

DEED OF CONVEYANCE AND GRANT OF EASEMENT

This **DEED OF CONVEYANCE AND GRANT OF EASEMENT** is made and entered into this the 28th day of December, 2016, by and between **OWENS INTERESTS, LLC**, a Kentucky Limited Liability Company, 3118 Custer Drive, Lexington, Kentucky 40517, which is the in-care of tax mailing address for the current year ("Grantor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, ("Grantee").

WITNESSETH:

That for and in consideration of the sum of **THREE THOUSAND TWO HUNDRED DOLLARS AND 00/100 (\$3,200.00)**, 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 forever the following tract of land located in the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows, to wit:

Fee Simple Right-of-Way
(a portion of 2907 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 10A

Beginning at a point 27.86 feet left of Clays Mill Road at Station 127+59.78 thence along an arc 72.98 feet right, having a radius of 1949.59 feet, the chord of which is North 28 Degrees 05 Minutes 00 Seconds East a distance of 72.98

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

DTC

feet, to a point 27.10 feet left of Clays Mill Road at Station 128+31.45 thence North 65 Degrees 56 Minutes 39 Seconds West a distance of 5.92 feet to a point 33.00 feet left of Clays Mill Road at Station 128+30.96 thence along an arc 72.94 feet left, having a radius of 1533.00 feet, the chord of which is South 27 Degrees 28 Minutes 43 Seconds West a distance of 72.93 feet, to a point 33.00 feet left of Clays Mill Road at Station 127+59.59 thence South 65 Degrees 56 Minutes 39 Seconds East a distance of 5.15 feet to a point 27.86 feet left of Clays Mill Road at Station 127+59.78 and the POINT OF BEGINNING;

The above described parcel contains 0.009 acres (407 sq. ft.) in fee simple; and

Being a portion of the property conveyed to Owens Interests, LLC, by deed dated August 22, 2000, of record in Deed Book 2154, Page 613, in the Fayette County Clerk's Office.

FURTHER, for and in consideration of the sum hereinbefore mentioned, the receipt and sufficiency of which is hereby acknowledged, Grantor has **BARGAINED** and **SOLD** and does 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 roadway improvements and construction, installation and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows, to wit:

Temporary Right-of-Way Construction Easement
(a portion of 2907 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 10B

Being a tract of land lying in Fayette County on the west side of Clays Mill Road, point of beginning being approximately 97 feet north of the intersection of Nakomi Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 33.00 feet left of Clays Mill Road at Station 127+59.59; thence North 65 Degrees 56 Minutes 39 Seconds West a distance of 10.26 feet to a point 43.25 feet left of Clays Mill Road at Station 127+59.24; thence North 28 Degrees 13 Minutes 55 Seconds East a distance of 72.99 feet to a point 42.26 feet left of Clays Mill Road at Station 128+30.21; thence South 65 Degrees 56 Minutes 39 Seconds East a distance of 9.30 feet to a point 33.00 feet left of Clays Mill Road at Station 128+30.96; thence along an arc 72.94 feet to the left, having a radius of 1533.00 feet, the chord of which is South 27 Degrees 28 Minutes 43 Seconds West a distance of 72.93 feet and the POINT OF BEGINNING;

The above described parcel contains 0.016 acres (691 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Owens Interests, LLC, by deed dated August 22, 2000, of record in Deed Book 2154, Page 613, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described fee simple right-of-way and 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 Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

Grantor does 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 interests conveyed herein, including all exemptions allowed by law, and does 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 477-2016, passed by the Lexington-Fayette Urban County Council on July 5, 2016. Pursuant to KRS 382.135(2)(c), this deed and grant of easement, which conveys public right-of-way, need not contain a statement of consideration.

IN TESTIMONY WHEREOF, the Grantor has signed this Deed of Conveyance and Temporary Easement, this the day and year first above written.

GRANTOR:

OWENS INTERESTS, LLC



ROGER F. OWENS, MEMBER

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: EMILY GENTRY ,dc

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January 9, 2017 15:32:10 PM

Fees	\$23.00	Tax	\$3.50
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Total Paid	\$26.50
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