

PERMANENT AND TEMPORARY GRANT OF EASEMENT

This **PERMANENT AND TEMPORARY GRANT OF EASEMENT** is made and entered into this the 2nd day of November, 2017, by and between **LAFAYETTE CHRISTIAN CHURCH OF LEXINGTON, KENTUCKY**, by and through its trustees, 1836 Clays Mill Road, Lexington, Kentucky 40503, 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 **SEVEN THOUSAND ONE HUNDRED SEVENTY-FIVE DOLLARS AND 00/100 (\$7,175.00)**, 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, 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:

Permanent Easement
(a portion of 1840 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 140A

Return to:
Charles E. Edwards III
LFUCG, Dept. of Law, 11th 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 86 feet north of the intersection of South Bend Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 37.12 feet right of Clays Mill Road at Station 197+50.00; thence North 23 Degrees 17 Minutes 38 Seconds East for a distance of 15.00 feet, to a point 37.20 feet right of Clays Mill Road at Station 197+65.00; thence South 67 Degrees 00 Minutes 14 Seconds East a distance of 12.80 feet, to a point 50.00 feet right of Clays Mill Road at Station 197+65.00; thence South 22 Degrees 59 Minutes 46 Seconds West a distance of 15.00 feet, to a point 50.00 feet right of Clays Mill Road at Station 197+50.00; thence North 67 Degrees 00 Minutes 14 Seconds West a distance of 12.88 feet, to a point 37.12 feet right of Clays Mill Road at Station 197+50.00 and the POINT OF BEGINNING;

The above described parcel contains 0.004 acres (193 sq. ft.) of permanent easement; and

Being a portion of the property conveyed to Lafayette Christian Church of Lexington, Kentucky by deed dated May 26, 1955, of record in Deed Book 579, Page 344, 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, construct, alter, re-grade and perform related work for the purpose of roadway improvements and construction, installation and relocation through and across the following tracts 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 1840 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 140B

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately 145 feet north of the intersection of South Bend Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 37.43 feet right of Clays Mill Road at Station 198+09.13; thence North 23 Degrees 17 Minutes 38 Seconds East a distance of 64.82 feet to a point 37.77 feet right of Clays Mill Road at Station 198+73.94; thence South 58 Degrees 03 Minutes 22 Seconds East a distance of 5.98 feet to a point 43.67 feet right of Clays Mill Road at Station 198+73.01; thence South 23 Degrees 17 Minutes 38 Seconds West a distance of 64.78 feet to a point 43.34 feet right of Clays Mill Road at Station 198+08.24; thence North 58 Degrees 27 Minutes 04 Seconds West a distance of 5.97 feet to a point 37.43 feet right of Clays Mill Road at Station 198+09.13 and the POINT OF BEGINNING;

The above described parcel contains 0.009 acres (383 sq. ft.) of temporary construction easement;

Being a portion of the property conveyed to Lafayette Christian Church of Lexington, Kentucky by deed dated May 26, 1955, of record in Deed Book 579, Page 344, 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 hereby covenant to and with the Grantee, its successors and assigns forever, that it is lawfully seized in fee simple of it 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 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:

LAFAYETTE CHRISTIAN CHURCH
OF LEXINGTON, KENTUCKY


JEFF ALBRECHT, TRUSTEE


JUDY HALL, TRUSTEE


MATT WATKINS, TRUSTEE

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Jeff Albrecht, in his capacity as Trustee of Lafayette Christian Church of Lexington, Kentucky, on this the 2nd day of November, 2017.

Jennifer Golson #548505
Notary Public, Kentucky, State at Large

My Commission Expires: 1/11/20

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Judy Hall, in her capacity as Trustee of Lafayette Christian Church of Lexington, Kentucky, on this the 2nd day of November, 2017.

Jennifer Golson #548505
Notary Public, Kentucky, State at Large

My Commission Expires: 1/11/20

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Matt Watkins, in his capacity as Trustee of Lafayette Christian Church of Lexington, Kentucky, on this the 2nd day of November, 2017.

Jennifer Gibson #548505
Notary Public, Kentucky, State at Large

My Commission Expires: 1/11/20

PREPARED BY:

Charles E. Edwards III

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: MELISSA STELTER ,dc

201711070202

November 7, 2017 15:16:34 PM

Fees	\$26.00	Tax	\$.00
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Total Paid	\$26.00
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