

PERMANENT AND TEMPORARY GRANT OF EASEMENT

This **PERMANENT AND TEMPORARY GRANT OF EASEMENT** is made, and entered into this the 7 day of OCTOBER, 2018, by and between **WEST SIDE PROPERTIES, INC., a Kentucky limited liability company**, 1999 Richmond Road, Suite 2A, Lexington, Kentucky 40502, 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 **TWO HUNDRED FIFTY DOLLARS AND 00/100 (\$250.00)**, 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 known 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 469 W. Fourth Street)
Legacy Trail, Phase III and Fourth Street
Corridor Enhancements
Parcel No. 2A

Beginning, at a Mag nail with aluminum disc stamped "2020", said point being the intersection of the north right-of-

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

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way of West Fourth Street, and the east right-of-way of Smith Street, at a corner with 469 W. Fourth Street (West Side Properties, LLC, Deed Book 3159, Page 561); thence along the east right-of-way of Smith Street, N 48°06'26" E a distance of 21.19 feet; thence leaving said right-of-way, with a permanent easement, S 41°17'55" E a distance of 2.00 feet; thence S 48°06'26" W a distance of 14.37 feet; thence S 05°24'33" E a distance of 11.70 feet, to a point in the north right-of-way of West Fourth Street; thence along said right-of-way, N 41°05'23" W a distance of 11.41 feet to the POINT OF BEGINNING;

The above described parcel contains 74.51 sq. ft. of permanent easement; and

Being a portion of the property conveyed to West Side Properties, LLC, a Kentucky limited liability company, by Deed dated June 7, 2013, of record in Deed Book 3159, Page 561, 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, Grantor has **BARGAINED** and **SOLD** and does 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 469 W. Fourth Street)
Legacy Trail, Phase III and Fourth Street
Corridor Enhancements
Parcel No. 2B

Commencing, at a Mag nail with aluminum disc stamped "2020", said point being the intersection of the north right-of-way of West Fourth Street, and the east right-of-way of Smith Street at corner with 469 W. Fourth Street (West Side

Properties, LLC, Deed Book 3159, Page 561); thence along the north right-of-way of West Fourth Street, S 41°05'23" W a distance of 11.41 feet, to the **TRUE POINT OF BEGINNING**; thence leaving said right-of-way, and with a temporary easement, N 05°24'33" W a distance of 8.57 feet; thence S 41°05'23" E a distance of 51.88 feet, to a point in the common line of 469 W. Fourth Street and 467 W. Fourth Street (West Side Properties, LLC, Deed Book 3286, Page 733); thence along said common line, S 48°06'19" W a distance of 5.00 feet to a point in the north right-of-way of West Fourth Street; thence along said right-of-way , N 41°05'23" W a distance of 44.99 feet, to the **POINT OF BEGINNING**;

The above described parcel contains 242.12 sq. ft. of temporary construction easement;

Being a portion of the property conveyed to West Side Properties, LLC, a Kentucky limited liability company, by Deed dated June 7, 2013, of record in Deed Book 3159, Page 561, 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 its 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

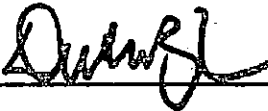
PREPARED BY:



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.



By: SHEA BROWN ,dc

201810260006

October 26, 2018 10:00:56 AM

Fees	\$23.00	Tax	\$0.00
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Total Paid	\$23.00
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6 Pages

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