

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 17TH day of NOVEMBER, 2022, by and between **JOANNE A. MARTIN, a single person and CAROLE ATKINS, a single person**, 1749 Traveller Road, Lexington, Kentucky 40504, 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 **FIVE HUNDRED DOLLARS AND 00/100 (\$500.00)**, 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

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

and assigns, temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction, installation and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on the attached Exhibit "A", and more particularly described as follows, to wit:

Temporary Construction Easement
Parkers Mill Trunk
Sewer Replacement Project
(a portion of 1749 Traveller Road)

All of that strip or parcel of land situated on the west side of Traveller Road, north of Darien Road in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

BEGINNING, at a common corner between Lots 4 and 5, Block "F", as shown on the plat of Gardenside Subdivision, Unit 11-B (Plat Cabinet C , Slide 147), said point being in the easterly property line of Fayette County, Kentucky (Deed Book 992, Page 491);

Thence with the easterly property line of Fayette County, Kentucky, South 10°39' 14" East, a distance of 5.08 feet to the **TRUE POINT OF BEGINNING**;

Thence leaving the easterly property line of Fayette County, Kentucky, with an existing utility easement line through the lands of Lot 4, North 89°28' 11" East, a distance of 15.24 feet to a point;

Thence with a new temporary construction easement line, South 10°39' 14" East, a distance of 69.55 feet to a point;

Thence with an existing utility easement line, South 88°18' 46" West, a distance of 15.19 feet to a point in the easterly property line of the aforesaid Fayette County, Kentucky;

Thence with the easterly property line of Fayette County, Kentucky, North 10°39' 14" West, a distance of 69.86 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 1,046 sq. ft. (0.024 Acres) of temporary construction easement; and

The above parcel of land being a portion of the property conveyed to Joanne A. Martin, a single person and Carole Atkins, a single person, by Deed dated August 21, 1986, of record in Deed Book 1414, Page 244, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD said 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 Grantors. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon the 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 if 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 this easement was authorized by Resolution 460-2022, passed by the Lexington-Fayette Urban County Council on August 30, 2022. Pursuant to KRS 382.135(2)(a), this temporary construction easement, which pertains to a public utility, need not contain a statement of consideration.

IN TESTIMONY WHEREOF, the Grantors have signed this Temporary Construction Easement, this the day and year first above written.

GRANTORS:

Joanne Martin

JOANNE A. MARTIN

Carole Atkins

CAROLE ATKINS

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Joanne A. Martin, a single person and Carole Atkins, a single person, on this the 17th day of NOVEMBER, 2022.



