

**TEMPORARY CONSTRUCTION EASEMENT**

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 22 day of SEPTEMBER, 2016, by and between **DAVID A. TERRY, a single person**, 601 Stratford Drive, 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 THOUSAND THREE HUNDRED FIFTY DOLLARS AND 00/100 (\$1,350.00)**, 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, 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, to wit:

**Temporary Construction Easement**  
**(a portion of 601 Stratford Drive)**

**Clays Mill Road Improvement Project, Section 1**  
**(Harrodsburg Road to New Circle Road)**

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

(C-F)

**Parcel No. 71**

Being a tract of land lying in Fayette County on the west side of Clays Mill Road, point of beginning, being approximately 25 feet north of the intersection of Stratford Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 38.52 feet left of Clays Mill Road at Station 169+34.71; thence North 65 Degrees 43 Minutes 39 Seconds West a distance of 14.45 feet to a point 52.97 feet left of Clays Mill Road at Station 169+34.48; thence North 73 Degrees 12 Minutes 41 Seconds East a distance of 6.62 feet to a point 48.05 feet left of Clays Mill Road at Station 169+38.91; thence North 26 Degrees 08 Minutes 22 Seconds East a distance of 114.28 feet to a point 46.20 feet left of Clays Mill Road at Station 170+53.18; thence South 65 Degrees 18 Minutes 14 Seconds East a distance of 9.60 feet to a point 36.60 feet left of Clays Mill Road at Station 170+53.26; thence South 26 Degrees 08 Minutes 22 Seconds West a distance of 118.56 feet to a point 38.52 feet left of Clays Mill Road at Station 169+34.71 and the POINT OF BEGINNING, and;

The above described parcel contains 0.026 Acres (1,148 sq. ft.) of temporary construction easement; and,

Being a portion of the property conveyed to David A. Terry, a single person, by deed dated October 2, 2013, of record in Deed Book 3189, Page 420, 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 runs with the land for the duration of the improvement project on this land 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 completion of the project.

Grantor does hereby release and relinquish unto 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 477-2016, passed by the Lexington-Fayette Urban County Council on July 5, 2016. 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 Grantor has signed this Temporary Construction Easement, this the day and year first above written.

GRANTOR:

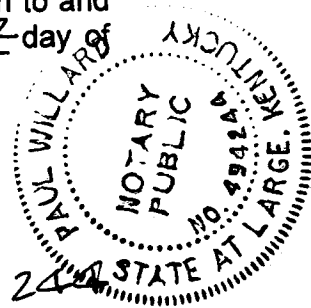
*David A. Terry*  
DAVID A. TERRY

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

The foregoing Temporary Construction Easement was subscribed, sworn to and acknowledged before me by David A. Terry, a single person, on this the 22 day of September, 2016.

My Commission Expires: 7-29-2017

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



PREPARED BY:



Charles E. Edwards, III,  
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: PATTY DAVIS ,dc

201610040313

October 4, 2016                      14:24:18    PM

|      |         |     |        |
|------|---------|-----|--------|
| Fees | \$20.00 | Tax | \$ .00 |
|------|---------|-----|--------|

|            |         |
|------------|---------|
| Total Paid | \$20.00 |
|------------|---------|

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