

**DEED OF CONVEYANCE AND TEMPORARY CONSTRUCTION EASEMENT**

This **DEED OF CONVEYANCE AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 18 day of January, 2022, by and between **WINTERWOOD DEVELOPMENT, LLC**, a **Kentucky limited liability company**, 1390 Olivia Lane, Lexington, Kentucky 40511, 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 nominal consideration of the sum of **TEN DOLLARS AND 00/100 (\$10.00)**, and by the terms of the Memorandum of Understanding by and between the Grantee and Grantor for a right-out exit from the Winterwood parking lot onto Citation Boulevard, and other good and valuable consideration, the receipt and sufficiency of

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

which is hereby acknowledged, said Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, in fee simple, the following described property, located in Fayette County, Kentucky:

**FEE SIMPLE**  
**(a portion of 1390 Olivia Lane)**  
**Citation Boulevard Phase 3A Project**  
**Parcel No. 102a**

**BEGINNING** at an iron pin set with identifier #3257 in the existing north right-of-way line of Citation Boulevard at the southwest corner of the property of Winterwood Development, LLC (Deed Book 3617, Page 571) 22.26 feet left of Station 118+88 centerline of Citation Boulevard; thence with the west line of Winterwood Development, LLC (Deed Book 3617, Page 571), North 18 degrees 54 minutes 22 seconds East 12.34 feet to an iron pin set with identifier #3257, 34.50 feet left of Station 118+86.54 centerline of Citation Boulevard; thence leaving said west line along a curve to the right with a radius of 934.50 feet, an arc length of 69.69 feet, and a chord of South 61 degrees 58 minutes 26 seconds East 69.68 feet to an iron pin set with identifier #3257, 34.50 feet left of Station 119+53.66 centerline of Citation Boulevard; thence South 59 degrees 50 minutes 14 seconds East 60.37 feet to an iron pin set with identifier #3257 in the existing north right-of-way line of Citation Boulevard 34.50 feet left of Station 120+14.03 centerline of Citation Boulevard; thence with the existing north right-of-way line of Citation Boulevard, North 66 degrees 24 minutes 31 seconds West 128.44 feet to the **POINT OF BEGINNING**; and,

The above-described parcel contains 0.021 Acres of fee simple; and,

Being a portion of the same property conveyed to Winterwood Development, LLC, a Kentucky limited liability company, by Deed dated September 25, 2018, of record in Deed Book 3617, Page 571, 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, a temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of roadway improvements 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 1390 Olivia Lane)**  
**Citation Boulevard Phase 3A Project**  
**Parcel No. 102b**

**BEGINNING** at an iron pin set with identifier #3257 in the west line of property of Winterwood Development, LLC (Deed Book 3617, Page 571) 34.50 feet left of Station 118+86.54 centerline of Citation Boulevard; thence with the west line of Winterwood Development, LLC (Deed Book 3617, Page 571), North 18 degrees 54 minutes 22 seconds East 27.15 feet to a point 61.46 feet left of Station 118+83.45 centerline of Citation Boulevard; thence leaving said west line, South 56 degrees 01 minutes 27 seconds East 165.89 feet to a point in the east line of property of Winterwood Development, LLC (Deed Book 3617, Page 571) 47.50 feet left of Station 120+44.25 centerline of Citation Boulevard; thence with said east line, South 19 degrees 13 minutes 22 seconds West 9.48 feet to a point in the existing north right-of-way line of Citation Boulevard 38.19 feet left of Station 120+46.05 centerline of Citation Boulevard; thence with the existing north right-of-way line of Citation Boulevard, North 66 degrees 24 minutes 31 seconds West 32.24 feet to a point 34.50 feet left of Station 120+14.03 centerline of Citation Boulevard; thence leaving said existing north right-of-way line, North 59 degrees 50 minutes 14 seconds West 60.37 feet to a point 34.50 feet left of Station 119+53.66 centerline of Station 119+53.66 centerline of Citation Boulevard; thence along a curve to the left with a radius of 934.50 feet, an arc length of 69.69 feet, and a chord of North 61 degrees 58 minutes 26 seconds West 69.68 feet to the **POINT OF BEGINNING**; and,

The above-described parcel contains 3,024 sq. ft. of temporary construction easement; and,

Being a portion of the same property conveyed to Winterwood Development, LLC, a Kentucky limited liability company, by Deed dated September 25, 2018, of record in Deed Book 3617, Page 571, in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** the above-described interests 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 the 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 and it will **WARRANTY SPECIALLY** said title.

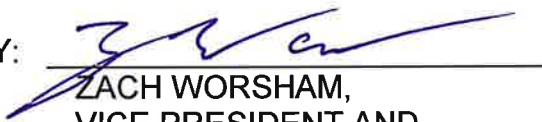
The parties do hereby certify pursuant to KRS 382.135 that the consideration stated herein is the full actual consideration paid for the property transferred herein, and the estimated fair cash value of the property conveyed is \$33,000.00. Grantee joins this Deed for the sole purpose of certifying the consideration, as authorized by Resolution No. 466-2020, passed by the Lexington-Fayette Urban County Council on October 8,

2020. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

**IN TESTIMONY WHEREOF**, the Grantor has signed this Deed of Conveyance and Temporary Construction Easement, this the day and year first above written.

GRANTOR:

WINTERWOOD DEVELOPMENT, LLC, a  
Kentucky limited liability company

BY:   
ZACH WORSHAM,  
VICE PRESIDENT AND  
MEMBER

GRANTEE:

LEXINGTON-FAYETTE URBAN  
COUNTY GOVERNMENT

BY:   
LINDA GORTON, MAYOR

[Intentionally Left Blank]

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF KENTUCKY )

This Instrument and consideration certificate was acknowledged, subscribed and sworn to before me by Zach Worsham, as Vice President and Member, for and on behalf of Winterwood Development, LLC, a Kentucky limited liability company, on this the 18 day of JANUARY, 2022.



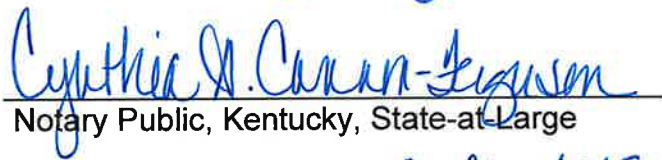
Notary Public, Kentucky, State-at-Large

My Commission Expires: 7 / 29 / 2025

Notary ID # KYNP30941

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This Certificate of Consideration certificate was acknowledged, subscribed and sworn to before me by Linda Gorton, as Mayor, for and on behalf of the Lexington-Fayette Urban County Government, on this the 18<sup>th</sup> day of January 2022.



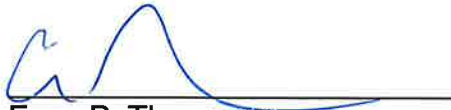
Notary Public, Kentucky, State-at-Large

My Commission Expires: 2 / 26 / 2025

Notary ID # KYNP2181de



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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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.



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By: MELISSA STELTER ,dc

202201310032

January 31, 2022                      9:07:14    AM

Fees	\$56.00	Tax	\$ .00
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Total Paid	\$56.00
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8 Pages

109 - 116