

Fayette County, Item No. 07-113.00

GRANT OF EASEMENT

THIS DEED, entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 by and between Lexington Fayette Urban County Government Public Facilities Corporation, a Kentucky non-profit corporation, whose address is 200 East Main Street Lexington, KY 40507, party of the first part, (in whose care the state and county tax bill for the aforesaid calendar year may be sent); and the COMMONWEALTH OF KENTUCKY for the use and benefit of the TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS, 200 Mero Street, Frankfort, Kentucky 40622, party of the second part.

WITNESSETH: That the Grantor in consideration of, the benefit to be derived from the highway construction the receipt of which is hereby acknowledged, have/has bargained and sold and do/does hereby sell, grant and convey to the Grantee, its successors and assigns forever, the following described property and property rights, viz:

A tract of land in Lexington, Fayette County, Kentucky; said tract being a portion of a parcel of land known now or formerly as 1795 Old Frankfort Pike; said tract being more particularly described as follows:

**Tract 14**

Being a tract of land lying in Fayette County along Old Frankfort Pike approximately 90 feet north of the intersection of Old Frankfort Pike and Duncan Machinery Drive, and more particularly described as follows:

Beginning at a point in the existing right of way line 94.10 feet left of Proposed Old Frankfort Pike station 57+14.20; thence with the proposed easement line North 21 degrees 15 minutes 27 seconds East, 27.87 feet to a point 121.69 feet left of Proposed Old Frankfort Pike

station 57+17.90; thence with the proposed easement line South 66 degrees 44 minutes 04 seconds East, 94.36 feet to a point 107.80 feet left of Proposed Old Frankfort Pike station 58+04.62; thence with the proposed easement line South 23 degrees 15 minutes 45 seconds West, 51.80 feet to a point in the existing right of way line 56.38 feet left of Proposed Old Frankfort Pike station 57+98.70; thence with the existing right of way line North 68 degrees 36 minutes 54 seconds West, 22.45 feet to a point 58.55 feet left of Proposed Old Frankfort Pike station 57+77.18; thence with the existing right of way line North 21 degrees 23 minutes 06 seconds East, 27.00 feet to a point 85.41 feet left of Proposed Old Frankfort Pike station 57+79.84; thence with the existing right of way line North 68 degrees 36 minutes 54 seconds West, 70.10 feet to the point of beginning.

The above described parcel contains .071 acres (3,089 sq. ft.). It is the specific intention of the grantor(s) herein to convey a temporary easement to the property described above for the purpose of pavement removal; said easement terminates and reverts upon completion of same.

Being a portion of the same tract of land conveyed to Lexington Fayette Urban County Government Public Facilities Corporation, a Kentucky non-profit corporation by Lexington Fayette Urban County Government, an urban county government of the Commonwealth of Kentucky, dated July 13, 1991, which is duly recorded in Deed Book No. 1591 at page 498 and recorded in the office of the County Clerk of Fayette County, Kentucky.

The acquisition of the right of way of this project was authorized by the Kentucky Department of Highways Official Order No. 108520. The control of access on this project shall be fully controlled access highway from Sta. 275+20.10 to Sta. 385+80.04, as required to be set forth in Section 6 of the Kentucky Administrative Regulations, (603 KAR 5:120).

The proposed public road, New Circle Road (KY 4), 1100 FD04 034 8534101R, Item No. 7-113.00, the plans for which are on file

in the office of the Department of Highways in Frankfort, Kentucky.

CONSIDERATION CERTIFICATE OF GRANTORS

The parties of the first part, Lexington-Fayette Urban County Government Public Facilities Corporation (Grantor), hereby acknowledge that I (we) have been offered compensation based on a Minor Acquisition Review, but hereby waive that right in exchange for the consideration of, the benefit to be derived from the highway construction. Further parties of the first part, Lexington-Fayette Urban County Government, Grantor herein, hereby certify that this Deed of Conveyance as set forth herein above for the property hereby conveyed is being donated by Grantor for the purpose of highway improvement. Further, parties of the first part, Lexington-Fayette Urban County Government. Grantor herein, hereby certify that the real property conveyed herein is estimated to have a fair cash value of \$7,100. Consideration is exempt from Kentucky transfer tax by virtue of KRS 142.050(7)(b).

TO HAVE AND TO HOLD said property and property rights unto the Grantee, its successors and assigns, with all the rights and privileges thereunto belonging with covenants of General Warranty.

