

APR 26 2017

L.F.U.C.G.
Department of Law**TEMPORARY CONSTRUCTION EASEMENT**

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 12 day of April, 2017, by and between **E. STANTON MARCUM AND MARJORIE H. MARCUM, his wife, by E. STANTON MARCUM, HER ATTORNEY-IN-FACT**, 101 South Hanover, Unit 9-F, Lexington, Kentucky 40502, 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 **FIVE HUNDRED FIFTY DOLLARS AND 00/100 (\$550.00)**, 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:

Temporary Construction Easement
(a portion of 2108 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 96

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

(CC-F)

201 feet south of the intersection of Rosemill Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 39.29 feet right of Clays Mill Road at Station 177+68.87; thence North 24 Degrees 46 Minutes 43 Seconds East a distance of 55.00 feet to a point 38.69 feet right of Clays Mill Road at Station 178+23.87; thence South 66 Degrees 02 Minutes 50 Seconds East a distance of 7.28 feet to a point 45.96 feet right of Clays Mill Road at Station 178+24.05; thence South 22 Degrees 27 Minutes 17 Seconds West a distance of 55.03 feet to a point 48.80 feet right of Clays Mill Road at Station 177+69.10; thence North 65 Degrees 57 Minutes 50 Seconds West a distance of 9.51 feet to a point 39.29 feet right of Clays Mill Road at Station 177+68.87 and the POINT OF BEGINNING; and,

The above described parcel contains 0.011 acres (462 sq. ft.) of temporary construction easement;

Being a portion of the same property conveyed to E. Stanton Marcum, a married person, by deed dated August 31, 2012 of record in Deed Book 3106, Page 701, in the Fayette County Clerk's Office;

TO HAVE AND TO HOLD said 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 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 his right, title, and interest in and to the property to the extent of the interest conveyed herein, including all exemptions allowed by law, and does hereby

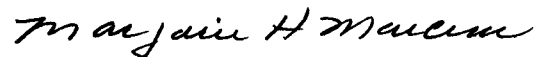

covenant to and with the Grantee, its successors and assigns forever, that they are lawfully seized in fee simple of said property and have good right to sell and convey the same as herein done, and that they will **WARRANT GENERALLY** said title.

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 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:


E. STANTON MARCUM



MARJORIE H. MARUM BY
E. STANTON MARCUM, AS HER
ATTORNEY-IN-FACT
(DEED BOOK 2917, PAGE 195)

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

201704240159

April 24, 2017

13:52:02 PM

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

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5 Pages

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