

**PERMANENT AND TEMPORARY DEED OF EASEMENT**

This **PERMANENT AND TEMPORARY DEED OF EASEMENT** is made and entered into this the 14 day of NOVEMBER, 2018, by and between **TRANSYLVANIA UNIVERSITY**, a **Kentucky non-profit corporation**, 300 North Broadway, Lexington, Kentucky 40508, 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 **TEN DOLLARS AND 00/100 (\$10.00)**, 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, the permanent right to excavate, grade, install, construct, alter, inspect, maintain, re-grade and perform related work for the purpose of right-of-way construction, improvement, and relocation of a shared-use-path know as Legacy Trail 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:

**Permanent Easement**  
**(a portion of 345 North Broadway)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 7B**

Beginning at a 5/8" rebar pin with cap stamped (PLS 3032) being the intersection of the south right-of-way of West

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

(CF)

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Fourth Street, and the west right-of-way of North Broadway, at a corner with 345 North Broadway (Transylvania University, Plat Cabinet N, Slide 126); thence along the west right-of-way of North Broadway, S 48°37'09" W a distance of 12.21 feet; thence leaving said right-of-way and with a permanent easement, N 03°39'59" E a distance of 17.27 feet to a point in the south right-of-way of West Fourth Street; thence along said right-of-way, S 41°18'49" E a distance of 12.21 feet to the **POINT OF BEGINNING**;

The above described parcel contains 74.52 sq. ft. of permanent easement; and

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation, (i) by Deed dated May 31, 1917, of record in Deed Book 185, Page 316; (ii) by Deed dated July 12, 1921, of record in Deed Book 207, Page 264; (iii) by Deed dated June 30, 1937, of record in Deed Book 296, Page 280; (iv) by Deed dated June 30, 1937, of record in Deed Book 296, Page 304; (v) by Deed dated April 18, 1956, of record in Deed Book 598, Page 339; (vi) by Deed dated April 18, 1956, of record in Deed Book 598, Page 366; (vii) by Deed dated April 25, 1956, of record in Deed Book 599, Page 60; (viii) by Deed dated May 16, 1956, of record in Deed Book 600, Page 212; (ix) by Deed dated May 15, 1957, of record in Deed Book 622, Page 461; (x) by Deed dated January 30, 1962, of record in Deed Book 734, Page 390; (xi) by Deed dated August 9, 1963, of record in Deed Book 773, Page 380; (xii) by Deed dated July 17, 1965, of record in Deed Book 837, Page 523; (xiii) by Deed dated March 5, 1969, of record in Deed Book 956, Page 513, all referenced in the Fayette County Clerk's Office.

**Permanent Easement**  
**(a portion of 350 N. Broadway)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 20A**

Commencing at a point being the intersection of the south right-of-way of West Fourth Street, and the east right-of-way of North Broadway, at a corner with 350 North Broadway (Transylvania University, Deed Book 7, Page 386); thence along the south right-of-way of West Fourth Street, S 40°28'07" E a distance of 340.48 feet, to the **TRUE POINT**

**OF BEGINNING**; thence continuing with the right-of-way of West Fourth Street, S 40°28'07" E a distance of 69.13 feet; thence leaving said right-of-way, and with a permanent easement, N 55°55'52" W a distance of 22.67 feet; thence N 49°23'45" E a distance of 13.77 feet, to the **POINT OF BEGINNING**; and

The above described parcel contains 534.32 sq. ft. of permanent easement; and

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation by (i) Deed dated June 20, 1831, of record Deed Book 7, Page 386; (ii) Deed dated August 22, 1850, of record in Deed Book 26, Page 531; (iii) by Deed dated September 27, 1850, of record in Deed Book 26, Page 553; (iv) by Deed dated September 27, 1850, of record in Deed Book 26, Page 554; (v) by Deed dated June 15, 1852, of record in Deed Book 28, Page 66; (vi) by Deed dated December 11, 1905, of record in Deed Book 142, Page 486; (vii) by Deed dated June 30, 1932, of record in Deed Book 275, Page 94, all referenced in the Fayette County Clerk's Office.

