

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 9th day of September, 2022, by and between the **KING FAMILY DYNASTY TRUST U/T/A** dated April 23, 2017, **MORGAN ANDREW KING**, as TRUSTEE, 802 Cindy Blair Way, Lexington, Kentucky 40503, 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 **ONE HUNDRED DOLLARS AND 00/100 (\$100.00)**, 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

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

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
Wolf Run Trunks F
Sewer Improvement Project
(a portion of 806 Spring Meadows Drive)

All of that strip or parcel of land situated on the northwest of the intersection of Spring Meadows Drive and Harrodsburg Road (US Highway 68) in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

BEGINNING, at a common corner between Lots 4T and 4U as shown on the Amended Final Record Plan of the H & E Property (Harrod's Park) Unit 3, Lot 4, Block "B" (Plat Cabinet H, Slide 194), said point being the westernmost corner of Lot 4U;

Thence with the southeasterly property line of Lot 4T, N 41°26' 37" E, 44.61 feet to a point;

Thence leaving the southeasterly property line of Lot 4T, with a new temporary construction easement line through the lands of Lot 4U, S 03°33'23" E, 63.09 feet to a point in the northeasterly property line of the aforesaid Lot 4T;

Thence with the northwesterly property line of Lot 4T, N 48°33' 23" W, 44.61 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 995 sq. ft. (0.023 Acres) of temporary construction easement; and

Being a portion of the property conveyed to the King Family Dynasty Trust, u/t/a dated April 23, 2017, Morgan Andrew King, as Trustee, by Deed dated April 23, 2017, of record in Deed Book 3485, Page 734, 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 Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon the completion of the project.

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

The obtaining of this easement was authorized by Resolution 042-2022, passed by the Lexington-Fayette Urban County Council on February 10, 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 Grantor has signed this Temporary Construction Easement, this the day and year first above written.

GRANTOR:

KING FAMILY DYNASTY TRUST U/T/A DATED
APRIL 23, 2017, MORGAN ANDREW KING,
TRUSTEE


BY: 

MORGAN ANDREW KING,
TRUSTEE

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by
Morgan Andrew King, as Trustee, on behalf of the King Family Dynasty Trust u/t/a
dated April 23, 2017, Morgan Andrew King, Trustee, on this the 20TH day of
SEPTEMBER, 2022.





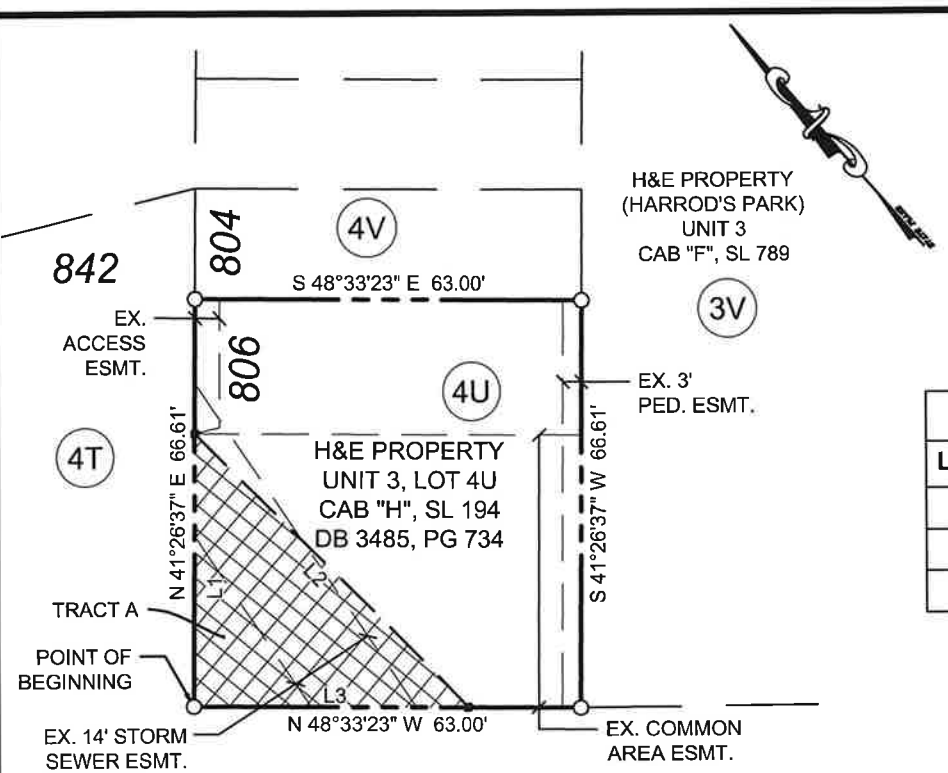
Notary Public, Kentucky, State-at-Large
My Commission Expires: 05 / 10 / 2025
Notary ID # KYNP27704

PREPARED BY:



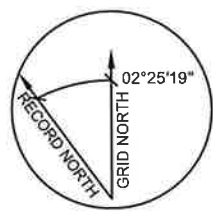
Evan P. Thompson, Attorney Sr.
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

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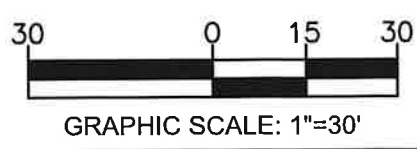
| EASEMENT LINE TABLE | | |
|---------------------|--------|---------------|
| LINE # | LENGTH | BEARING |
| L1 | 44.61' | N 41°26'37" E |
| L2 | 63.09' | S 03°33'23" E |
| L3 | 44.61' | N 48°33'23" W |

H&E PROPERTY
(HARROD'S PARK)
UNIT 3
CAB "H", SL 194
DB 3485, PG 734



BEARING BASIS

TEMP. ESMT. AREA
995 SQ. FT. (0.023 AC)

NOTES:

1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE RECORD DESCRIPTION (DEED BOOK 3485, PAGE 734) AND CORRESPONDING PLAT (CABINET "H" SLIDE 194) 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 PROPOSED CONVEYANCE FOR 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.

**SANITARY SEWER EASEMENT EXHIBIT
KING FAMILY DYNASTY TRUST
806 SPRING MEADOWS DRIVE
WOLF RUN TRUNK F SEWER IMPROVEMENTS
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY**



FIGURE 1

JULY 2022

2815.298

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

202209260011

September 26, 2022 10:21:34 AM

| | | | |
|------|---------|-----|--------|
| Fees | \$53.00 | Tax | \$.00 |
|------|---------|-----|--------|

| | |
|------------|---------|
| Total Paid | \$53.00 |
|------------|---------|

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7 Pages

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