

Fayette County, Item No. 07-113.00

DEED OF CONVEYANCE

THIS DEED, entered into on the _____ day of _____, 2014 by and between City of Lexington (Lexington-Fayette Urban County Government), whose address is 200 East Main Street Lexington, KY 40508, party of the first part, (in whose care the state and county tax bill for the aforesaid calendar year may be sent); and the COMMONWEALTH OF KENTUCKY for the use and benefit of the TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS, 200 Mero Street, Frankfort, Kentucky 40622, party of the second part.

WITNESSETH: That the Grantor in consideration of, the benefit to be derived from the highway construction the receipt of which is hereby acknowledged, have/has bargained and sold and do/does hereby sell, grant and convey to the Grantee, its successors and assigns forever, the following described property and property rights, viz:

Tract 17

Being a tract of land lying in Fayette County along New Circle Road approximately 730 feet southwest of the intersection of New Circle Road and Leestown Road, and more particularly described as follows:

Beginning at a point in the existing access control and right of way line 52.14 feet right of Proposed Leestown Road Ramp A station 13+35.94; thence with the proposed access control and right of way line South 62 degrees 08 minutes 09 seconds West, 216.59 feet to a point 47.72 feet right of Proposed Leestown Road Ramp A station 10+99.90; thence with the proposed access control and right of way line South 47 degrees 56 minutes 54 seconds West, 184.87 feet to a point 118.76 feet right of Proposed New Circle Rd station 333+98.21; thence with the proposed access control and right of way line South 44 degrees 14 minutes 09 seconds West, 388.40 feet to a point in the existing access control and right of way line 99.59 feet right of Proposed New

Circle Rd station 330+10.28; thence with the existing access control and right of way line North 41 degrees 24 minutes 16 seconds East, 458.15 feet to a point 99.57 feet right of Proposed New Circle Rd station 334+68.43; thence with the existing access control and right of way line 270.99 feet along an arc to the right, having a radius of 666.20 feet, the chord of which is North 59 degrees 20 minutes 22 seconds East, 269.13 feet to a point 48.71 feet right of Proposed Leestown Road Ramp A station 12+61.18; thence with the existing access control and right of way line North 70 degrees 59 minutes 33 seconds East, 68.96 feet to the point of beginning. The above described parcel contains .252 acres (10,967 sq. ft.).

It is understood between the parties hereto and made a covenant herein that the above described property is conveyed in fee simple

Being a portion of the same tract of land conveyed to City of Lexington (Lexington-Fayette Urban County Government) by Commonwealth of Kentucky, Commissioner of Finance, dated September 12, 1972, which is duly recorded in Deed Book No. 1071 at page 142 and recorded in the office of the County Clerk of Fayette County, Kentucky.

The acquisition of the right of way of this project was authorized by the Kentucky Department of Highways Official Order No. 108520. The control of access on this project shall be fully controlled access highway from Sta. 275+20.10 to Sta. 385+80.04, as required to be set forth in Section 6 of the Kentucky Administrative Regulations, (603 KAR 5:120).

The proposed public road, New Circle Road (KY 4), 1100 FD04 034 8534101R, Item No. 7-113.00, the plans for which are on file in the office of the Department of Highways in Frankfort, Kentucky.

CONSIDERATION CERTIFICATE OF GRANTORS

The parties of the first part, Lexington-Fayette Urban County Government (Grantor), hereby acknowledge that I (we) have been offered compensation based on an appraisal, but hereby waive that right in exchange for the consideration of, the benefit to be derived from the highway construction. Further parties of the first part, Lexington-Fayette Urban County Government, Grantor herein, hereby certify that this Deed of Conveyance as set forth herein above for the property hereby conveyed is being donated by Grantor for the purpose of highway improvement. Further, parties of the first part, Lexington-Fayette Urban County Government. Grantor herein, hereby certify that the real property conveyed herein is estimated to have a fair cash value of \$14,500. Consideration is exempt from Kentucky transfer tax by virtue of KRS 142.050(7)(b).

TO HAVE AND TO HOLD said property and property rights unto the Grantee, its successors and assigns, with all the rights and privileges thereunto belonging with covenants of General Warranty.

IN TESTIMONY WHEREOF the parties of the first part has
executed this Deed on this _____ day of _____,
2014.

Jim Gray, Mayor
City of Lexington
(Lexington-Fayette Urban
County Government)

CERTIFICATE OF ACKNOWLEDGMENT

COMMONWEALTH OF KENTUCKY)
)ss
COUNTY OF FAYETTE)

I the undersigned, certify that the foregoing Deed was
produced before me in my said County and State and duly
acknowledged and sworn to by Jim Gray, Mayor, City of Lexington
(Lexington-Fayette Urban County Government), the parties of the
first part therein to be their act and deed.

Witness my hand this the _____ day of
_____, 2014.

NOTARY PUBLIC
STATE AT LARGE

My Commission expires:_____

PREPARED BY:

DARREN EMBRY
ATTORNEY AT LAW
EMBRY MERRITT SHAFFAR WOMACK
155 EAST MAIN STREET, SUITE 260
LEXINGTON, KENTUCKY 40507
(859) 543-0543