

**DEED OF CONVEYANCE AND TEMPORARY CONSTRUCTION EASEMENT**

This **DEED OF CONVEYANCE AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 7 day of DECEMBER, 2020, by and between **ASHLEY LAURYN ROYALTIES, LLC**, a Kentucky limited liability company, 2401 Chinquapin Lane, Lexington, Kentucky 40504, 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 **THREE HUNDRED TWO THOUSAND ONE HUNDRED SIXTY-TWO DOLLARS AND 00/100 (\$302,162.00)**, 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, in fee simple, the following described property, located in Fayette County, Kentucky:

**FEE SIMPLE**  
**(a portion of 1749 Russell Cave Road)**  
**Citation Boulevard Phase 3A Project**  
**Parcel No. 139a**

**BEGINNING** at an iron pin set with identifier #3257 in the east right-of-way line of existing Winburn Drive at the northwest corner of property of Ashley Lauryn Royalties, LLC (Deed Book 3053, Page 283) 138.65 feet left of Station 54+77.10 centerline of Winburn Drive; thence with the north line of property of Ashley Lauryn Royalties, LLC (Deed Book 3053, Page 283) South 67 degrees 20 minutes 14 seconds East 171.67 feet to an iron pin set with identifier #3257,

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

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33.00 feet right of Station 54+74.10 centerline of Winburn Drive; thence leaving said north line South 21 degrees 39 minutes 50 seconds West 406.19 feet to an iron pin set with identifier #3257, 33.00 right to Station 50+67.92 centerline of Winburn Drive; thence South 25 degrees 20 minutes 54 seconds East 47.54 feet to an iron pin set with identifier #3257, 35.50 feet left of Station 151+27.78 centerline of Citation Boulevard; thence South 68 degrees 20 minutes 10 seconds East 22.22 feet to an iron pin set with identifier #3257, 35.50 feet left of Station 151+50.00 centerline of Citation Boulevard; thence South 21 degrees 39 minutes 50 seconds West 43.27 feet to an iron pin set with identifier #3257 in the south line of property of Ashley Lauryn Royalites, LLC (Deed Book 3053, Page 283) 7.77 feet right of Station 151+50.00 centerline of Citation Boulevard; thence with the south line of property of Ashley Lauryn Royalties, LLC (Deed Book 3053, Page 283) North 68 degrees 00 minutes 30 seconds West 253.82 feet to an iron pin set with identifier #3257 in the existing east right-of-way line of Winburn Drive 6.32 feet right of Station 149+96.18 centerline of Citation Boulevard; thence with the existing east right-of-way line of Winburn Drive, North 24 degrees 38 minutes 40 seconds East 484.07 feet to the **POINT OF BEGINNING**; and,

The above-described parcel contains 2.111 Acres (91,935 sq. ft.) of fee simple; and,

Also, shown by Public Acquisition Minor Plat of record in Plat Cabinet S, Slide 122, in the Fayette County Clerk's Office; and,

Being a portion of the same property conveyed to Ashley Lauryn Royalties, LLC, a Kentucky limited liability company, by Deed (Parcel "A") dated February 17, 2020, of record in Deed Book 3736, Page 330 and by Deed (Parcel "B") dated February 17, 2020, of record in Deed Book 3736, Page 334, both referenced 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 1749 Russell Cave Road)**  
**Citation Boulevard Phase 3A Project**  
**Parcel No. 139b**

