

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 11 day of March, ²⁰¹⁹~~2018~~, by and between **JOSHUA A. IRVIN and KATELYN R. IRVIN**, husband and wife, 3565 Olympia Road, Lexington, Kentucky 40517, 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 EIGHTY DOLLARS AND 00/100 (\$180.00)**, 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, construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction, installation and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on the attached Exhibit "A", and more particularly described as follows, to wit:

Temporary Right-of-Way Construction Easement
West Hickman Trunk - Sewer Line D Project
(a portion of 3565 Olympia Road)

Beginning at a point 141.38 feet from the owners' Southeast property corner of Lot 32 of Southeastern Hills Subdivision as depicted in Plat Cabinet C, Slide 354 of the Fayette

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

CCF

County Clerk's Records; thence with said southern property line North 64 Degrees 16 Minutes 55 Seconds West a distance of 7.51 feet; thence with a new severance line North 28 Degrees 29 Minutes 15 Seconds East a distance of 69.06 feet to a point on the line of the state parcels northern property line; thence with that line South 61 Degrees 29 Minutes 43 Seconds East a distance of 7.50 feet; thence with a new severance line South 28 Degrees 29 Minutes 15 Seconds West a distance of 68.70 feet to the POINT OF BEGINNING.

The above described parcel contains 0.012 acres of temporary construction easement;

AND

Beginning at a point 118.87 feet from the owners' Southeast property corner of Lot 32 of Southeastern Hills Subdivision as depicted in Plat Cabinet C, Slide 354 of the Fayette County Clerk's Records; thence with said southern property line North 64 Degrees 16 Minutes 55 Seconds West a distance of 7.51 feet; thence with a new severance line North 28 Degrees 29 Minutes 15 Seconds East a distance of 67.97 feet to a point on the northern property line of the state parcel; thence with that line South 61 Degrees 29 Minutes 43 Seconds East a distance of 7.50 feet; thence with a new severance line South 28 Degrees 29 Minutes 15 Seconds West a distance of 61.92 feet to the POINT OF BEGINNING.

The above described parcel contains 0.012 acres of temporary construction easement;

Being a portion of the property conveyed to Joshua A. Irvin and Katelyn R. Irvin, husband and wife, by deed dated September 7, 2016, of record in Deed Book 3430, Page 297, 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 completion of the project.

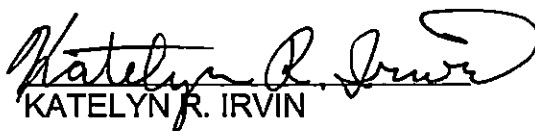
Grantors do hereby release and relinquish unto the Grantee, its successors and assigns forever, all of their right, title, and interest in and to the property to the extent of the interest conveyed herein, including all exemptions allowed by law, and do hereby covenant to and with the Grantee, its successors 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 640-2018, passed by the Lexington-Fayette Urban County Council on October 25, 2018. Pursuant to KRS 382.135(2)(a), this temporary construction easement, which pertains to a public utility, need not contain a statement of consideration.

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

GRANTORS:

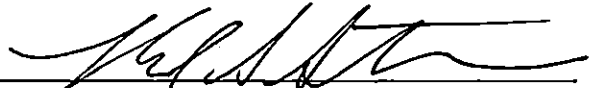

JOSHUA A. IRVIN


KATELYN R. IRVIN

COMMONWEALTH OF KENTUCKY)

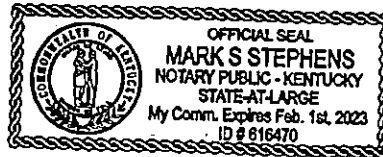
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by
Joshua A. Irvin and Katelyn R. Irvin, husband and wife, on this the 11 day of
MARCH, 2019
2018.

