

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this 10 day of AUGUST 2015, by and between **THE BOARD OF TRUSTEES OF FIRST UNITED METHODIST CHURCH, LEXINGTON, KENTUCKY, 4131 Todds Road, Lexington, Kentucky 40509, 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-NINE THOUSAND FOUR HUNDRED DOLLARS AND NO/100 (\$29,400.00)**, and other good and valuable consideration, 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, 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 based upon Lexington-Fayette Urban County Control Survey Monuments:

Temporary Construction Easement
(a portion of 4131 Todds Road)

Polo Club Boulevard Road Improvement Project
(Deerhaven Lane to Todds Road)

Being a tract of land lying in Fayette County along Polo Club Boulevard at the northeast intersection of Polo Club Boulevard and Todds Road (KY 1927), and more particularly

Mail to:
Hon. Glenda Humphrey George
Department of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

(CC-F)

described as follows:

Beginning at a point in the existing right of way line of Polo Club Boulevard 70.00 feet right of Polo Club Boulevard station 498+73.39; thence with the existing right of way of Polo Club Boulevard N 19°15'57" E a distance of 496.56' to a point 70.00 feet right of Polo Club Boulevard station 503+69.95; thence with a curve turning to the left with an arc length of 222.07', with a radius of 570.00', with a chord bearing of N 08°06'17" E, with a chord length of 220.67', to a point 70.00 feet right of Polo Club Boulevard station 505+64.75; thence with the north property line N 26°17'58" E a distance of 71.20' to a point 108.08 feet right of Polo Club Boulevard station 506+15.87; thence N 47°48'39" E a distance of 8.26' to a point 115.00 feet right of Polo Club Boulevard station 506+19.55; thence with the proposed easement line S 07°38'33" E a distance of 36.34' to a point 115.00 feet right of Polo Club Boulevard station 505+90.00; thence S 72°28'23" E a distance of 107.62' to a point 215.00 feet right of Polo Club Boulevard station 505+60.00; thence S 56°10'46" E a distance of 78.94' to a point 280.00 feet right of Polo Club Boulevard station 505+30.00; thence S 23°16'52" W a distance of 57.48' to a point 260.00 feet right of Polo Club Boulevard station 504+95.00; thence S 19°55'10" W a distance of 264.62' to a point 233.34 feet right of Polo Club Boulevard station 502+93.44; thence N 70°04'50" W a distance of 40.00' to a point 193.34' right of Polo Club Boulevard station 502+93.90; thence N 19°55'10" E a distance of 253.92' to a point 218.59 feet right of Polo Club Boulevard station 504+95.00; thence N 85°03'49" W a distance of 48.59' to a point 170.00 feet right of Polo Club Boulevard station 504+95.00; thence S 82°54'23" W a distance of 30.71 to a point 140.00 feet right of Polo Club Boulevard station 504+90.00; thence S 34°15'45" W a distance of 56.06' to a point 115.00 feet right of Polo Club Boulevard station 504+50.00; thence S 12°57'28"W a distance of 61.47' to a point 115.00 feet right of Polo Club Boulevard station 504+00.00; thence S 00°18'14" W a distance of 49.58' to a point 130.00 feet right of Polo Club Boulevard station 503+60.00; thence S 10°58'07"W a distance of 48.51 to a point 137.00 feet right of Polo Club Boulevard station 503+12.00; thence S 49°31'20" W a distance of 13.89' to a point 130.00 feet right of Polo Club Boulevard station 503+00.00; thence N 89°10'09" W a distance of 31.62' to a point 100.00 feet right of Polo Club Boulevard station 502+90.00; thence S 19°15'57" W a

distance of 45.00' to a point 100.00 feet right of Polo Club Boulevard station 502+45.00; thence S 48°06'51" E a distance of 65.00' to a point 160.00 feet right of Polo Club Boulevard station 502+20.00; thence S 19°15'57" W a distance of 50.00' to a point 160.00 feet right of Polo Club Boulevard station 501+70.00; thence S 85°18'12" W a distance of 49.24' to a point 115.00 feet right of Polo Club Boulevard station 501+50.00; thence S 19°15'57" W a distance of 70.00' to a point 115.00 feet right of Polo Club Boulevard station 500+80.00; thence S 26°5'38" W a distance of 151.33' to a point 95.00 feet right of Polo Club Boulevard station 499+30.00; thence S 19°15'57" W a distance of 81.58' to a point in the existing right of way of Polo Club Boulevard, said point being 95.00 feet right of Polo Club Boulevard station 498+48.42; thence with the existing right of way of Polo Club Boulevard N 25°45'58" W a distance of 35.34' to the POINT OF BEGINNING. The above described parcel contains 61,813.34 square feet (1.419 acres).

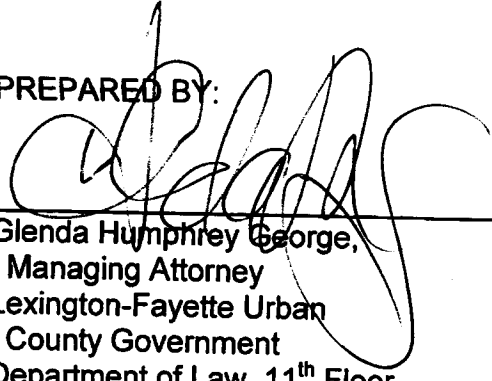
Being a portion of the same property conveyed to The Board of Trustees of First United Methodist Church, Lexington, Kentucky by deed dated November 7, 2005, of record in Deed Book 2599, Page 428, all referenced in the Fayette County Clerk's Office.

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 will expire upon completion of the improvement project on this land, runs with the land for the duration of the improvement project on this land and is binding upon the successors and assigns of the Grantor.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, that it is lawfully seized in fee simple of said property and has good right to sell and convey the same as herein done, and that it will **WARRANT GENERALLY** said title.

PREPARED BY:



Glenda Humphrey George,
Managing 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: PATTY DAVIS ,dc

201508100259

August 10, 2015 12:18:48 PM

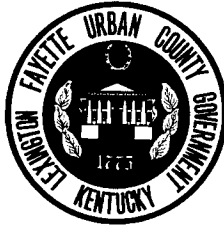
Fees	\$23.00	Tax	\$.00
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Total Paid	\$23.00
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6 Pages

317 - 322



Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

To: Meredith Nelson, Council Clerk
Council Clerk's Office

From: Department of Law

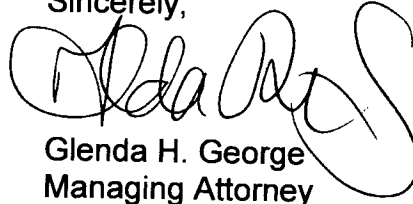
Date: August 13, 2015

Re: Temporary Construction Easement
4131 Todds Road
(Polo Club Boulevard Road Improvement Project)
Deerhaven Lane to Todds Road

Enclosed is the original recorded Temporary Construction Easement for the above property to the Urban County Government for the Polo Club Boulevard Road Improvement Project (Deerhaven Lane to Todds Road). Please file the easement with the authorizing legislation, Resolution No. 16-2015. Since this is a temporary easement only, there is no asset acquisition form.

If you have any questions, please let me know.

Sincerely,



Glenda H. George
Managing Attorney

Enclosure

X:\Cases\WATER-AIR\15-RE0234\MEMO\00497848.DOC