

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 9th day of October, 2018, by and between **J. E. LAKES and WAVELYN P. LAKES, husband and wife**, 143 Riviera 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 **FIFTY-SIX DOLLARS AND 25 CENTS (\$56.25)**, 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 143 Riviera Road)
Riviera Road Culvert
Replacement Project

Commencing at the southeast corner of J. E. & Wavelyn P. Lakes (DB 1057, PG 238), being Lot 3, as shown on the Plat of Avon Estates, PC C, Slide 570, Fayette County, Lexington, Kentucky, a common corner with Charlie & Linda

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

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Skeens and Angela Sue Skeens (DB 3464, PG 297) and the North right-of-way of Riviera Road; thence with the right-of-way line, S 89°16'15" East a distance of 10.00 feet to a point, said point being the True Point of Beginning of the Temporary Construction Easement, said point being in the east edge of an existing Permanent Easement; thence N 01°38'52" East (L1) a distance of 30.00 feet to a point; thence leaving the easement line, S 89°16'15" East (L2) a distance of 15.00 feet to a point; thence S 01°38'52" West (L3) a distance of 30.00 feet to a point in the South property line of Lakes and in the North right-of-way line of Riviera Road; thence N 89°16'15" West (L4) a distance of 15.00 feet to the POINT OF BEGINNING; and

The above described parcel contains 450.06 sq. ft. or 0.010 Acres of temporary construction easement; and

Being a portion of the property conveyed to J. E. Lakes and Wavelyn P. Lakes, husband and wife, by deed dated August 19, 1972, of record in Deed Book 1057, Page 238, 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. This 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: J. E. Lakes
J. E. LAKES

BY: Wavelyn P. Lakes
WAVELYN P. LAKES

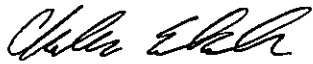
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by J. E. Lakes and Wavelyn P. Lakes, husband and wife, on this the 9th day of October, 2018.

#587350
David Bell
Notary Public, Kentucky, State at Large

My Commission Expires: 10/14/2021

PRÉPARED BY:



Charles E. Edwards, III

Attorney

Lexington-Fayette Urban

County Government

Department of Law, 11th Floor

200 East Main Street

Lexington, Kentucky 40507

(859) 258-3500

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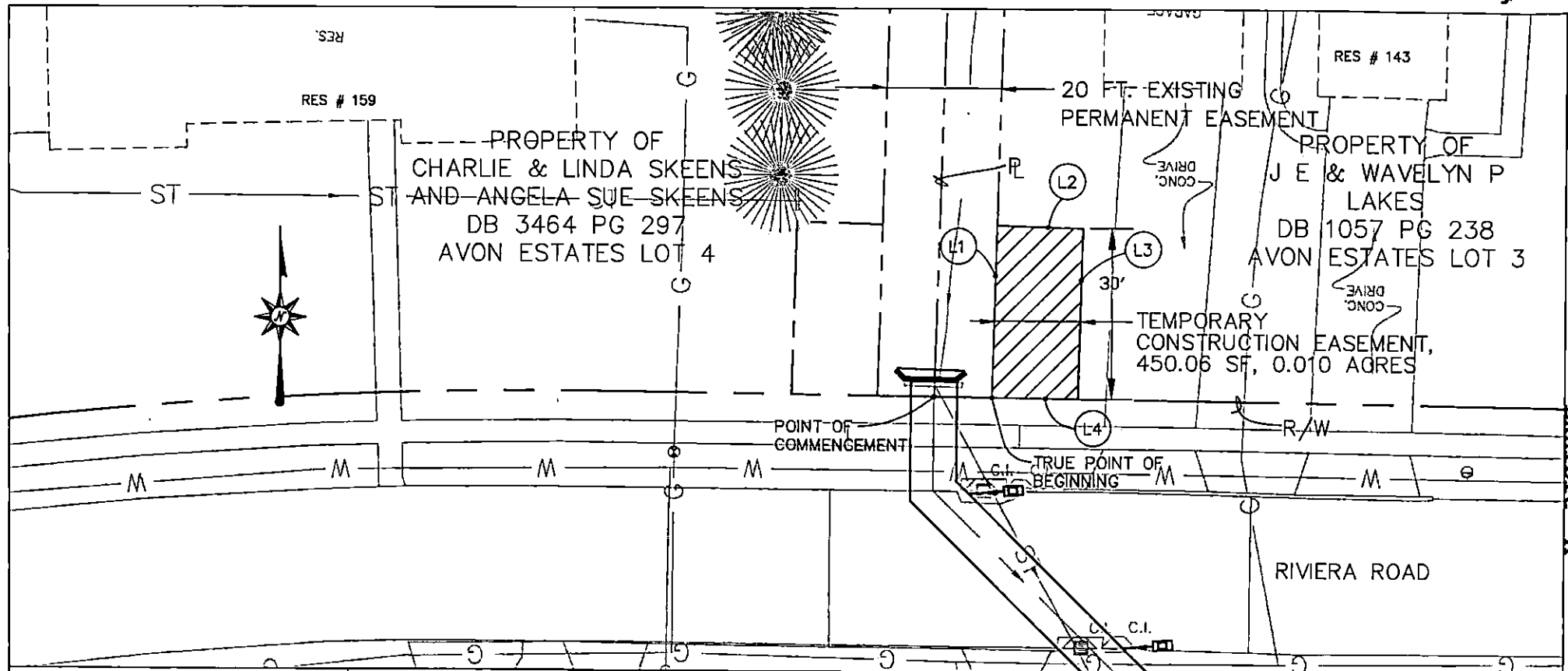


Exhibit "A"

LINE LEGEND			VICINITY MAP	EASEMENT NUMBER 557-3	
LINE	BEARING	DISTANCE		SURVEYOR:	CLIENT:
L1	N 01° 38' 52" E	30.00'		JAMES K. ROBERTS, PE, PLS	LFUCG
L2	S 89° 16' 15" E	15.00'		DATE:	200 EAST MAIN STREET
L3	S 01° 38' 52" W	30.00'		AUGUST, 2018	LEXINGTON, KENTUCKY 40507
L4	N 89° 16' 15" W	15.00'		SCALE:	OWNER: J E & WAVELYN P LAKES
				1"=20'	143 RIVIERA ROAD
					LEXINGTON, KENTUCKY
				FIRM:	TITLE:
				BELL ENGINEERING	RIVIERA ROAD CULVERT
				2480 FORTUNE DRIVE, SUITE 350	REPLACEMENT
				LEXINGTON, KENTUCKY 40509	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

201810110095

October 11, 2018

10:14:33 AM

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