

**TEMPORARY CONSTRUCTION EASEMENT**

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 20 day of OCTOBER, 2016, by and between **JUDY WHALEN AND CONNIE H. WHALEN, wife and husband**, 1839 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").

**W I T N E S S E T H:**

That for and in consideration of the sum of **FIVE HUNDRED SEVENTY-FIVE DOLLARS AND 00/100 (\$575.00)**, 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, 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:

**Right-of-Way Temporary Construction Easement**  
**(a portion of 1839 Clays Mill Road)****Clays Mill Road Improvement Project, Section 1**  
**(Harrodsburg Road to New Circle Road)**

Return to:  
Charles E. Edwards, III,  
Attorney  
LFUCG, Department of Law  
200 East Main Street, 11<sup>th</sup> Floor  
Lexington, KY 40507

(cc-f)

**Parcel No. 132**

Being a tract of land lying in Fayette County on the west side of Clays Mill Road, point of beginning being approximately 128 feet north of the intersection of South Bend Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 39.27 feet left of Clays Mill Road at Station 197+92.22; thence North 56 Degrees 02 Minutes 29 Seconds West a distance of 8.56 feet to a point 47.67 feet left of Clays Mill Road at Station 197+93.85; thence North 22 Degrees 58 Minutes 31 Seconds East a distance of 58.74 feet to a point 47.69 feet left of Clays Mill Road at Station 198+52.59; thence South 54 Degrees 29 Minutes 29 Seconds East a distance of 8.60 feet to a point 39.29 feet left of Clays Mill Road at Station 198+50.72; thence South 22 Degrees 58 Minutes 31 Seconds West a distance of 58.50 feet to a point 39.27 feet left of Clays Mill Road at Station 197+92.22 and the POINT OF BEGINNING; and,

The above described parcel contains 0.011 Acres (492 sq. ft.) of temporary construction easement; and,

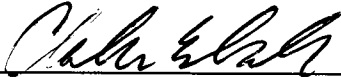
Being a portion of the property conveyed to Judy Whalen and Connie H. Whalen, wife and husband by Deed dated July 31, 1997, of record in Deed Book 1931, Page 90, in the Fayette County Clerk's Office.

**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 runs with the land for the duration of the improvement project on this land and is binding upon the successors and assigns of the Grantors. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.



PREPARED BY:




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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

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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: SHEA BROWN ,dc

201610280036

October 28, 2016                      9:01:36      AM

Fees	\$20.00	Tax	\$ .00
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Total Paid	\$20.00
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