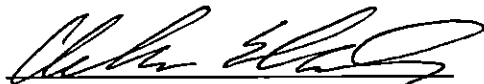


Notary Public, Kentucky, State at Large

My Commission Expires: 02/01/2023



PREPARED 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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P:\LFUGG\16046-Trunk D Sewer\DWG\16046-Easement exhibits.dwg KEG 4/20/18

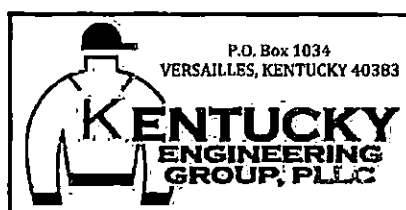
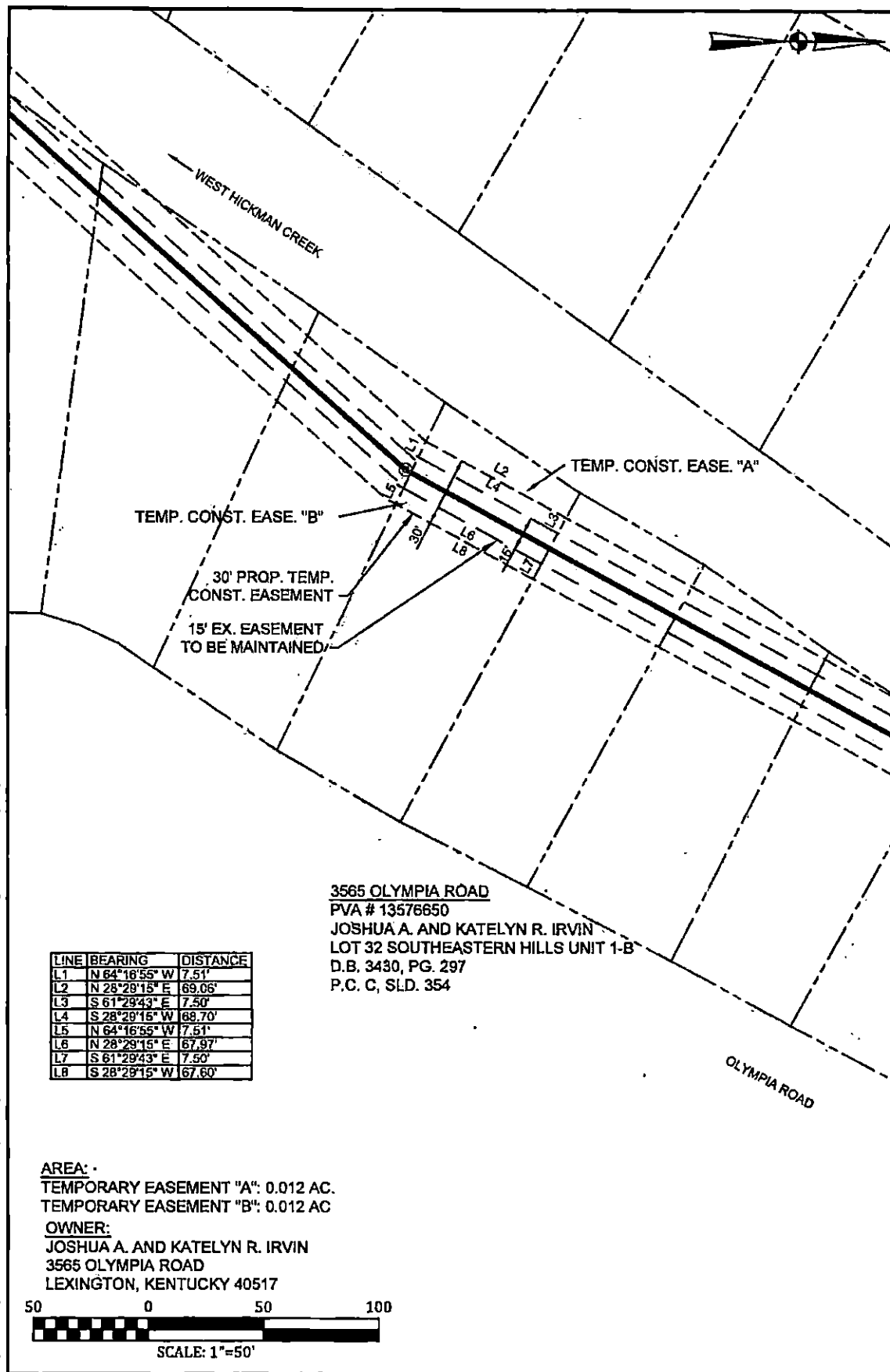


EXHIBIT SHOWING
SANITARY SEWER EASEMENT
TO BE ACQUIRED FROM
JOSHUA A. AND KATELYN R. IRVIN
3565 OLYMPIA ROAD
LEXINGTON, KENTUCKY

Project No.
16046
Date
MARCH 2018
Dwg.
Sheet



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: MELISSA STELTER ,dc

201903250009

March 25, 2019

9:16:05 AM

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

684 - 689