**Permanent Easement**  
**(a portion of 401-405 N. Broadway)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 18A**

Beginning at a point being the intersection of the north right-of-way of West Fourth Street, and the west right-of-way of North Broadway, at a corner with 401-405 North Broadway (Transylvania University, Deed Book 1338, Page 61); thence along the north right-of-way of West Fourth Street, N 41°21'28' W a distance of 35.67 feet; thence leaving said right-of-way and with a permanent easement, N 48°39'09' E a distance of 5.00 feet; thence, S 41°20'51" E a distance of 25.00 feet; thence, N 48°39'09" E a distance of 30.00 feet; thence, S 41°20'51" E a distance of 10.34 feet, to a point in the west right-of-way of North Broadway; thence along said right-of-way, S 48°06'27" W a distance of 35.00 feet, to the **POINT OF BEGINNING**; and

The above described parcel contains 492.47 sq. ft. of permanent easement; and

Being a portion of the same property conveyed to Transylvania University, a Kentucky non-profit corporation, by Deed dated March 29, 1984, of record in Deed Book 1338, Page 61, in the Fayette County Clerk's Office.

**Permanent Easement**  
**(a portion of 443 W. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 8A**

Beginning at 5/8'rebar pin, said point being the intersection of the north right-of-way of West Fourth Street, and the east right-of-way of Bourbon Avenue, at a corner with 443 West Fourth Street (Transylvania University, Deed Book 1385, Page 759); thence along the east right-of-way of Bourbon Avenue, N 48°43'26" E a distance of 41.10 feet; thence leaving said right-of-way and with a permanent easement, S 41°17'55" E a distance of 2.00 feet; thence, S 48°42'05" W a distance of 26.74 feet; thence with a curve turning to the left with an arc length of 20.91 feet, with a radius of 13.01 feet, with a chord bearing of S 02°38'51" W, with a chord length of 18.73 feet; thence, S 48°42'05" W a distance of 1.37 feet, to a point in the north right-of-way of West Fourth Street; thence along said right-of-way, N 41°16'34" W a distance of 15.50 feet, to the **POINT OF BEGINNING**; and

The above described parcel contains 137.15 sq. ft. of permanent easement; and

Being a portion of the same property conveyed to Transylvania University, a Kentucky non-profit corporation, by Deed dated October 21, 1985, of record in Deed Book 1385, Page 759, in the Fayette County Clerk's Office.

**Permanent Easement**  
**(a portion of 449 W. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 6B**

Beginning at a point being the north right-of-way of West Fourth Street, being the common corner of 451 West Fourth Street (Transylvania University, Deed Book 3323, Page 731) and 449 West Fourth Street (Transylvania University, Deed Book 2743, Page 41); thence leaving said right-of-way, and

along the common line of 451 and 449 West Fourth Street, N 48°06'15" E a distance of 2.00 feet; thence leaving said common line and with a permanent easement, S 41°53'20" E a distance of 12.84 feet; thence N 89°30'09" E a distance of 18.39 feet, to a point in the west right-of-way of Bourbon Avenue; thence along said right-of-way, S 48°06'15" W a distance of 15.84 feet, to a point at the intersection of the west right-of-way of Bourbon Avenue and the north right-of-way of West Fourth Street; thence along the north right-of-way of West Fourth Street, N 41°47'33" W a distance of 25.00 feet, to the **POINT OF BEGINNING**; and

The above described parcel contains 134.40 sq. ft. of permanent easement; and

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation, by Deed dated June 29, 2015, of record in Deed Book 2743, Page 41, in the Fayette County Clerk's Office.

**Permanent Easement**  
**(a portion of 451 W. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 5A**

Beginning at a point being the north right-of-way of West Fourth Street, being the common corner of 451 West Fourth Street (Transylvania University, Deed Book 3323, Page 731) and 453 West Fourth Street (Transylvania University, Deed Book 3323, Page 736); thence leaving said right-of-way, and along the common line of 451 and 453 West Fourth Street, N 48°06'15" E a distance of 2.00 feet; thence leaving said common line and with a permanent easement, S 41°53'20" E a distance of 37.00 feet, to a point in the common line of 451 West Fourth Street, and 449 West Fourth Street (Transylvania University, Deed Book 2743, Page 41); thence along said common line, S 48°06'15" W a distance of 2.00 feet, to the right-of-way of West Fourth Street; thence along said right-of-way, N 41°53'17" W a distance of 37.00 feet, to the **POINT OF BEGINNING**;

