

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 16 day of MAY, 2017, by and between **THE CLARENCE ELLIOTT MEANS, JR. TRUST NUMBER TWO**, c/o Virginia L. Lawson, Trustee, 3306 Clays Mill Road, Suite 107, 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 **ONE THOUSAND SIX HUNDRED FIFTY DOLLARS AND 00/100 (\$1,650.00)**, 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 1616 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 159

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

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately 73 feet north of the intersection of McCubbing Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 35.33 feet right of Clays Mill Road at Station 209+95.76; thence North 25 Degrees 27 Minutes 48 Seconds East a distance of 65.05 feet to a point 35.51 feet right of Clays Mill Road at Station 210+60.75; thence South 62 Degrees 10 Minutes 58 Seconds East a distance of 12.93 feet to a point 48.43 feet right of Clays Mill Road at Station 210+60.18; thence South 23 Degrees 33 Minutes 19 Seconds West a distance of 51.16 feet to a point 49.98 feet right of Clays Mill Road at Station 210+09.05; thence South 48 Degrees 31 Minutes 26 Seconds East a distance of 4.68 feet to a point 54.48 feet right of Clays Mill Road at Station 210+07.74; thence South 25 Degrees 27 Minutes 48 Seconds West a distance of 12.89 feet to a point 54.45 feet right of Clays Mill Road at Station 209+94.95; thence North 62 Degrees 10 Minutes 58 Seconds West a distance of 19.14 feet to a point 35.33 feet right of Clays Mill Road at Station 209+95.76 and the POINT OF BEGINNING; and,

The above described parcel contains 0.022 acres (969 sq. ft.) of temporary construction easement;

Being a portion of the property conveyed to The Clarence Elliott Means, Jr. Trust Number Two, by deed dated September 26, 2013, of record in Deed Book 3188, Page 546, 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 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 477-2016, passed by the Lexington-Fayette Urban County Council on July 5, 2016. 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:

THE CLARENCE ELLIOTT MEANS, JR.
TRUST NUMBER TWO

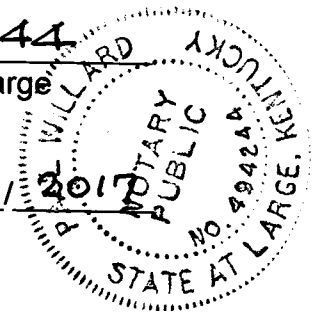

VIRGINIA L. LAWSON, AS
TRUSTEE

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

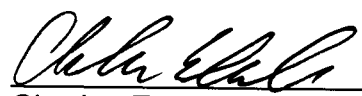
This instrument was acknowledged, subscribed and sworn to before me by Virginia L. Lawson, Trustee for and on behalf of The Clarence Elliott Means, Jr. Trust Number Two, on this the 16 day of MAY, 2017.


494244
Notary Public, Kentucky, State at Large

My Commission Expires: 7 / 29 / 2017



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: PATTY DAVIS ,dc

201705250133

May 25, 2017

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Fees	\$20.00	Tax	\$.00
Total Paid		\$20.00	

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5 Pages

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