

**PERMANENT AND TEMPORARY GRANT OF EASEMENT**

This **PERMANENT AND TEMPORARY GRANT OF EASEMENT** is made and entered into this the 20 day of July, 2018, by and between **KEELA L. JACKSON, a single person**, 223 E. Fourth Street, Lexington, Kentucky 40508, 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 **NINE HUNDRED TWENTY-FIVE DOLLARS AND 00/100 (\$925.00)**, 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, the permanent right to excavate, grade, install, construct, alter, inspect, maintain, re-grade and perform related work for the purpose of right-of-way construction, improvement, and relocation of a Shared Use Path know as Legacy Trail 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:

**Permanent Easement**  
**(a portion of 223 E. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 23A**

**Commencing** at a point being the intersection of the north right-of-way of East Fourth Street, and the west right-of-way

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

(CCF)

of Silver Maple Way; thence with the north right-of-way of East Fourth Street, N 41°00'00" W a distance of 90.01 feet to the southwest corner of said 403 Silver Maple Way also being the southeast corner to 223 East Fourth Street said point being the **TRUE POINT of BEGINNING** of the tract therein described; thence continuing with said north right-of-way of East Fourth Street, N 41°00'00" W a distance of 90.01 feet to a point in the east right-of-way of Kleiser Alley; thence with the said east right-of-way of Kleiser Alley, N 48°16'05" E a distance of 5.00 feet to a point; thence leaving the east right-of-way of Kleiser Alley and with a line through said 223 East Fourth Street, S 41°00'00" E a distance of 90.01 feet to a point in the line common to 223 East Fourth Street and 403 Silver Maple Way; thence with said line common to 223 East Fourth Street and 403 Silver Maple Way, S 48°16'05" W a distance of 5.00 feet, to the **POINT OF BEGINNING**;

The above described parcel contains 450.01 sq. ft. of permanent easement; and

Being a portion of the property conveyed to Keela L. Jackson, a single person, by Deed dated November 17, 2004, of record in Deed Book 2511, Page 701, in the Fayette County Clerk's Office.

**FURTHER**, for and in consideration of the sum hereinbefore mentioned, the receipt and sufficiency of which is hereby acknowledged, Grantors have **BARGAINED** and **SOLD** and do hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, temporary right to excavate, grade, install, construct, alter, inspect, maintain, re-grade and perform related work for the purpose of right-of-way construction, improvement 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 Easements**  
**(a portion of 223 E. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 23B**

**Commencing** at a point being the intersection of the north right-of-way of East Fourth Street, and the west right-of-way of Silver Maple Way; thence with the north right-of-way of East Fourth Street, N 41°00'00" W a distance of 90.01 feet to the southeast corner of 223 East Fourth Street also being the southwest corner to 403 Silver Maple Way; thence with the line common to 223 East Fourth Street and 403 Silver Maple Way, N 48°16'05" E a distance of 5.00 feet to a point being the **TRUE POINT OF BEGINNING** of the tract therein described; thence with a line through said 223 East Fourth Street, N 41°00'00" W a distance of 50.00 feet to a point; thence with another line through 223 East Fourth Street, N 48°16'05" E a distance of 5.00 feet; thence with another line through 223 East Fourth Street, S 41°00'00" E a distance of 50.00 feet to a point in the line common to 223 East Fourth Street and 403 Silver Maple Way; thence with said line common to 223 East Fourth Street and 403 Silver Maple Way, S 48°16'05" W a distance of 5.00 feet, to the **POINT OF BEGINNING**;

The above described parcel contains 249.98 sq. ft. of temporary construction easement;

Being a portion of the property conveyed to Keela L. Jackson, a single person, by Deed dated November 17, 2004, of record in Deed Book 2511, Page 701, in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** the above-described easements 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 above-described permanent easement runs with the land in perpetuity

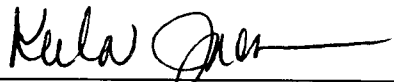
and is binding upon the successors and assigns of the Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of her right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and does hereby covenant to and with the Grantee, its successors and assigns forever, that she is lawfully seized in fee simple of said property and that she will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 366-2018, passed by the Lexington-Fayette Urban County Council on June 21, 2018. Pursuant to KRS 382.135(2)(c), this grant of easement, which pertains to a public right-of-way, need not contain a statement of consideration.


**IN TESTIMONY WHEREOF**, the Grantor has signed this Permanent and Temporary Grant of Easement, this the day and year first above written.

GRANTOR:

BY:   
\_\_\_\_\_  
KEELA L. JACKSON

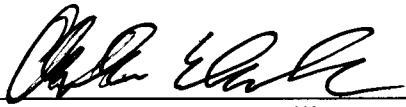
COMMONWEALTH OF KENTUCKY       )  
  )  
COUNTY OF FAYETTE                    )

This instrument was acknowledged, subscribed and sworn to before me by Keela  
L. Jackson, a single person, on this the 20 day of JULY, 2018.

 583153  
Notary Public, Kentucky, State at Large

My Commission Expires: 7/29/2021

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: EMILY GENTRY ,dc**

**201807230054**

**July 23, 2018**

**10:43:49 AM**

<b>Fees</b>	<b>\$23.00</b>	<b>Tax</b>	<b>\$ .00</b>
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<b>Total Paid</b>	<b>\$23.00</b>
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