The above described parcel contains 74.01 sq. ft. of permanent easement; and

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation, by Deed dated June 29, 2015, of record in Deed Book 3323, Page 731, in the Fayette County Clerk's Office

**Permanent Easement**  
**(a portion of 453 W. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 4B**

Beginning at a point in the north right-of-way of West Fourth Street, being the common corner of 457 West Fourth Street (Transylvania University, Deed Book 3323, Page 736) and 453 West Fourth Street (Transylvania University, Deed Book 3323, Page 736); thence leaving said right-of-way, and along the common line of 457 and 453 West Fourth Street, N 48°06'15" E a distance of 2.00 feet; thence leaving said common line and with a permanent easement, S41°53'20" E a distance of 38.00 feet, to a point in the common line with 453 West Fourth Street and 451 West Fourth Street (Transylvania University, Deed Book 3323, Page 731); thence along said common line, S 48°06'15" W a distance of 2.00 feet, to the right-of-way of West Fourth Street; thence along said right-of-way, N 41°53'21" W a distance of 38.00 feet, to the **POINT OF BEGINNING**; and

The above described parcel contains 76.00 sq. ft. of permanent easement; and

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation, by Deed dated June 29, 2015, of record in Deed Book 3323, Page 736, in the Fayette County Clerk's Office.

**Permanent Easement**  
**(a portion of 457-463 W. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 3A**

Beginning at a 5/8" rebar pin in the north right-of-way of West Fourth Street, being the common corner of 465 West Fourth Street (West Side Properties, LLC, Deed Book 3163, Page 42) and 457 West Fourth Street (Transylvania University, Deed Book 3323, Page 736); thence leaving said

right-of-way, and along the common line of 465 and 457 West Fourth Street, N 48°06'39" E a distance of 2.00 feet; thence leaving said common line and with a permanent easement, S 41°20'43" E a distance of 129.01 feet, to a point in the common line of 457 West Fourth Street and 453 West Fourth Street (Transylvania University, Deed Book 3323, Page 736); thence along said common line, S 48°06'15 W a distance of 2.00 feet, to a point in the right-of-way of West Fourth Street; thence along said right-of-way, N 41°20'43" W a distance of 129.01 feet, to the **POINT OF BEGINNING**; and

The above described parcel contains 258.01 sq. ft. of permanent easement; and

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation, by Deed dated June 29, 2015, of record in Deed Book 3323, Page 736, in the Fayette County Clerk's Office.

**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, install, construct, alter, inspect, maintain, re-grade and perform related work for the purpose of right-of-way construction, improvement 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 Construction Easement**  
**(a portion of 345 North Broadway)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 7C**

Commencing at a 5/8' rebar pin with cap stamped (PLS 3032) being the intersection of the south right-of-way of West Fourth Street, and the west right-of-way of North

Broadway, at a corner with 345 North Broadway (Transylvania University, Plat Cabinet N, Slide 126); thence along the west right-of-way of North Broadway, S 48°37'09" W a distance of 12.21 feet, to the **TRUE POINT OF BEGINNING**; thence along the west right-of-way of North Broadway, S 48°37'09" W a distance of 7.08 feet; thence leaving said right-of-way and with a temporary easement, N 03°39'59" E a distance of 27.29 feet to a point in the south right-of-way of West Fourth Street; thence along the right-of-way of West Fourth Street, S 41°18'49" E a distance of 7.07 feet; thence leaving said right-of-way and with a temporary easement, S 03°39'59" W a distance of 17.27 feet to the **POINT OF BEGINNING**; and

The above described parcel contains 111.40 sq. ft. of temporary easement; and

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation, (i) by Deed dated May 31, 1917, of record in Deed Book 185, Page 316; (ii) by Deed dated July 12, 1921, of record in Deed Book 207, Page 264; (iii) by Deed dated June 30, 1937, of record in Deed Book 296, Page 280; (iv) by Deed dated June 30, 1937, of record in Deed Book 296, Page 304; (v) by Deed dated April 18, 1956, of record in Deed Book 598, Page 339; (vi) by Deed dated April 18, 1956, of record in Deed Book 598, Page 366; (vii) by Deed dated April 25, 1956, of record in Deed Book 599, Page 60; (viii) by Deed dated May 16, 1956, of record in Deed Book 600, Page 212; (ix) by Deed dated May 15, 1957, of record in Deed Book 622, Page 461; (x) by Deed dated January 30, 1962, of record in Deed Book 734, Page 390; (xi) by Deed dated August 9, 1963, of record in Deed Book 773, Page 380; (xii) by Deed dated July 17, 1965, of record in Deed Book 837, Page 523; (xiii) by Deed dated March 5, 1969, of record in Deed Book 956, Page 513, all referenced in the Fayette County Clerk's Office.

