

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 4 day of NOVEMBER, 2016, by and between **CLAUDINE WOOLERY** and **GABRIEL WOOLERY**, wife and husband, 1806 Clays Mill Road, Kentucky 40503, 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 **THREE HUNDRED TWENTY-FIVE DOLLARS AND 00/100 (\$325.00)**, 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 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:

Right-of-way Temporary Construction Easement
(a portion of 1806 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 148

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately

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

(C-E)

41 feet north of the intersection of Reed Lane and Clays Mill Road, and more particularly described as follows:

Beginning at a point 37.01 feet right of Clays Mill Road at Station 203+75.45; thence North 23 Degrees 52 Minutes 33 Seconds East a distance of 53.18 feet to a point 36.87 feet right of Clays Mill Road at Station 204+28.18; thence South 59 Degrees 38 Minutes 50 Seconds East a distance of 4.03 feet to a point 40.86 feet right of Clays Mill Road at Station 204+27.71; thence South 23 Degrees 52 Minutes 33 Seconds West a distance of 37.32 feet to a point 40.86 feet right of Clays Mill Road at Station 203+90.89; thence South 19 Degrees 24 Minutes 39 Seconds East a distance of 6.02 feet to a point 45.03 feet right of Clays Mill Road at Station 203+86.54; thence South 23 Degrees 52 Minutes 33 Seconds West a distance of 11.93 feet to a point 45.14 feet right of Clays Mill Road at Station 203+74.62; thence North 59 Degrees 46 Minutes 19 Seconds West a distance of 8.18 feet to a point 37.01 feet right of Clays Mill Road at Station 203+75.45 and the POINT OF BEGINNING; and,

The above described parcel contains 0.006 acres (270 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Claudine Woolery (formerly Claudine Pfluegl), a married person, by deed dated August 3, 2004, of record in Deed Book 2485, Page 259, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD said easement 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 property interest as herein conveyed, 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 temporary construction easement, which pertains to a public right-of-way, 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:




CLAUDINE WOOLERY

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE



GABRIEL WOOLERY
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)
)

This instrument was acknowledged, subscribed and sworn to before me by Claudine Woolery and Gabriel Woolery, wife and husband, on this the 4 day of NOVEMBER, 2016.

 494244

Notary Public, Kentucky, State at Large

My Commission Expires: 7 / 29 / 2017

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

201611090143

November 9, 2016 14:09:10 PM

Fees	\$20.00	Tax	\$0.00
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Total Paid	\$20.00
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