

**TEMPORARY CONSTRUCTION EASEMENT**

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 24 day of MARCH, 2017, by and between **LARRY J. MIANO and LINDA B. MIANO, husband and wife**, 1900 Clays Mill Road, Lexington, 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 **ONE THOUSAND SEVEN HUNDRED DOLLARS AND 00/100 (\$1,700.00)**, 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 1900 Clays Mill Road)**

**Clays Mill Road Improvement Project, Section 1**  
**(Harrodsburg Road to New Circle Road)**  
**Parcel No. 125**

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

DTC

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately 328 feet north of the intersection of Rosemont Garden and Clays Mill Road, and more particularly described as follows:

Beginning at a point 34.20 feet right of Clays Mill Road at Station 191+86.93; thence North 23 Degrees 17 Minutes 38 Seconds East a distance of 69.50 feet to a point 34.56 feet right of Clays Mill Road at Station 192+56.43; thence South 59 Degrees 40 Minutes 22 Seconds East a distance of 21.49 feet to a point 55.87 feet right of Clays Mill Road at Station 192+53.68; thence South 27 Degrees 53 Minutes 39 Seconds West a distance of 16.98 feet to a point 54.42 feet right of Clays Mill Road at Station 192+36.77; thence North 87 Degrees 00 Minutes 50 Seconds West a distance of 6.05 feet to a point 48.74 feet right of Clays Mill Road at Station 192+34.70; thence South 23 Degrees 17 Minutes 38 Seconds West a distance of 49.61 feet to a point 48.48 feet right of Clays Mill Road at Station 191+85.09; thence North 59 Degrees 40 Minutes 22 Seconds West a distance of 14.40 feet to a point 34.20 feet right of Clays Mill Road at Station 191+86.93 and the POINT OF BEGINNING.

The above described parcel contains 0.025 acres (1,110 sq. ft.) of temporary construction easement;

Being a portion of the property conveyed to Larry J. Miano and Linda B. Miano, husband and wife, by deed dated August 10, 1999 of record in Deed Book 2073, Page 113 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

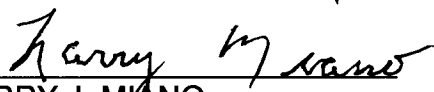
commencement of construction of the project and will expire upon completion of the project.

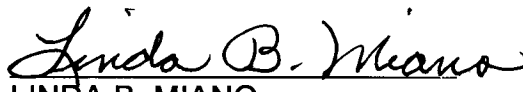
Grantors do hereby release and relinquish unto the Grantee, its successors and assigns forever, all of their right, title, and interest in and to the property to the extent of the interest conveyed herein, including all exemptions allowed by law, and do hereby covenant to and with the Grantee, its successors and assigns forever, that they are lawfully seized in fee simple of said property and have good right to sell and convey the same 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:

  
LARRY J. MIANO

  
LINDA B. MIANO

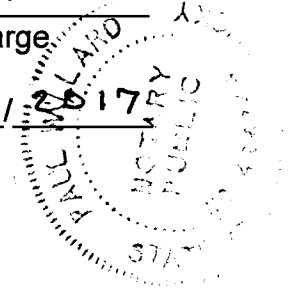
COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This instrument was acknowledged, subscribed and sworn to before me by Larry J. Miano and Linda B. Miano, husband and wife, on this the 24 day of MARCH, 2017.

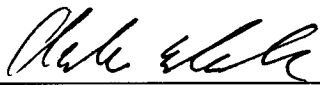
 494244

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.



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By: PATTY DAVIS ,dc

201703300177

March 30, 2017                      13:01:04    PM

Fees	\$20.00	Tax	\$ .00
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Total Paid	\$20.00
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5 Pages

369 - 373