**Temporary Construction Easement**  
**(a portion of 350 North Broadway)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 20B**

Commencing at a point being the intersection of the south right-of-way of West Fourth Street, and the east right-of-way of North Broadway, at a corner with 350 North Broadway



(Transylvania University, Deed Book 7, Page 386); thence along the south right-of-way of West Fourth Street, S 40°28'07" E a distance of 428.37 feet, to the **TRUE POINT OF BEGINNING**; thence leaving said right-of-way, and with a temporary easement, N 55°55'52" W a distance of 41.01 feet; thence N 49°23'45" E a distance of 5.06 feet; thence S 49°45'15" E a distance of 47.88 feet; thence S 55°55'52" E a distance of 22.67 feet, to a point in the south right-of-way of West Fourth Street; thence along said right-of-way, S 40°28'07" E a distance of 18.75 feet, to the **POINT OF BEGINNING**; and

The above described parcel contains 401.29 sq. ft. of temporary construction easement; and

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation by (i) Deed dated June 20, 1831, of record Deed Book 7, Page 386; (ii) Deed dated August 22, 1850, of record in Deed Book 26, Page 531; (iii) by Deed dated September 27, 1850, of record in Deed Book 26, Page 553; (iv) by Deed dated September 27, 1850, of record in Deed Book 26, Page 554; (v) by Deed dated June 15, 1852, of record in Deed Book 28, Page 66; (vi) by Deed dated December 11, 1905, of record in Deed Book 142, Page 486; (vii) by Deed dated June 30, 1932, of record in Deed Book 275, Page 94, all referenced in the Fayette County Clerk's Office.

**Temporary Construction Easement**  
**(a portion of 401-405 N. Broadway)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 18B**

Beginning at a point in the north right-of-way of West Fourth Street, being the common corner of 409 West Fourth Street (Transylvania University, Deed Book 1339, Page 396) and 401-405 North Broadway (Transylvania University, Deed Book 1338, Page 61); thence along the common line of 409 West Fourth Street and 401-405 North Broadway, N 48°06'27" E a distance of 10.00 feet; thence leaving said common line and with a temporary easement, S 41°20'51" E a distance of 91.01 feet; thence N 48°42'05" E a distance of 30.00 feet; thence S 41°20'51" E a distance of 45.34 feet, to a point in the west right-of-way of North Broadway; thence, along said right-of-way, S 48°06'27" W a distance of 5.00

feet; thence, leaving said right-of-way, and with a temporary easement, N 41°20'51" W a distance of 10.00 feet; thence S 48°39'09" W a distance of 30.00 feet; thence N 41°20'51" W a distance of 25.00 feet; thence S 48°39'09" W a distance of 5.00 feet, to a point in the north right-of-way of West Fourth Street; thence, along said right-of-way, 41°20'51" W a distance of 101.00 feet, to the **POINT OF BEGINNING**; and

The above described parcel contains 2,239.01 sq. ft. of temporary construction easement; and

Being a portion of the same property conveyed to Transylvania University, a Kentucky non-profit corporation, by Deed dated March 29, 1984, of record in Deed Book 1338, Page 61, in the Fayette County Clerk's Office.

