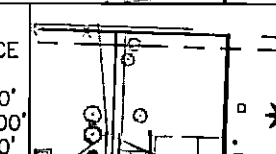

PREPARED BY:



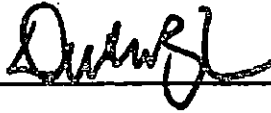
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LINE LEGEND						EASEMENT NUMBER 557-2
LINE	BEARING	DISTANCE		SURVEYOR: JAMES K. ROBERTS, PE, PLS		CLIENT: LFUGG 200 EAST MAIN STREET LEXINGTON, KENTUCKY 40507
L1	S 89° 25' 08" E	10.00'		DATE: AUGUST, 2018.		OWNER: HELUE H & SULIMAN J SHALASH 3711 COMBS FERRY ROAD LEXINGTON, KENTUCKY
L2	S 00° 23' 52" W	110.00'		SCALE: 1"=20' 		
L3	N 89° 25' 08" W	10.00'		FIRM: BELL ENGINEERING 2480 FORTUNE DRIVE, SUITE 350 LEXINGTON, KENTUCKY 40509		
L4	N 00° 23' 52" E	110.00'			TITLE: RIVIERA ROAD CULVERT REPLACEMENT CONTRACT 557-18-0	

**I, Donald W Blevins Jr, County Court Clerk
of Fayette County, Kentucky, hereby
certify that the foregoing instrument
has been duly recorded in my office.**



By: SHEA BROWN ,dc

201810110094

October 11, 2018 10:14:24 AM

Fees	\$23.00	Tax	\$.00
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Total Paid	\$23.00
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6 Pages

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