

DEED OF CONVEYANCE AND GRANT OF EASEMENT

This **DEED OF CONVEYANCE AND GRANT OF EASEMENT** is made and entered into this the 19th day of April, 2017, by and between **RUBY E. SAUTEBEN, widow**, 2783 Clays Mill Road, Lexington, Kentucky 40503, 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 **FOUR THOUSAND SEVEN HUNDRED FIFTY DOLLARS AND 00/100 (\$4,750.00)**, 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 forever the following tract of land located in the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows, to wit:

Fee Simple Right-of-Way
(a portion of 2787 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 44A

Beginning at a point 44.00 feet left of Clays Mill Road at Station 144+47.83; thence along an arc 32.60 feet right, having a radius of 1,544.00 feet, the chord of which is North 27 Degrees 53 Minutes 11 Seconds East for a distance of 32.60 feet, to a point 44.00 feet left of Clays Mill Road at

Return to:
Charles E. Edwards III
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

DTC

Station 144+79.50; thence North 34 Degrees 05 Minutes 27 Seconds East a distance of 58.02 feet, to a point 39.42 feet left of Clays Mill Road at Station 145+35.78; thence along an arc 89.98 feet to the left, having a radius of 2,291.83 feet, the chord of which is South 28 Degrees 49 Minutes 21 Seconds West a distance of 89.97 feet, to a point 39.20 feet left of Clays Mill Road at Station 144+48.09; thence North 65 Degrees 51 Minutes 52 Seconds West a distance of 4.81 feet to a point 44.00 feet left of Clays Mill Road at Station 144+47.83 and the POINT OF BEGINNING;

The above described parcel contains 0.007 acres (293 sq. ft.) in fee simple;

Being a portion of the property conveyed to Wilson C. Sauteben and Rubye Sauteben, husband and wife, by deed dated July 9, 1963, of record in Deed Book 771, Page 70, in the Fayette County Clerk's Office;

Wilson C. Sauteben predeceased Rubye Sauteben, vesting sole title in Rubye Sauteben, by survivorship.

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, 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 2787 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 44B

Being a tract of land lying in Fayette County on the west side of Clays Mill Road, point of beginning being approximately

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

Beginning at a point 44.00 feet left of Clays Mill Road at Station 144+47.83; thence North 65 Degrees 51 Minutes 52 Seconds West a distance of 9.78 feet to a point 53.76 feet left of Clays Mill Road at Station 144+47.31; thence North 28 Degrees 22 Minutes 25 Seconds East a distance of 53.23 feet to a point 53.64 feet left of Clays Mill Road at Station 144+98.70; thence North 33 Degrees 52 Minutes 50 Seconds East a distance of 37.14 feet to a point 51.07 feet left of Clays Mill Road at Station 145+34.50; thence South 65 Degrees 49 Minutes 08 Seconds East a distance of 11.72 feet to a point 39.42 feet left of Clays Mill Road at Station 145+35.78; thence South 34 Degrees 05 Minutes 27 Seconds West a distance of 58.02 feet to a point 44.00 feet left of Clays Mill Road at Station 144+79.50; thence along an arc 32.60 feet to the left, having a radius of 1,544.00 feet, the chord of which is South 27 Degrees 53 Minutes 11 Seconds West a distance of 32.60 feet and the POINT OF BEGINNING;

The above described parcel contains 0.022 acres (955 sq. ft.) of temporary construction easement;

Being a portion of the property conveyed to Wilson C. Sauteben and Rubye Sauteben, husband and wife, by deed dated July 9, 1963, of record in Deed Book 771, Page 70, in the Fayette County Clerk's Office;

Wilson C. Sauteben predeceased Rubye Sauteben, vesting sole title in Rubye Sauteben, by survivorship.

TO HAVE AND TO HOLD the above-described fee simple right-of-way and 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 Grantor. The temporary construction easement shall take effect upon the

commencement of 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 her 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 she is lawfully seized in fee simple of said property and has good right to sell and convey the same as herein done, and that she 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 deed and grant of easement, which conveys public right-of-way, need not contain a statement of consideration.

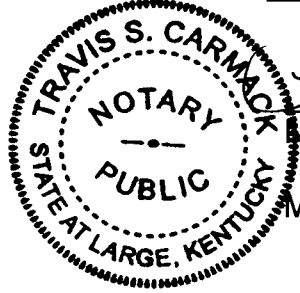
IN TESTIMONY WHEREOF, the Grantor has signed this Deed of Conveyance and Temporary Easement, this the day and year first above written.

GRANTOR:


RUBY E. SAUTEBEN

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by
Rubye E. Sauteben, widow, on this the 19th day of April, 2017.



Travis S. Carmack ID# 575447
Notary Public, Kentucky, State at Large
My Commission Expires: 3 / 13 / 2024

PREPARED BY:

Charles E. Edwards III
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

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: PATTY DAVIS ,dc

201704250051

April 25, 2017 8:49:22 AM

Fees	\$23.00	Tax	\$5.00
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Total Paid	\$28.00
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