

PERMANENT AND TEMPORARY GRANT OF EASEMENT

This **PERMANENT AND TEMPORARY GRANT OF EASEMENT** is made and entered into this the 19 day of SEPTEMBER, 2018, by and between **SARAH LEWIS, a single person**, 403 Silver Maple Way, Lexington, Kentucky 40508, 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 **NINE HUNDRED TWENTY-FIVE DOLLARS AND 00/100 (\$925.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, the permanent right to excavate, grade, install, construct, alter, inspect, maintain, re-grade and perform related work for the purpose of right-of-way construction, improvement, and relocation of a Shared Use Path know as Legacy Trail 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:

Permanent Easement
(a portion of 403 Silver Maple Way)
Legacy Trail, Phase III and Fourth Street
Corridor Enhancements
Parcel No. 24A

Commencing at a point being the intersection of the north right-of-way of East Fourth Street, and the west right-of-way

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

(CCF)

of Silver Maple Way; thence with the north right-of-way of East Fourth Street, N 41°00'00" W a distance of 90.01 feet to the southwest corner of said 403 Silver Maple Way also the southeast corner to 223 East Fourth Street; thence leaving said right-of-way, and with the line between 403 Silver Maple Way and 223 East Fourth Street, N 48°16'05" E a distance of 5.00 feet; thence with a line through said 403 Silver Maple Way, S 41°00'00" E a distance of 90.01 feet to a point in the west right-of-way line of Silver Maple Way; thence with said west right-of-way line of Silver Maple Way, S 48°16'05" W a distance of 5.00 feet, to the POINT OF BEGINNING;

The above described parcel contains 450.01 sq. ft. of permanent easement; and

Being a portion of the property conveyed to Sarah Lewis, a single person, by Deed dated September 20, 1996, of record in Deed Book 1873, Page 397, 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, install, construct, alter, inspect, maintain, re-grade and perform related work for the purpose of right-of-way construction, improvement 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 Construction Easements
(a portion of 403 Silver Maple Way)
Legacy Trail, Phase III and Fourth Street
Corridor Enhancements
Parcel No. 24B

Commencing at a point being the intersection of the north right-of-way of East Fourth Street, and the west right-of-way of Silver Maple Way; thence with the west right-of-way of Silver Maple Way, N 48°16'05" E a distance of 5.00 feet to the **TRUE POINT OF BEGINNING** of the tract herein described; thence leaving said west right-of-way of Silver Maple Way and with a line through said 403 Silver Maple Way, N 41°00'00" W a distance of 90.01 feet to a point in the line common to said 403 Silver Maple Way and to 223 East Fourth Street; thence with the line between 403 Silver Maple Way and 223 East Fourth Street, N 48°16'05" E a distance of 5.00 feet; thence with a line through said 403 Silver Maple Way, S 41°00'00" E a distance of 90.01 feet to a point in the west right-of-way line of Silver Maple Way; thence with said west right-of-way line of Silver Maple Way, S 48°16'05" W a distance of 5.00 feet, to the POINT OF BEGINNING;

The above described parcel contains 450.01 sq. ft. of temporary construction easement;

Being a portion of the property conveyed to Sarah Lewis, a single person, by Deed dated September 20, 1996, of record in Deed Book 1873, Page 397, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described easements 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 above-described permanent easement runs with the land in perpetuity 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 her 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 he is lawfully seized in fee simple of said property and that she will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 366-2018, passed by the Lexington-Fayette Urban County Council on June 21, 2018. Pursuant to KRS 382.135(2)(c), this grant of easement, which pertains to a public right-of-way, need not contain a statement of consideration.


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

GRANTOR:

BY: 
SARAH LEWIS

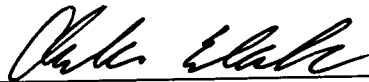
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Sarah Lewis, a single person, on this the 19 day of SEPTEMBER, 2018.

 583153
Notary Public, Kentucky, State at Large

My Commission Expires: 7 / 29 / 2021


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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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

201809280015

September 28, 2018 9:03:25 AM

Fees	\$23.00	Tax	\$0.00
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Total Paid	\$23.00
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6 Pages

523 - 528