**Temporary Construction Easement**  
**(a portion of 443 W. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 8B**

Commencing at a 5/8" rebar pin, said point being the intersection of the north right-of-way of West Fourth Street, and the east right-of-way of Bourbon Avenue, at a corner with 443 West Fourth Street (Transylvania University, Deed Book 1385, Page 759); thence along the east right-of-way of Bourbon Avenue, N 48°43'26" E a distance of 41.10 feet; thence leaving said right-of-way, S 41°17'55" E a distance of 2.00 feet, to the **TRUE POINT OF BEGINNING**; thence along a temporary easement, S 41°17'55" E a distance of 17.01 feet, S 48°42'05" W a distance of 29.00 feet, S 41°17'55" E a distance of 25.00 feet, S 48°42'05" W a distance of 7.12 feet, S 41°16'34" E a distance of 17.98 feet, to a point in the common line of 443 West Fourth Street and 439 West Fourth Street (Transylvania University, Deed Book 1858, Page 557); thence along said common line, S 48°41'18" W a distance of 4.96 feet, to a point in the north right-of-way of West Fourth Street; thence along said right-of-way, N 41°18'42" W a distance of 46.50 feet; thence leaving said right-of-way and with a temporary easement, N 48°42'05" E a distance of 1.36 feet; thence, with a curve turning to the right with an arc length of 20.91 feet, with a radius of 13.01 feet, with a chord bearing of N 02°38'51" E, with a chord length of 18.73 feet; thence N 48°42'05" E a distance of 26.74 feet, to the **POINT OF BEGINNING**; and

The above described parcel contains 1,036.14 sq. ft. of temporary construction easement; and

Being a portion of the same property conveyed to Transylvania University, a Kentucky non-profit corporation, by Deed dated October 21, 1985, of record in Deed Book 1385, Page 759, in the Fayette County Clerk's Office.

**Temporary Construction Easement**  
**(a portion of 449 W. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 6A**

Commencing at a point being the intersection of the north right-of-way of West Fourth Street, being the common corner of 451 West Fourth Street (Transylvania University, Deed Book 3323, Page 731) and 449 West Fourth Street (Transylvania University, Deed Book 2743, Page 41); thence leaving said right-of-way, and along the common line of 451 and 449 West Fourth Street, N 48°06'15" E a distance of 2.00 feet, to the **TRUE POINT OF BEGINNING**; thence along said common line, N 48°06'15" E a distance of 10.71 feet; thence leaving said common line and with a temporary easement, S 41°17'55" E a distance of 8.41 feet; thence, N 48°42'05" E a distance of 13.00 feet; thence, S 41°17'55" E a distance of 16.46 feet, to a point in the west right-of-way of Bourbon Avenue; thence along said right-of-way, S 48°06'15" W a distance of 9.66 feet; thence leaving said right-of-way and with a temporary easement, S 89°30'09" W a distance of 18.39 feet; thence N 41°53'20" W a distance of 12.84 feet to the **POINT OF BEGINNING**; and

The above described parcel contains 395.46 sq. ft. of temporary construction easement;

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation, by Deed dated June 29, 2015, of record in Deed Book 2743, Page 41, in the Fayette County Clerk's Office.

**Temporary Construction Easement**  
**(a portion of 451 W. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 5B**

Commencing at a point being the intersection of the north right-of-way of West Fourth Street, being the common corner of 451 West Fourth Street (Transylvania University, Deed Book 3323, Page 731) and 453 West Fourth Street (Transylvania University, Deed Book 3323, Page 736); thence leaving said right-of-way, and along the common line of 451 and 453 West Fourth Street, N 48°06'15" E a distance of 2.00 feet, to the **TRUE POINT OF BEGINNING**; thence along said common line, N 48°06'15" E a distance of 4.00 feet; thence leaving said line and with a temporary easement, S 41°53'21" E a distance of 20.34 feet; thence, N 48°42'05" E a distance of 6.88 feet; thence, S 41°17'55" E a distance of 16.59 feet, to a point in the common line of 451 West Fourth Street and 449 West Fourth Street (Transylvania University, Deed Book 2743, Page 41); thence along said common line, S 48°06'15" W a distance of 10.71 feet; thence leaving said line and with a temporary easement, N 41°53'20" W a distance of 37.00 feet, to the **POINT OF BEGINNING**; and

The above described parcel contains 260.96 sq. ft. of temporary construction easement;

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation, by Deed dated June 29, 2015, of record in Deed Book 3323, Page 731, in the Fayette County Clerk's Office.

