

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 14 day of Feb, 2017, by and between **ADAM LEE SULLINGER and AGNES FRANCES SULLINGER, husband and wife**, 545 Hollyhill 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 **FIVE THOUSAND FIVE HUNDRED TWENTY-FIVE DOLLARS AND 00/100 (\$5,525.00)**, 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, 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 Right-of-Way Construction Easement
(a portion of 545 Hollyhill Drive)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 64

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 23 feet north of the intersection of Hollyhill Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 38.55 feet right of Clays Mill Road at Station 159+00.62; thence North 19 Degrees 45 Minutes 04 Seconds East a distance of 129.70 feet to a point 35.91 feet right of Clays Mill Road at Station 160+30.70; thence South 65 Degrees 58 Minutes 56 Seconds East a distance of 8.41 feet to a point 44.31 feet right of Clays Mill Road at Station 160+30.29; thence South 21 Degrees 03 Minutes 10 Seconds West a distance of 123.01 feet to a point 44.05 feet right of Clays Mill Road at Station 159+06.83; thence South 44 Degrees 44 Minutes 52 Seconds East a distance of 17.21 feet to a point 59.70 feet right of Clays Mill Road at Station 158+99.62; thence North 66 Degrees 41 Minutes 56 Seconds West a distance of 21.17 feet to a point 38.55 feet right of Clays Mill Road at Station 159+00.62 and the POINT OF BEGINNING.

The above described parcel contains 0.022 acres (948 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Adam Sullinger and Agnes Sullinger, husband and wife, by deed dated October 21, 2016 of record in Deed Book 3441, Page 360, 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 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 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 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 Grantors have signed this Temporary Construction Easement, this the day and year first above written.

GRANTORS:



ADAM LEE SULLINGER



AGNES FRANCES SULLINGER

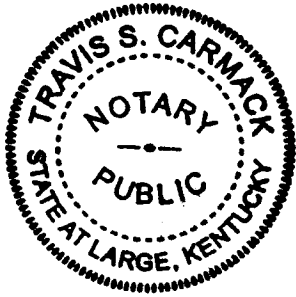
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Adam Lee Sullinger and Agnes Frances Sullinger, husband and wife, on this the 14 day of Feb, 2017.

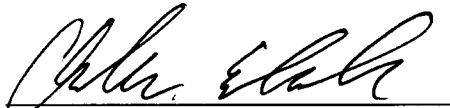
 ID# 484692

Notary Public, Kentucky, State at Large

My Commission Expires: 3 1 5 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: SHEA BROWN ,dc

201702170026

February 17, 2017 8:41:56 AM

Fees \$20.00 Tax \$.00

Total Paid \$20.00

THIS IS THE LAST PAGE OF THE DOCUMENT

5 Pages

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