

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 10TH day of MAY, 2022, by and between **MICHAEL BRYAN BOLING** and **SARAH E. BOLING, husband and wife**, 531 Southbend Drive, 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").

WITNESSETH:

That for and in consideration of the sum of **FIFTY DOLLARS AND 00/100 (\$50.00)**, 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,

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

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 531 Southbend Drive)

Tract A

All of that strip or parcel of land situated on the north side of Southbend Drive east of Clays Mill Road in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

BEGINNING at a point in the northerly right-of-way line of Southbend Drive, said point being a common corner between Lots 13 and 14, Block " E," as shown on the Final Plat of Lafayette Subdivision (Cabinet E, Slide 730); thence leaving the northerly right-of-way line of Southbend Drive, with the easterly property line of Lot 14, N 31°14'07" E, 4.08 feet to a point; thence leaving the easterly property line of Lot 14, with a new temporary easement line through the lands of Lot 13, S 87°05'33" E, 28.16 feet to a point in the northerly right-of-way line of Southbend Drive; thence with the northerly right-of-way line of Southbend Drive, 30.32 feet along a curve to the left, having a radius of 330.00 feet, the chord of which is S 86°05'46" W, 30.31 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 44 sq. ft. (0.001 Acres) of temporary construction easement; and

Tract B

All of that strip or parcel of land situated on the north side of Southbend Drive east of Clays Mill Road in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

BEGINNING at a point in the northerly right-of-way line of Southbend Drive, said point being a common corner between Lots 11 and 12, Block "E," as shown on the Final Plat of Lafayette Subdivision (Cabinet E, Slide 730); thence with the northerly right-of-way line of Southbend Drive, 57.70 feet along a curve to the left, having a radius of 330.00 feet, the chord of which is N 77°54'15" W, 57.63 feet to a point; thence leaving the northerly right-of-way line of Southbend Drive, with a new temporary easement line through the lands of Lot 12 for two (2) calls;

- 1) S 87°05'33" E, 48.26 feet to a point; and
- 2) S 63°23'16" E, 12.00 feet to a point in the westerly property line of the aforesaid Lot 11;

Thence with the westerly property line of Lot 11, S 31°14'07" W, 4.97 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 203 sq. ft. (0.005 Acres) of temporary construction easement; and

Both of the above tracts being a portion of the property conveyed to Michael Bryan Boling and Sarah E. Boling, husband and wife, by Deed dated April 26, 2017, of record in Deed Book 3486, Page 723, 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 it 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 042-2022, passed by the Lexington-Fayette Urban County Council on February 10, 2022. Pursuant to KRS 382.135(2)(c), 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:



MICHAEL BRYAN BOLING



SARAH E. BOLING

[Intentionally Left Blank]

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Michael Bryan Boling and Sarah E. Boling, husband and wife, on this the 18th day of May, 2022.