**Temporary Construction Easement**  
**(a portion of 453 W. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 4A**

Commencing at a point in the north right-of-way of West Fourth Street, being the common corner of 457 West Fourth Street (Transylvania University, Deed Book 3323, Page 736) and 453 West Fourth Street (Transylvania University, Deed Book 3323, Page 736); thence leaving said right-of-way, and along the common line of 457 and 453 West Fourth Street, N 48°06'15" E a distance of 2.00 feet, to the **TRUE POINT OF BEGINNING**; thence along said common line, N 48°06'15" E a distance of 4.00 feet; thence leaving said common line, S 41°53'21" E a distance of 38.00 feet, to a point in the common line with 453 West Fourth Street and 451 West Fourth Street (Transylvania University, Deed Book 3323,

Page 731); thence along said common line, S 48°06'15" W a distance of 4.00 feet; thence leaving said line and with a temporary easement, N 41°53'20" W a distance of 38.00 feet, to the **POINT OF BEGINNING**; and

The above described parcel contains 152.00 sq. ft. of temporary construction easement; and

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation, by Deed dated June 29, 2015, of record in Deed Book 3323, Page 736, in the Fayette County Clerk's Office.

**Temporary Construction Easement**  
**(a portion of 456 W. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 7A**

Beginning at a point being the intersection of the south right-of-way of West Fourth Street, and the east right-of-way of Zem Alley, at a corner with 456 West Fourth Street (Transylvania University, Plat Cabinet N, Slide 126); thence along the south right-of-way of West Fourth Street, S 41°18'49" E a distance of 459.30 feet; thence leaving said right-of-way and with a temporary easement, S 48°42'05" W a distance of 15.49 feet; thence N 41°17'55" W a distance of 459.29 feet, to a point in the east right-of-way of Zem Alley; thence along said right-of-way, N 48°41'05" E a distance of 15.37 feet, to the **POINT OF BEGINNING**; and

The above described parcel contains 7,088.48 sq. ft. of temporary construction easement; and

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation, by deed dated December 10, 1963, of record in Deed Book 785, Page 109 and by deed dated August 10, 1987, of record in Deed Book 1451, Page 81, both referenced in the Fayette County Clerk's Office.

**Temporary Construction Easement**  
**(a portion of 457-463 W. Fourth Street)**  
**Legacy Trail, Phase III and Fourth Street**  
**Corridor Enhancements**  
**Parcel No. 3B**

Commencing at a 5/8" rebar pin in the right-of-way of West Fourth Street, being the common corner of 465 West Fourth Street (West Side Properties, LLC, Deed Book 3163, Page 42) and 457 West Fourth Street (Transylvania University, Deed Book 3323, Page 736); thence leaving said right-of-way, and along the common line of 465 and 457 West Fourth Street, N 48°06'39" E a distance of 2.00 feet, to the TRUE POINT OF BEGINNING; thence along said common line, N 48°06'39" E a distance of 2.78 feet; thence leaving said line and with a temporary easement, S 41°53'21" E a distance of 129.00 feet, to a point in the common line of 457 West Fourth Street and 453 West Fourth Street (Transylvania University, Deed Book 3323, Page 736); thence along said common line, S 48°06'15" W a distance of 4.00 feet; thence leaving said common line and with said easement, N 41°20'43"W a distance of 129.01 feet, to the POINT OF BEGINNING; and

The above described parcel contains 437.01 sq. ft. of temporary construction easement; and,

Being a portion of the property conveyed to Transylvania University, a Kentucky non-profit corporation, by Deed dated June 29, 2015, of record in Deed Book 3323, Page 736, in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** the above-described 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 construction easements runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantor. The above-described permanent easements runs with the land in perpetuity and is binding upon the successors and assigns of the Grantor. The temporary construction easements shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

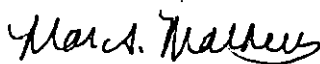
Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of its right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and does hereby covenant to and with the Grantee, its successors and assigns forever, that it is lawfully seized in fee simple of said property and that it will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 366-2018, passed by the Lexington-Fayette Urban County Council on June 21, 2018. Pursuant to KRS 382.135(2)(c), this grant of easement, which pertains to a public right-of-way, need not contain a statement of consideration.

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

GRANTOR:

TRANSYLVANIA UNIVERSITY, a  
Kentucky non-profit corporation

BY:   
\_\_\_\_\_  
MARC A. MATHEWS,  
VICE PRESIDENT FOR FINANCE  
AND BUSINESS





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: PATTY DAVIS ,dc

201811160159

November 16, 2018                      12:39:36    PM

Fees	\$56.00	Tax	\$0.00
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Total Paid	\$56.00
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