

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 2ND day of JUNE, 2022, by and between **JUSTIN DAVID MUELLER and RACHEL MARIE MUELLER, husband and wife**, 535 Southbend Drive, 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 **SIXTY-SIX DOLLARS AND 38/100 (\$66.38)**, 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,

Return to:
Cynthia Cannon-Ferguson
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction, installation and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on the attached Exhibit "A", and more particularly described as follows, to wit:

Temporary Construction Easement
Wolf Run Trunks F
Sewer Improvement Project
(a portion of 535 Southbend Drive)

All of that strip or parcel of land situated on the north side of Southbend Drive, east of Clays Mill Road in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

BEGINNING at a point in the northerly right-of-way line of Southbend Drive, said point being a common corner between Lots 14 and 15, Block "E", as shown on the Final Plat of Lafayette Subdivision (Cabinet E, Slide 730); thence leaving the northerly right-of-way line of Southbend Drive, with the easterly property line of Lot 15, N 31°14'07" E, 7.89 feet to a point; thence leaving the easterly property line of Lot 14 for two (2) calls:

- 1) N 83°00' 06" E, 50.97 feet to a point; and
- 2) S 87°05'33" E, 25.32 feet to a point in the westerly property line of Lot 13;

Thence with the westerly property line of Lot 13, S 31°14' 07" W, 4.08 feet to a point in the northerly right-of-way line of Southbend Drive; thence with the northerly right-of-way line of Southbend Drive for three (3) calls:

- 1) 3.72 feet along an arc to the left, have a radius of 330.00 feet, the chord of which is S 83°0 8'29" W, 3.72 feet to a point;
- 2) S 82°49' 07" W, 47.54 feet to a point; and
- 3) 27.07 feet along an arc to the right, having a radius of 230.00 feet, the chord of which is S 86°11'27" W, 27.06 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 531 sq. ft. (0.012 Acres) of temporary construction easement; and

The above tract being a portion of the property conveyed to Justin David Mueller and Rachel Marie Mueller, husband and wife, by Deed dated November 9, 2012, of record in Deed Book 3115, Page 140, 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 the 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 if 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.

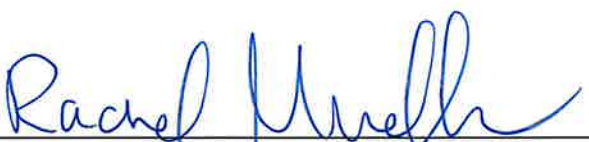
The obtaining of this easement was authorized by Resolution 042-2022, passed by the Lexington-Fayette Urban County Council on February 10, 2022. Pursuant to KRS 382.135(2)(c), this temporary construction easement, which pertains to a public utility, need not contain a statement of consideration.

IN TESTIMONY WHEREOF, the Grantors have signed this Temporary Construction Easement, this the day and year first above written.

GRANTORS:



JUSTIN DAVID MUELLER




RACHEL MARIE MUELLER

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Justin David Mueller and Rachel Marie Mueller, husband and wife, on this the 2ND day of June, 2022.





Notary Public, Kentucky, State-at-Large
My Commission Expires: 05 / 10 / 2025
Notary ID # KYNP 27704

PREPARED BY:



Evan P. Thompson, Attorney
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

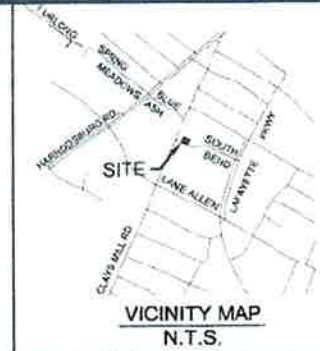
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LAFAYETTE CHRISTIAN CHURCH
DB 597, PG 143
CAB "C", SL 414

LAFAYETTE
SUBDIVISION
CAB "E", SL 730

LAFAYETTE
SUBDIVISION
BLOCK "E", LOT 14
CAB "E", SL 730
DB 3115, PG 140

LAFAYETTE
SUBDIVISION
CAB "C", SL 414



EASEMENT LINE TABLE		
LINE #	LENGTH	BEARING
L1	7.89'	N 31°14'07" E
L2	52.63'	N 83°00'06" E
L3	25.32'	S 87°05'33" E
L4	4.08'	S 31°14'07" W

15
539

14
535

13
531

POINT OF BEGINNING

TRACT A
L1

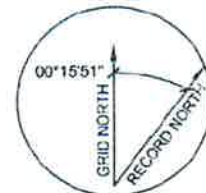
EX. SAN SEWER

SOUTHBEND DR

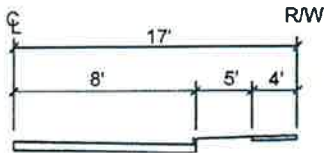
R=330.00'
L=3.72'

S 82°49'07" W 45.51'

R=230.00'
L=27.07'

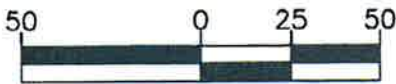


BEARING BASIS



SECTION "A"-"A"
SOUTHBEND DRIVE
HALF SECTION

TEMP. ESMT. AREA
531 SQ. FT. (0.012 AC)



GRAPHIC SCALE: 1"=50'

NOTES:

1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE RECORD DESCRIPTION (DEED BOOK 3115, PAGE 140) AND CORRESPONDING PLAT (CABINET "E" SLIDE 730) OF RECORD IN THE FAYETTE COUNTY CLERK'S OFFICE. THE ORIGIN OF BEARINGS SHOWN HEREON IS BASED ON THE NORTH AMERICAN DATUM OF 1983, STATE PLANE KENTUCKY NORTH AS OBSERVED FROM KYCORS STATION "KYTG" USING A TRIMBLE R12, DUAL FREQUENCY RECEIVER.
2. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A PROPOSED CONVEYANCE FOR A TEMPORARY CONSTRUCTION EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
3. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.

SANITARY SEWER EASEMENT EXHIBIT
JUSTIN & RACHEL MUELLER
535 SOUTHBEND DRIVE
WOLF RUN TRUNK SEWER IMPROVEMENTS
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY



FIGURE 1

JUNE 2021

2815.298

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: MELISSA STELTER ,dc

202206070207

June 7, 2022 14:53:30 PM

Fees	\$53.00	Tax	\$.00
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Total Paid	\$53.00
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7 Pages

572 - 578