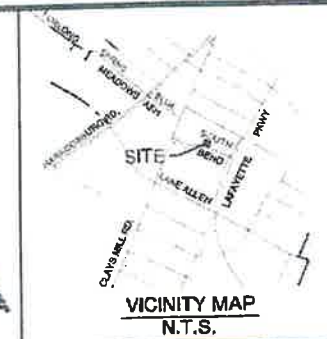
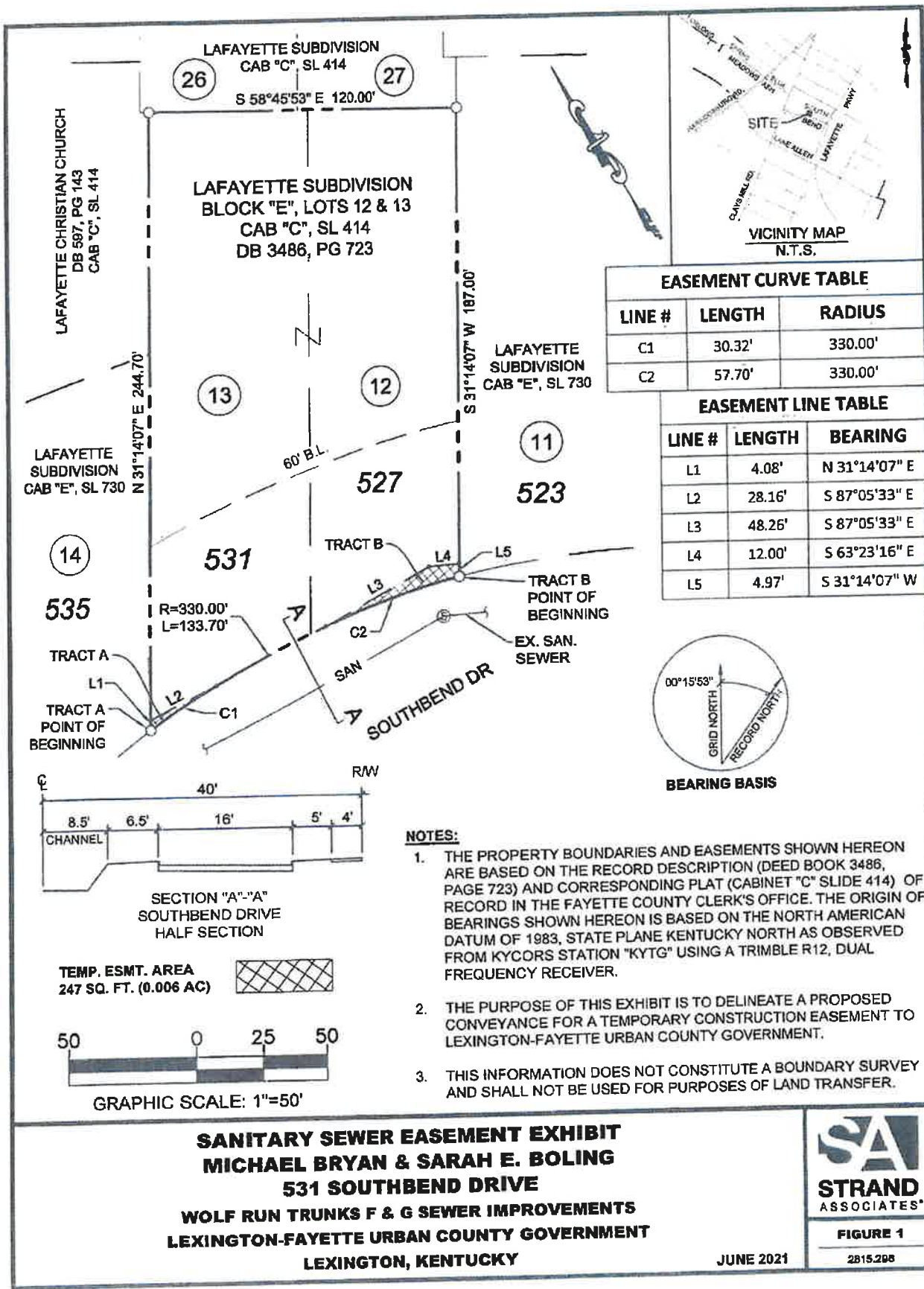


Michael Clayborne
Notary Public, Kentucky, State-at-Large
My Commission Expires: 05 / 10 / 2025
Notary ID # KYNP27704

PREPARED BY:
[Signature]

Evan P. Thompson, 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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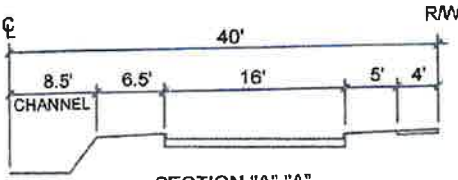


EASEMENT CURVE TABLE

LINE #	LENGTH	RADIUS
C1	30.32'	330.00'
C2	57.70'	330.00'

EASEMENT LINE TABLE

LINE #	LENGTH	BEARING
L1	4.08'	N 31°14'07" E
L2	28.16'	S 87°05'33" E
L3	48.26'	S 87°05'33" E
L4	12.00'	S 63°23'16" E
L5	4.97'	S 31°14'07" W



TEMP. ESMT. AREA
247 SQ. FT. (0.006 AC)



NOTES:

1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE RECORD DESCRIPTION (DEED BOOK 3486, PAGE 723) AND CORRESPONDING PLAT (CABINET "C" SLIDE 414) 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 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
MICHAEL BRYAN & SARAH E. BOLING
531 SOUTHBEND DRIVE
WOLF RUN TRUNKS F & G SEWER IMPROVEMENTS
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY**



FIGURE 1
2815.295

JUNE 2021

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: EMILY GENTRY ,dc

202205120249

May 12, 2022 14:40:08 PM

Fees	\$53.00	Tax	\$0.00
Total Paid		\$53.00	

THIS IS THE LAST PAGE OF THE DOCUMENT

7 Pages

349 - 355