

**TEMPORARY CONSTRUCTION EASEMENT**

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this 12 day of JUNE 2015, by and between **OMNI HOMES, LLC**, a Kentucky limited liability company, P.O. Box 1078, Georgetown, Kentucky 40324, 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 FOUR HUNDRED DOLLARS AND NO/100 (\$1,400.00)**, and other good and valuable consideration, 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 based upon Lexington-Fayette Urban County Control Survey Monuments:

**Temporary Construction Easement**  
**(a portion of 3692 Polo Club Boulevard)**

**Polo Club Boulevard Road Improvement Project**  
**(Deerhaven Lane to Todds Road)**

Being a tract of land lying in Fayette County along Polo Club Boulevard approximately 1950' north of the intersection of

Mail to:  
Hon. Glenda Humphrey George  
Department of Law, 11<sup>th</sup> Floor  
200 East Main Street  
Lexington, KY 40507

(CCF)

Polo Club Boulevard and Todds Road (KY 1927), and more particularly described as follows:

Beginning at a point in the existing right of way line of Polo Club Boulevard 70.00 feet left of Polo Club Boulevard station 517+48.39; thence with the south property line, S 64°42'30" W, a distance of 15.00' to a point 85.00 feet left of Polo Club Boulevard station 517+48.42; thence with the proposed easement line, N 25°23'29" W, a distance of 26.58' to a point 85.00 feet left of Polo Club Boulevard station 517+75.00; thence N 64°36'31" E, a distance of 15.00' to a point in the existing right of way line 70.00 feet left of Polo Club Boulevard station 517+75.00; thence with the existing right of way line S 25°23'29" E, a distance of 26.61' to the POINT OF BEGINNING. The above described parcel contains 398.90 square feet (0.009 acres); and,

Being a portion of the same property conveyed to Omni Homes, LLC, a Kentucky limited liability company by deed dated February 10, 2009, of record in Deed Book 2857, Page 705, in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** said easement unto said Grantee, its successors and assigns, for the purposes and uses herein designated.

The above-described temporary construction easement will expire upon completion of the improvement project on this land, runs with the land for the duration of the improvement project on this land and is binding upon the successors and assigns of the Grantor.

Grantor does hereby release and relinquish unto 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 this easement was authorized by Resolution 16-2015, passed by the Lexington-Fayette Urban County Council on January 29, 2015. Pursuant to KRS

382-135(2)(a), this public utility easement is exempt from real estate transfer tax pursuant to KRS 142.050.

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

GRANTOR:

OMNI HOMES, LLC, a Kentucky limited liability company

BY: Paul Martin

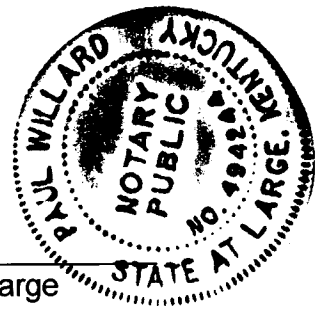
ITS: Member

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

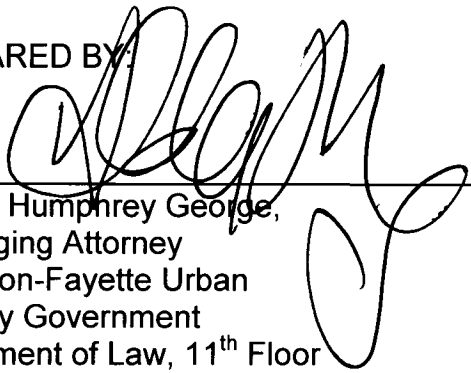
The foregoing Temporary Construction Easement was subscribed, sworn to and acknowledged before me by PAUL MARTIN, as MEMBER, on behalf of Omni Homes, LLC, a Kentucky limited liability company, on this the 12 day of JUNE, 2015.

My commission expires: 7-29-2017

Paul Willard  
Notary Public, Kentucky, State-at-Large  
494244



PREPARED BY:



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Glenda Humphrey George,  
Managing Attorney  
Lexington-Fayette Urban  
County Government  
Department of Law, 11<sup>th</sup> 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: MARCIA DERR ,dc

201506150218

June 15, 2015

12:09:49 PM

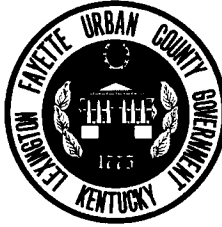
Fees	\$20.00	Tax	\$0.00
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Total Paid	\$20.00
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5 Pages

595 - 599



Lexington-Fayette Urban County Government  
DEPARTMENT OF LAW

Jim Gray  
Mayor

Janet M. Graham  
Commissioner

To: Meredith Nelson, Council Clerk  
Council Clerk's Office

From: Department of Law

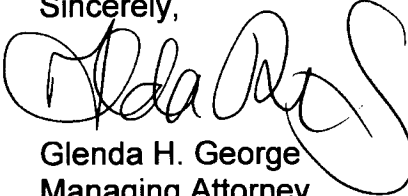
Date: June 18, 2015

Re: Temporary Construction Easements  
3800 Polo Club Boulevard  
3692 Polo Club Boulevard  
(Polo Club Boulevard Road Improvement Project)

Enclosed are the original recorded Temporary Construction Easements for the above properties to the Urban County Government for the Polo Club Boulevard Road Improvement Project (Deerhaven Lane to Todds Road). Please file the easements with the authorizing legislation, Resolution No. 16-2015. Since these are temporary easements only, there are no asset acquisition forms.

If you have any questions, please let me know.

Sincerely,



Glenda H. George  
Managing Attorney

Enclosures

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Lexington-Fayette Urban County Government  
DEPARTMENT OF LAW

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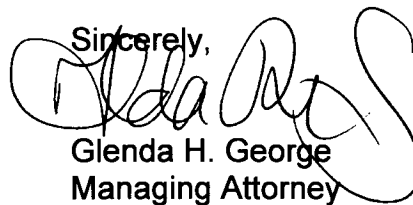
Date: June 18, 2015

Re: Temporary Construction Easements  
3712 Polo Club Boulevard  
3741 Polo Club Boulevard  
3765 Polo Club Boulevard  
3802 Polo Club Boulevard  
3826 Polo Club Boulevard  
4127 Todds Road  
(Polo Club Boulevard Road Improvement Project)

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