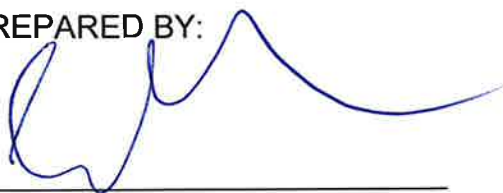
Michael Clayborne

Notary Public, Kentucky, State-at-Large

My Commission Expires: 05 / 10 / 2025

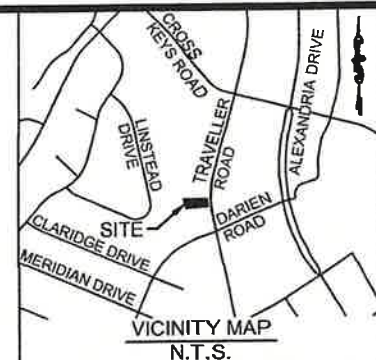
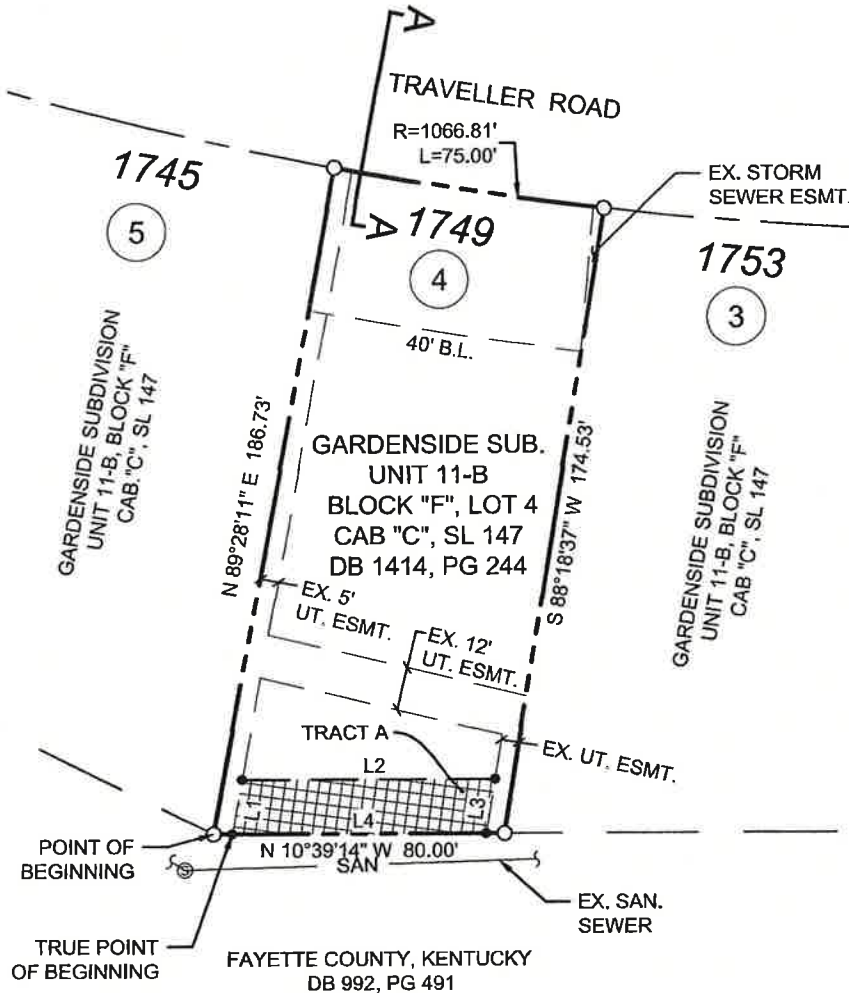
Notary ID # KYNP 27704

PREPARED BY:

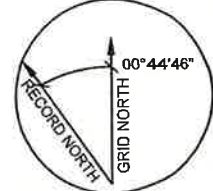


Evan P. Thompson,
Attorney Sr.
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

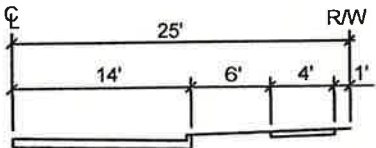
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EASEMENT LINE TABLE		
LINE #	BEARING	LENGTH
L1	N 89°28'11" E	15.24'
L2	S 10°39'14" E	69.55'
L3	S 88°18'46" W	15.19'
L4	N 10°39'14" W	69.86'



BEARING BASIS

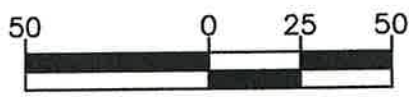


SECTION "A"- "A" TRAVELLER ROAD HALF SECTION

NOTES:

1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE RECORD DESCRIPTION (DEED BOOK 1414, PAGE 244) AND CORRESPONDING PLAT (CABINET "C" SLIDE 147) OF RECORD IN THE FAYETTE COUNTY CLERK'S OFFICE. THE ORIGIN OF BEARINGS SHOWN HEREON IS BASED ON THE NORTH AMERICAN DATUM OF 1983, STATE PLANE KENTUCKY NORTH ZONE AS OBSERVED FROM KYCORS STATION "KYTG" USING A TRIMBLE R12, DUAL FREQUENCY RECEIVER.
2. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A TEMPORARY CONSTRUCTION EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
3. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.

TEMP. ESMT. AREA
1,046 SQ. FT. (0.024 AC)



GRAPHIC SCALE: 1"=50'

SANITARY SEWER EASEMENT EXHIBIT
JOANNE A. MARTIN & CAROLE ATKINS
1749 TRAVELLER ROAD
PARKERS MILL TRUNK SEWER REPLACEMENT
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY



FIGURE 1

AUGUST 2022

2815.304

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: HALLIE WOOSLEY ,dc

202211220251

November 22, 2022 14:09:47 PM

Fees	\$53.00	Tax	\$.00
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Total Paid	\$53.00
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7 Pages

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