

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this 10 day of JUNE 2015, by and between **DONNA G. HORN AND KURT VOLK**, wife and husband, 2412 Great Stone Point, Lexington, Fayette County, 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 **SEVEN THOUSAND FOUR HUNDRED TWENTY-FIVE DOLLARS AND NO/100 (\$7,425.00)**, and other good and valuable consideration, 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 based upon Lexington-Fayette Urban County Control Survey Monuments:

Temporary Construction Easement
(a portion of 4127 Todds Road)

Polo Club Boulevard Road Improvement Project
(Deerhaven Lane to Todds Road)

Being a tract of land lying in Fayette County along Polo Club Boulevard at the northwest intersection of Polo Club Boulevard and Todds Road (KY 1927), and more particularly

Mail to:
Hon. Glenda Humphrey George
Department of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

(CC-F)

described as follows:

Beginning at a point in the existing right of way line of Polo Club Boulevard 78.69 feet left of Polo Club Boulevard station 498+06.45; thence with the existing right of way line of Todds Road N 75°55'31" W, a distance of 11.35' to a point 90.00 feet left of Polo Club Boulevard station 498+05.42; thence, with the proposed easement line N 19°15'57" E, a distance of 191.69' to a point in the north property line 90.00 feet left of Polo Club Boulevard station 499+97.11; thence with the north property line S 76°11'58" E, a distance of 20.09' to a point 70.00 feet left of Polo Club Boulevard station 499+99.03; thence with the existing right of way line of Polo Club Boulevard S 19°15'57" W, a distance of 141.19' to a point 70.00 feet left of Polo Club Boulevard station 498+57.84; thence S 28°52'03" W, a distance of 52.12' to the POINT OF BEGINNING.

The above described parcel contains 3,614.86 square feet (0.083 acres); and,

Being a portion of the same property conveyed to Donna G. Horn, a married person, by deed dated April 13, 2012, of record in Deed Book 3066, Page 610, 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 will expire upon completion of the improvement project on this land, 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.

Grantors do hereby release and relinquish unto 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 this easement was authorized by Resolution 16-2015, passed by the Lexington-Fayette Urban County Council on January 29, 2015. Pursuant to KRS 382-135(2)(a), this public utility easement is exempt from real estate transfer tax pursuant to KRS 142.050.

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

GRANTORS:

Donna G. Horn
DONNA G. HORN

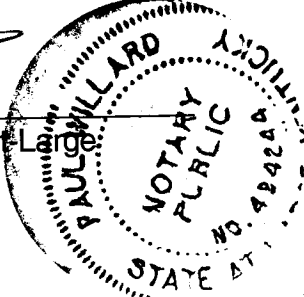
Kurt Volk
KURT VOLK

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

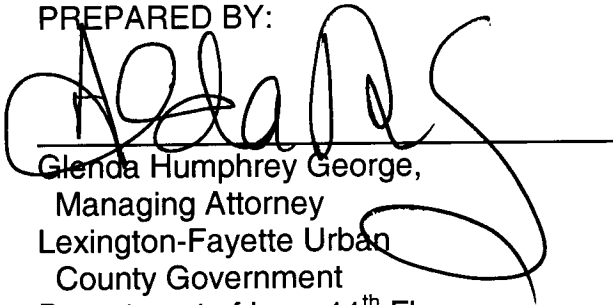
The foregoing Temporary Construction Easement was subscribed, sworn to and acknowledged before me by Donna G. Horn and Kurt Volk, wife and husband, on this the 10 day of JUNE, 2015.

My commission expires: 7-29-2017

Paul Willard
Notary Public, Kentucky, State-at-Large
494244




PREPARED BY:

A large, stylized handwritten signature in black ink, appearing to read 'Glenda', is written over a horizontal line. The signature is highly cursive and loops around the text below.

Glenda Humphrey George,
Managing 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.



By: MARCIA DERR ,dc

201506110095

June 11, 2015 11:15:26 AM

Fees	\$20.00	Tax	\$0.00
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Total Paid	\$20.00
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5 Pages

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