

TEMPORARY GRANT OF EASEMENTS

This **TEMPORARY GRANT OF EASEMENTS** is made and entered into this the 17th day of July, 2017, by and between **RANDALL H. KLOSS and BOBBIE J. KLOSS, husband and wife**, 3445 Clays Mill Road, Lexington, Kentucky 40503, which is the in-care of tax mailing address for the current year ("Grantors"), 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 THOUSAND EIGHT HUNDRED TWELVE DOLLARS AND 00/100 (\$3,812.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantors have **BARGAINED** and **SOLD** and do hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, the temporary to right to lay, construct, operate, repair, reconstruct and remove a storm sewer, improvements and appurtenances thereto, which storm sewer and appurtenances shall be of such dimension, character, construction and use as determined by Grantee along, through, under, and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on Exhibit "A" attached hereto, and more particularly described as follows:

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

DTC

Temporary Construction Access Easement
Clays Mill Stormwater Project
(a portion of 3445 Clays Mill Road)

All that tract or parcel of land being a temporary construction access easement situated on the northwest side of Clays Mill Road in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Beginning at a point in the southwest front corner of the property and being a common corner to 3449 Clays Mill Road, Sterling R. and R.A. Welch Property (DB 1160, Page 368)(Stonewall Estates Subdivision, Unit 11F, Lot 13); thence N 58°48'39" E, 1.03 feet, more or less along the Clays Mill Road northwest right-of-way line to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence N 29°19'12" W a distance of 78.19'; thence N 06°02'09" W a distance of 112.34'; thence N 21°22'45" W a distance of 55.66'; to a point in the **EXISTING DRAINAGE EASEMENT**; thence N 58°41'21" E a distance of 15.98';, more or less along the **EXISTING DRAINAGE EASEMENT**; thence S 20°39'02" E a distance of 60.56'; thence S 05°53'34" E a distance of 110.53'; thence S 29°19'12" E a distance of 75.29'; thence S 58°48'39" W a distance of 15.01'; to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**;

The above described parcel contains 3,699.78 sq. ft. of temporary construction access easement;

AND

Temporary Construction Easement
Clays Mill Stormwater Project
(a portion of 3445 Clays Mill Road)

All that tract or parcel of land being a temporary construction easement situated on the northwest side of Clays Mill Road in Lexington, Fayette County, Kentucky and being more particularly described as follows, to wit:

Beginning at a point in the southwest front corner of the property and being a common corner to 3449 Clays Mill Road, Sterling R. and R.A. Welch Property (DB 1160, Page

368)(Stonewall Estates Subdivision, Unit 11F, Lot 13); thence N 58°48'39" E, 16.04 feet, more or less along the Clays Mill Road northwest right-of-way line and the **PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence N 29°19'12" W, 37.74 feet, more or less along the **PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT** to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**; thence N 29°19'12" W a distance of 37.55', more or less along the **PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence N 05°53'34" W a distance of 71.16', more or less along the **PROPOSED TEMPORARY CONSTRUCTION ACCESS EASEMENT**; thence N 59°57'39" E a distance of 8.83'; thence S 30°41'55" E a distance of 48.96'; thence S 35°58'59" W a distance of 39.21'; thence S 30°50'43" E a distance of 6.53'; thence S 24°05'18" E a distance of 31.22', more or less to **THE POINT OF BEGINNING OF THE PROPOSED TEMPORARY CONSTRUCTION EASEMENT**;

The above described parcel contains 1,316.38 sq. ft. of temporary construction easement; and

Both parcels being a portion of the property conveyed to Randall H. Kloss and Bobbie J. Kloss, husband and wife, by deed dated September 16, 2016 of record in Deed Book 3434, Page 403 in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD said easements 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 easements run with the land for the duration of the improvement project and are binding upon the successors and assigns of the Grantors. The temporary easements shall take effect upon the commencement of construction of the project and will expire upon completion of the project.


Grantors do hereby release and relinquish unto the Grantee, its successors and assigns forever, all of their right, title, and interest in and to the property to the extent of

the interest conveyed herein, including all exemptions allowed by law, and do hereby covenant to and with the Grantee, its successors and assigns forever, that they are lawfully seized in fee simple of said property and have good right to sell and convey the same as herein done, and that they will **WARRANT GENERALLY** said title.

The obtaining of these easements was authorized by Resolution 227-2017, passed by the Lexington-Fayette Urban County Council on April 27, 2017. Pursuant to KRS 382.135(2)(a), this public utility easement is exempt from the requirements related to certificate of consideration.

IN TESTIMONY WHEREOF, the Grantors have signed this Temporary Grant of Easements, this the day and year first above written.

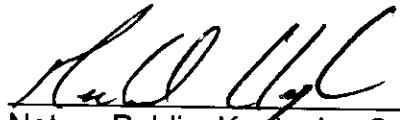
GRANTORS:

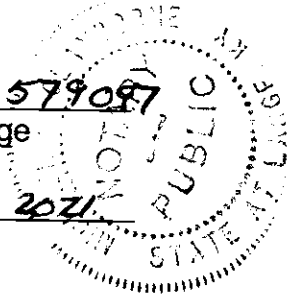

RANDALL H. KLOSS


BOBBIE J. KLOSS

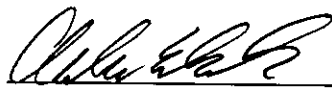
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by
Randall H. Kloss and Bobbie J. Kloss, husband and wife, on this the 17th day of
July, 2017.