**BEGINNING** at an iron pin set with identifier #3257 in the north line of property of Ashley Lauryn Royalties, LLC (Deed Book 3053, Page 283) 33.00 feet right of Station 54+74.10 centerline of Winburn Drive; thence with the north line of property of Ashley Lauryn Royalties, LLC (Deed Book 3053, Page 283) South 67 degrees 20 minutes 14 seconds East 57.98 feet to a point 90.97 feet right of Station 54+73.09 centerline of Winburn Drive; thence leaving said north line, South 19 degrees 07 Minutes 08 seconds West 23.12 feet to a point 92.00 feet right of Station 54+50.00 centerline of Winburn Drive; thence South 22 degrees 48 minutes 35 seconds West 100.02 feet to a point 90.00 feet right of Station 53+50.00 centerline of Winburn Drive; thence South 25 degrees 49 minutes 24 seconds West 110.29 feet to a point 82.00 feet right of Station 52+40.00 centerline of Winburn Drive; thence South 28 degrees 42 minutes 35 seconds West 179.35 feet to a point 60.00 feet right of Station 50+62.00 centerline of Winburn Drive; thence South 55 degrees 12 minutes 06 seconds East 30.81 feet to a point 55.00 feet left of Station 51+50.00 centerline of Citation Boulevard; thence South 21 degrees 39 minutes 50 seconds West 19.50 feet to an iron pin set with identifier #3257, 35.50 feet left of Station 151+50.00 centerline of Citation Boulevard; thence North 68 degrees 20 minutes 10 seconds West 22.22 feet to an iron pin set with identifier #3257, 35.50 feet left of Station 151+27.78 centerline of Citation Boulevard; thence North 25 degrees 27 minutes 44 seconds West 47.65 feet to an iron pin set with identifier #3257, 33.00 feet right of Station 50+67.92 centerline of Winburn Dive; thence North 21 degrees 39 minutes 50 seconds East 406.19 feet to the **POINT OF BEGINNING**; and,

The above-described parcel contains 20,614 sq. ft. of temporary construction easement; and,

Also, shown by Public Acquisition Minor Plat of record in Plat Cabinet S, Slide 122, in the Fayette County Clerk's Office; and,

Being a portion of the same property conveyed to Ashley Lauryn Royalties, LLC, a Kentucky limited liability company, by Deed (Parcel "A") dated February 17, 2020, of record in Deed Book 3736, Page 330 and by Deed (Parcel "B") dated February 17, 2020, of record in Deed Book 3736, Page 334, both referenced 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 **WARRANT GENERALLY** said title.

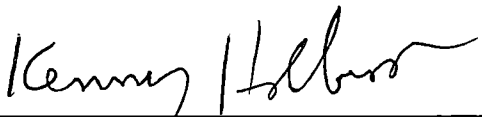
The parties do hereby certify pursuant to KRS 382.135 that the consideration stated herein is the full actual consideration paid for the property transferred herein, and the estimated fair cash value of the property conveyed is \$302,162.00. Grantee joins this Deed for the sole purpose of certifying 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:

ASHLEY LAURYN ROYALTIES, LLC., a  
Kentucky limited liability company

BY:   
KENNY HOLBROOK,  
MEMBER

GRANTEE:

LEXINGTON-FAYETTE URBAN  
COUNTY GOVERNMENT

BY:   
LINDA GORTON, MAYOR

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This Instrument and consideration certificate was acknowledged, subscribed and sworn to before me by Kenny Holbrook, as a Member, for and on behalf of Ashley Lauryn Royalties, LLC, a Kentucky limited liability company, on this the 7 day of DECEMBER, 2020.



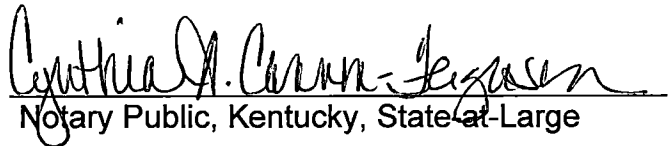
Notary Public, Kentucky, State-at-Large

My Commission Expires: 7 / 29 / 2021

Notary ID # 583153

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

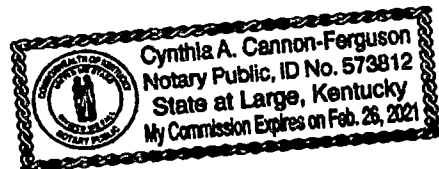
This Certificate of Consideration certificate was acknowledged, subscribed and sworn to before me by Linda Gorton, as Mayor, for and on behalf of the Lexington-Fayette Urban County Government, on this the 14<sup>th</sup> day of December 2020.



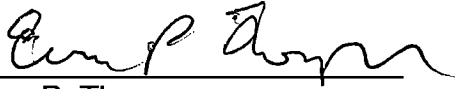
Notary Public, Kentucky, State-at-Large

My Commission Expires: 2 / 26 / 2021

Notary ID # 573812



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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**DEED BOOK 3811 PAGE 390**

**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: EMILY GENTRY ,dc**

**202101110250**

**January 11, 2021                      11:30:02    AM**

**Fees                      \$56.00            Tax                      \$302.50**

**Total Paid                              \$358.50**

**THIS IS THE LAST PAGE OF THE DOCUMENT**

**8    Pages**

**383    -    390**