

DEED OF CONVEYANCE AND GRANT OF EASEMENT

This **DEED OF CONVEYANCE AND GRANT OF EASEMENT** is made and entered into this the 14th day of November, 2016, by and between **DCJ INVESTMENTS #1 LLC**, a Kentucky limited liability company, 1340 Strawberry Lane, Lexington, Kentucky 40502, 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 **EIGHTEEN THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS AND 00/100 (\$18,125.00)**, 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 forever, the following tract of land located in Lexington, Fayette County, Kentucky, and more particularly described as follows, to wit:

Fee Simple Right-of-Way
(a portion of 2911 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 8A

Beginning at a point 38.00 feet left of Clays Mill Road at Station 125+60.18 thence North 23 Degrees 35 Minutes 17 Seconds East a distance of 72.76 feet to a point 38.00 feet left of Clays Mill Road at Station 126+32.94 thence North 44

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

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Degrees 25 Minutes 57 Seconds West a distance of 11.61 feet to a point 48.77 feet left of Clays Mill Road at Station 126+37.28; thence South 65 Degrees 52 Minutes 44 Seconds East a distance of 19.74 feet to a point 29.03 feet left of Clays Mill Road at Station 126+37.10; thence South 23 Degrees 42 Minutes 10 Seconds West a distance of 77.00 feet to a point 29.18 feet left of Clays Mill Road at Station 125+60.10; thence North 65 Degrees 52 Minutes 47 Seconds West a distance of 8.82 feet to a point 38.00 feet left of Clays Mill Road at Station 125+60.18 and the POINT OF BEGINNING;

The above described parcel contains 0.016 acres (708 sq. ft.) in fee simple; and

Being a portion of the property conveyed to DCJ Investments #1 LLC, a Kentucky limited liability company, by deed dated April 25, 2006, of record in Deed Book 2638, Page 266, in the Fayette County Clerk's Office.

FURTHER, for and in consideration of the aforementioned sum, 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, the 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 2911 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 8B

Being a tract of land lying in Fayette County on the west side of Clays Mill Road, point of beginning being approximately 102 feet south of the intersection of Nakomi Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 38.00 feet left of Clays Mill Road at Station 125+60.18; thence North 65 Degrees 52 Minutes 47 Seconds West a distance of 3.42 feet to a point 41.42 feet left of Clays Mill Road at Station 125+60.21; thence North 23 Degrees 06 Minutes 40 Seconds East a distance of 70.56 feet to a point 42.00 feet left of Clays Mill Road at Station 126+30.77; thence North 22 Degrees 30 Minutes 48 Seconds West a distance of 9.39 feet to a point 48.77 feet left of Clays Mill Road at Station 126+37.28; thence South 44 Degrees 25 Minutes 57 Seconds East a distance of 11.61 feet to a point 38.00 feet left of Clays Mill Road at Station 126+32.94; thence South 23 Degrees 35 Minutes 17 Seconds West a distance of 72.76 feet to a point 38.00 feet left of Clays Mill Road at Station 125+60.18 and the POINT OF BEGINNING.

The above described parcel contains 0.007 acres (286 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to DCJ Investments #1 LLC, a Kentucky limited liability company, by deed dated April 25, 2006, of record in Deed Book 2638, Page 266, 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 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 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 and Easement, this the day and year first above written.

GRANTOR:

DCJ INVESTMENTS #1 LLC


DAVID C. JOHNSON, MEMBER

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

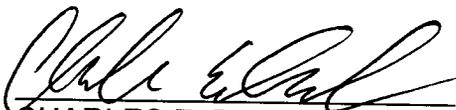
This instrument was acknowledged, subscribed and sworn to before me by David C. Johnson, in his capacity as member of DCJ Investments #1 LLC, on this the 14th day of November, 2016.



Notary Public, Kentucky, State at Large 506286

My Commission Expires: 2 / 24 / 2018

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: MELISSA STELTER ,dc

201611230155

November 23, 2016 10:46:00 AM

Fees	\$23.00	Tax	\$18.50
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Total Paid	\$41.50
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