

**DEED OF CONVEYANCE AND TEMPORARY CONSTRUCTION EASEMENT**

This **DEED OF CONVEYANCE AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 21<sup>st</sup> day of June, 2021, by and between **JANICE BROCK, a single person**, 13 Zachary Ridge Road, Ashville, NC 28804, 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 **TWENTY-FIVE THOUSAND DOLLARS AND 00/100 (\$25,000.00)**, 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, in fee simple, the following described property, located in Fayette County, Kentucky:

**FEE SIMPLE**  
**(a portion of 3579 Niagara Drive)**  
**River Park Pump Station Project**  
**Parcel "A"**

**BEGINNING** at a point in the northeast right of way of Trent Blvd., said point being the common corner to Lot 31, Block "A" River Park, Unit 3-A as shown in Plat Cabinet H, Slide 30 in the Office of the Fayette County Clerk, and Lot 1, Block "C" Wilhite Park, Unit 1-B Section 1 as shown in Plat Cabinet F, Slide 595 in the office of the Fayette County Clerk;

**Thence**, leaving the right of way of Trent Blvd. and along the common boundary of Block "A" River Park Unit 3-A and

Return to:  
Cynthia Cannon-Ferguson  
LFUCG, Dept. of Law, 11<sup>th</sup> Floor  
200 East Main Street  
Lexington, KY 40507

Block "C" Wilhite Park, Unit 1-B Section 1, North 27 degrees 01 minutes 37 seconds East, a distance of 73.95 feet;

**Thence**, leaving the common boundary of Block "A" River Park, Unit 3-A and Block "C" Wilhite Park, Unit 1-B Section 1 and along the new boundary line the following two calls: North 62 degrees 58 minutes 23 seconds West, a distance of 42.13 feet; South 27 degrees 01 minutes 37 seconds West, a distance of 47.59 feet to a point in the northeast right of way of Trent Blvd.;

**Thence**, with the northeast right of way of Trent Blvd., South 30 degrees 56 minutes 20 seconds East, a distance of 49.70 feet to the **POINT OF BEGINNING**; and,

The above-described parcel contains 2,560.41 sq. ft. of fee simple; and,

Also, shown by Public Acquisition Minor Plat for River Park Pump Station Project, of record in Cabinet S, Slide 180, in the Fayette County Clerk's Office; and,

Being a portion of the same property conveyed to Janice Brock, a single person, by Deed dated October 29, 2012, of record in Deed Book 3110, Page 45, 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, a temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer construction, repair, 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 Construction Easement**  
**(a portion of 3579 Niagara Drive)**  
**River Park Pump Station Project**

**BEGINNING** at a point in the northeast right of way of Trent Blvd., said point being the common corner to Lot 31, Block "A" River Park, Unit 3-A as shown in Plat Cabinet H, Slide 30 in the Office of the Fayette County Clerk, and Lot 1, Block "C" Wilhite Park, Unit 1-B Section 1 as shown in Plat Cabinet F, Slide 595 in the office of the Fayette County Clerk;

**Thence**, leaving the right of way of Trent Blvd. and along the common boundary of Block "A" River Park, Unit 3-A and Block "C" Wilhite Park, Unit 1-B Section 1, North 27 degrees 01 minutes 37 seconds East, a distance of 73.95 feet;

**Thence**, leaving the common boundary of Block "A" River Park, Unit 3-A and Block "C" Wilhite Park, Unit 1-B Section 1, North 62 degrees 58 minutes 23 seconds West, a distance of 20.00 feet to a point in the existing 20' Sanitary Sewer Easement as shown in Plat Cabinet H, Slide 30 in the Office of the Fayette County Clerk, said point being the **TRUE POINT OF BEGINNING**;

**Thence**, with the new temporary easement the following two calls: North 62 degrees 58 minutes 23 seconds West, a distance of 22.13 feet; South 27 degrees 01 minutes 37 seconds West, a distance of 35.79 feet to a point in the existing 10' Sanitary Sewer Easement as shown in Plat Cabinet H, Slide 30 in the Office of the Fayette County Clerk;

**Thence**, with the existing 10' Sanitary Sewer Easement North 30 degrees 56 minutes 20 seconds West, a distance of 47.18 feet to a point;

**Thence**, leaving the existing 10' sanitary sewer easement and with the new temporary easement the following four calls: North 27 Degrees 01 minutes 37 seconds East, a distance of 26.98 feet; South 62 degrees 21 minutes 03 seconds East, a distance of 17.63 feet; North 27 degrees 38 minutes 57 seconds East a distance of 23.98 feet; South 62 degrees 58 minutes 23 seconds East a distance of 44.24 feet to a point in the existing 20' sanitary sewer easement;

**Thence**, with the existing 20' sanitary sewer easement, South 27 degrees 01 minutes 37 seconds West a distance of 40.00 feet to the **POINT OF BEGINNING**; and,

The above-described parcel contains 2,992.33 sq. ft. of temporary construction easement; and,

Also, shown by Public Acquisition Minor Plat for River Park Pump Station Project, of record in Cabinet S, Slide 180, in the Fayette County Clerk's Office; and,

Being a portion of the same property conveyed to Janice Brock, a single person, by Deed dated October 29, 2012, of record in Deed Book 3110, Page 45, in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** the above-described interests together with all rights, privileges, 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 the 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 she is lawfully seized in fee simple and she will **WARRANT GENERALLY** said title.

The parties do hereby certify pursuant to KRS 382.135 that the consideration stated herein is the full actual consideration paid for the property transferred herein, and the estimated fair cash value of the property conveyed is \$25,000.00. Grantee joins this Deed for the sole purpose of certifying the consideration, as authorized by Resolution

No. 273-2021, passed by the Lexington-Fayette Urban County Council on May 27, 2021.

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

GRANTOR:

BY:   
JANICE BROCK

GRANTEE:

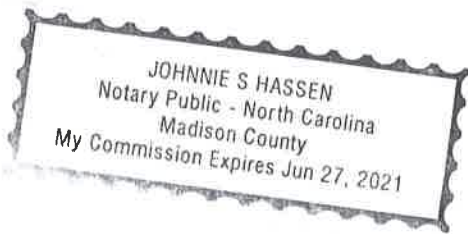
LEXINGTON-FAYETTE URBAN  
COUNTY GOVERNMENT

BY:   
LINDA GORTON, MAYOR

[Intentionally Left Blank]

STATE OF NORTH CAROLINA )  
 )  
COUNTY OF Baucombe )

This Instrument and consideration certificate was acknowledged, subscribed and sworn to before me by Janice Brock, a single person, on this the 26<sup>th</sup> day of June, 2021.



Janice Brock  
Notary Public, North Carolina, State-at-Large

My Commission Expires: 6/27/2021

Notary ID # \_\_\_\_\_

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This Certificate of Consideration certificate was acknowledged, subscribed and sworn to before me by Linda Gorton, as Mayor, for and on behalf of the Lexington-Fayette Urban County Government, on this the 24<sup>th</sup> day of June, 2021.

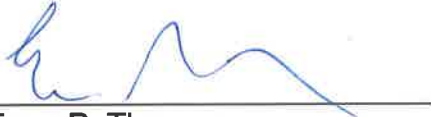


Cynthia A. Cannon-Ferguson  
Notary Public, Kentucky, State-at-Large

My Commission Expires: 2/26/2025

Notary ID # KYNP 21866

PREPARED BY:



Evan P. Thompson,  
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.



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By: SHEA BROWN ,dc

202106280142

June 28, 2021 12:50:22 PM

Fees	\$56.00	Tax	\$25.00
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Total Paid	\$81.00
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