

DEED OF CONVEYANCE AND TEMPORARY CONSTRUCTION EASEMENT

This **DEED OF CONVEYANCE AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 10 day of NOVEMBER, 2020, by and between **PALUMBO PROPERTIES, INC.**, a Kentucky corporation, P.O. Box 884, Lexington, Kentucky 40588-0884, 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").

W I T N E S S E T H:

That for and in consideration of the sum of **TWENTY-THREE THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$23,500.00)**, 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 565 Asbury Road)
Citation Boulevard Phase 3A Project
Parcel No. 137a

BEGINNING at an iron pin set with identifier #3257 at the intersection of the existing east right-of-way line of Asbury Lane and the existing south right-of-way line of Citation Boulevard 23.53 feet right of Station 144+02.03 centerline of Citation Boulevard; thence with the existing south right-of-way line of Citation Boulevard along a curve to the right with a radius of 20.00 feet, an arc length of 33.64 feet, and a chord of North 61 degrees 03 minutes 43 seconds East 29.81 feet to an iron pin set with identifier #3257 0.49 feet right of Station 144+20.95 centerline of Citation Boulevard;

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

thence with the existing south right-of-way line of Citation Boulevard along a curve to the right with a radius of 470.00 feet, an arc length of 26.27 feet, and a chord of South 69 degrees 08 minutes 48 seconds East 26.27 feet to an iron pin set with identifier #3257 0.12 feet right of Station 144+47.21 centerline of Citation Boulevard; thence with the existing south right-of-way line of Citation Boulevard, South 67 degrees 32 minutes 43 seconds East 85.30 feet to an iron pin set with identifier #3257 at the northeast corner of the property of Palumbo Properties, Inc. (D.B. 2623, PG 319) 1.30 feet right of Station 145+32.50 centerline of Citation Boulevard; thence with the east line of Palumbo Properties, Inc. (D.B. 2623, PG 319) South 48 degrees 18 minutes 00 seconds West 35.47 feet to an iron pin set with identifier #3257 33.00 feet right of Station 145+16.60 centerline of Citation Boulevard; thence leaving said east line, North 68 degrees 20 minutes 10 seconds West 113.07 feet to an iron pin set with identifier #3257 in the existing east right-of-way line of Asbury Lane 33.00 feet right of Station 144+03.53 centerline of Citation Boulevard; thence with the existing east right-of-way line of Asbury Lane along a curve to the right with a radius of 270.00 feet, an arc length of 4.66 feet, an arc length of 4.66 feet, and a chord of North 12 degrees 22 minutes 38 seconds East 4.66 feet to an iron pin set with identifier #3257, 28.40 feet right of Station 144+02.78 centerline of Citation Boulevard; thence with the existing east right-of-way line of Asbury Lane, North 12 degrees 52 minutes 20 seconds East 4.93 feet to the **POINT OF BEGINNING**; and,

The above-described parcel contains 0.089 Acres (3,877 sq. ft.) of fee simple; and,

Also, shown by Public Acquisition Minor Plat of record in Plat Cabinet S, Slide 117, in the Fayette County Clerk's Office; and,

Being a portion of the same property conveyed to Palumbo Properties, Inc., a Kentucky corporation, by Deed dated February 9, 2006, of record in Deed Book 2623, Page 319, 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 565 Asbury Road)
Citation Boulevard Phase 3A Project
Parcel No. 137b

BEGINNING at an iron pin set with identifier #3257 in the existing east right-of-way line of Asbury Lane 33.00 feet right of Station 144+03.53 centerline of Citation Boulevard; thence leaving the existing east right-of-way line of Asbury Lane, South 68 degrees 20 minutes 10 seconds East 113.07 feet to an iron pin set with identifier #3257 in the east line of Palumbo Properties, Inc. (D.B. 2623, PG 319) 33.00 feet right of Station 145+16.60 centerline of Citation Boulevard; thence with the east line of Palumbo Properties, Inc. (D.B. 2623, PG 319) South 48 degrees 18 minutes 00 seconds West 31.89 feet to a point 61.50 feet right of Station 145+02.31 centerline of Citation Boulevard; thence leaving said east line, North 62 degrees 03 minutes 32 seconds West 77.77 feet to a point 53.00 feet right of Station 144+25.00 centerline of Citation Boulevard; thence South 5 degrees 19 minutes 49 seconds West 37.47 feet to a point 20.00 feet right of Station 9+00.00 baseline of Asbury Lane; thence South 25 degrees 32 minutes 52 seconds East 49.32 feet to a point in the east line of Palumbo Properties, Inc. (D.B. 2623, PG 319) 35.29 feet right of Station 8+47.53 baseline of Asbury Lane; thence with said east line, South 48 degrees 18 minutes 00 seconds West 34.17 feet to a point in the existing east right-of-way line of Asbury Lane 4.74 feet right of Station 8+30.95 baseline of Asbury Lane; thence with the existing east right-of-way line of Asbury Lane along a curve to the right with a radius of 686.19 feet, an arc length of 10.27 feet, and a chord of North 14 degrees 28 minutes 15 seconds West 10.27 feet to a point 4.96 feet right of Station 8+41.41 baseline of Asbury Lane; thence with the existing east right-of-way line of Asbury Lane along a curve to the right with a radius of 270.00 feet, an arc length of

122.17 feet, and a chord of North 1 degree 04 minutes 46 seconds West 121.13 feet to the **POINT OF BEGINNING**; and,

The above-described parcel contains 0.103 Acres (4,525 sq. ft.) of temporary construction easement; and,

Also, shown by Public Acquisition Minor Plat of record in Plat Cabinet S, Slide 117, in the Fayette County Clerk's Office; and,

Being a portion of the same property conveyed to Palumbo Properties, Inc., a Kentucky corporation, by Deed dated February 9, 2006, of record in Deed Book 2623, Page 319, 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 \$23,500.00. 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:

PALUMBO PROPERTIES, INC., a
Kentucky Corporation

BY: 
STEWART McINTOSH, CEO

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 Stewart McIntosh, as CEO for and on behalf of Palumbo Properties, Inc., a Kentucky corporation, on this the 16 day of NOVEMBER, 2020.

Paul Wirth

Notary Public, Kentucky, State-at-Large

My Commission Expires: 7 / 29 / 2021

Notary ID # 583153

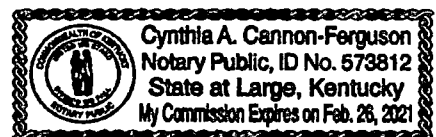
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

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 16th day of November 2020.

Cynthia A. Cannon-Ferguson
Notary Public, Kentucky, State-at-Large

My Commission Expires: 2 / 26 / 2021

Notary ID # 573812

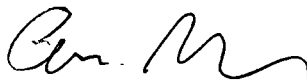


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PREPARED BY:



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.



By: EMILY GENTRY ,dc

202012280097

December 28, 2020 8:34:00 AM

Fees \$56.00 Tax \$23.50

Total Paid \$79.50

THIS IS THE LAST PAGE OF THE DOCUMENT

8 Pages

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