 ID # 579087
Notary Public, Kentucky, State at Large
My Commission Expires: 05 / 10 / 2021

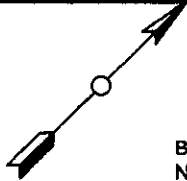
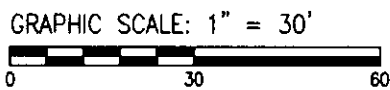
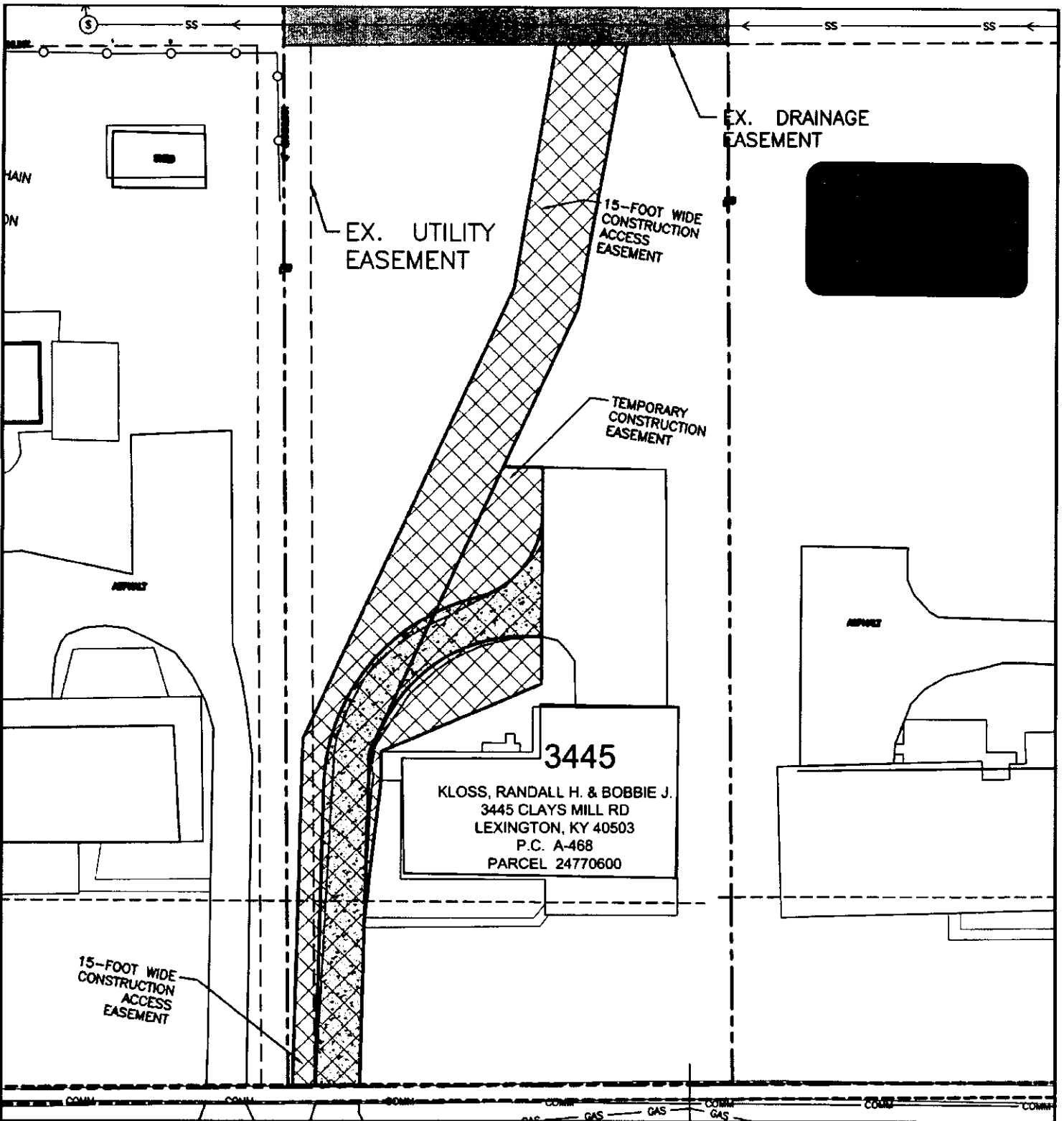


PREPARED BY:






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



BASIS OF BEARINGS:
NAD 83 KY NORTH

-  EXISTING DRAINAGE EASEMENT
-  TEMPORARY CONSTRUCTION EASEMENT
-  PROPOSED DRAINAGE EASEMENT

TEMPORARY CONSTRUCTION EASEMENT

3445 CLAYS MILL ROAD



Engineers ■ Consultants ■ Scientists ■ International

340 S BROADWAY ■ LEXINGTON, KY 40517 ■ (859) 233-2103 ■ fax (859) 259-3394

DATE - 02/16/2017 PROJECT NO. 1012-005

DRAWN - dkm

PROJECT NAME: CLAYS MILL STORMWATER IMPROVEMENTS
PROJECT LOCATION - LEXINGTON, KENTUCKY

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: MELISSA STELTER ,dc

201707180222

July 18, 2017 13:44:43 PM

Fees	\$26.00	Tax	\$0.00
------	---------	-----	--------

Total Paid	\$26.00
------------	---------

THIS IS THE LAST PAGE OF THE DOCUMENT

7 Pages

488 - 494