

**TEMPORARY CONSTRUCTION EASEMENT**

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 31 day of OCTOBER, 2018, by and between **CENTRAL KENTUCKY DEVELOPMENT COMPANY (doing business as HILLCREST MEMORIAL PARK)**, a **Kentucky corporation**, 2089 Versailles Road, Lexington, Kentucky 40504, 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 **EIGHT THOUSAND FIVE HUNDRED FIFTY DOLLARS AND 00/100 (\$8,550.00)**, 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, 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 2089 Versailles Road)**  
**Parcel No. 5**  
**Versailles Road Corridor Improvement Project**  
**Section 1 & 2**

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

(CC-F)

Being a certain tract of land lying in Fayette County, Kentucky, being approximately 3.09 miles east of the Fayette County District courthouse in Lexington, Kentucky lying on the north side of Versailles Road and being more particularly described as follows:

Beginning at a point 50.21 feet left of Versailles Road centerline station 120+94.93, said point being in the existing right-of-way line of Versailles Road; thence along the existing right-of-way of Versailles Road, North 83 Degrees 28 minutes 40 seconds East a distance of 179.34 feet to a point 50.24 feet left of Versailles Road centerline station 122+74.28; thence along the existing right-of-way of Versailles Road, North 83 degrees 28 minutes 40 seconds East a distance of 524.28 feet to a point 50.30 feet left of Versailles Road centerline station 127+98.60; thence along the existing right-of-way of Versailles Road, North 82 degrees 45 Minutes 10 Seconds East a distance of 143.73 feet to a point 50.20 feet left of Versailles Road centerline station 129+43.61; thence along the existing right-of-way of Versailles Road, North 81 degrees 18 minutes 10 seconds East a distance of 143.73 feet to a point 50.10 feet left of Versailles Road centerline station 130+88.57; thence along the existing right-of-way of Versailles Road, North 80 degrees 34 minutes 40 seconds East a distance of 185.00 feet to a point 50.15 feet left of Versailles Road centerline station 132+73.57; thence along the existing right-of-way of Versailles Road, North 80 degrees 33 minutes 55 seconds East a distance of 96.83 feet to a point 50.20 feet left of Versailles Road centerline station 133+70.39; thence leaving the existing right-of-way of Versailles Road, North 9 degrees 27 minutes 31 seconds West a distance of 9.75 feet to a point 59.95 feet left of Versailles Road centerline station 133+70.38; thence North 65 degrees 41 minutes 32 seconds West a distance of 58.05 feet to a point 92.17 feet left of Versailles Road centerline station 133+22.10; thence South 80 degrees 16 minutes 38 seconds West a distance of 53.02 feet to a point 91.88 feet left of Versailles Road centerline station 132+69.08; thence South 47 degrees 23 minutes 28 seconds West a distance of 57.96 feet to a point 60.13 feet left of Versailles Road centerline station 132+20.58; thence South 80 degrees 34 minutes 40 seconds West a distance of 132.02 feet to a point 60.10 feet left of Versailles Road centerline station 130+88.56; thence South 81 degrees 18 minutes 10 seconds West a distance of 143.48 feet to a point 60.20 feet left of Versailles Road centerline station

129+43.62; thence South 82 degrees 45 minutes 10 seconds West a distance of 143.48 feet to a point 60.30 feet left of Versailles Road centerline station 127+98.61; thence South 83 degrees 28 minutes 40 seconds West a distance of 351.81 feet to a point 60.26 feet left of Versailles Road centerline station 124+46.75; thence South 83 degrees 28 minutes 40 seconds West a distance of 351.81 feet to a point 60.21 feet left of Versailles Road centerline station 120+94.93; thence South 6 degrees 31 minutes 19 seconds East a distance of 10.00 feet to a point 50.21 feet left of Versailles Road centerline station 120+94.93; said point being on the existing right-of-way line of Versailles Road and the POINT OF BEGINNING; and,

The above described parcel contains 0.3642 acres (15,864 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Central Kentucky Development Company (doing business as Hillcrest Memorial Park), a Kentucky corporation, by deed dated August 15, 1961, of record in Deed Book 722, Page 312, 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 Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon the completion of the project.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of its 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 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.

The obtaining of this easement was authorized by Resolution 698-2017, passed by the Lexington-Fayette Urban County Council on November 16, 2017. 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 Grantor has signed this Temporary Construction Easement, this the day and year first above written.

GRANTOR:


CENTRAL KENTUCKY DEVELOPMENT  
COMPANY (doing business as HILLCREST  
MEMORIAL PARK), a Kentucky corporation

BY: *Carolyn Kusche Hale*  
CAROLYN KUSCHE HALE  
PRESIDENT

BY: *Edward J. Kusche*  
EDWARD J. KUSCHE  
MANAGER



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: SHEA BROWN ,dc

201811050134

November 5, 2018                      13:56:44    PM

Fees	\$23.00	Tax	\$ .00
------	---------	-----	--------

Total Paid	\$23.00
------------	---------

**THIS IS THE LAST PAGE OF THE DOCUMENT**

6 Pages

14 - 19