

**TEMPORARY CONSTRUCTION EASEMENT**

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 5 day of JANUARY, <sup>2017</sup>~~2016~~, by and between **DAVID T. HALL AND CARLA J. HALL, husband and wife**, 2810 Clays Mill Road, 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 **ONE THOUSAND TWENTY-FIVE DOLLARS AND 00/100 (\$1,025.00)**, 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, 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:

**Right-of-way Temporary Construction Easement**  
**(a portion of 2810 Clays Mill Road)**

**Clays Mill Road Improvement Project, Section 1**  
**(Harrodsburg Road to New Circle Road)**  
**Parcel No. 27**

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately

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

(CCF)

240 feet north of the intersection of Cecil Way and Clays Mill Road, and more particularly described as follows:

Beginning at a point 40.00 feet right of Clays Mill Road at Station 133+08.22; thence North 37 Degrees 45 Minutes 47 Seconds East a distance of 105.92 feet to a point 40.40 feet right of Clays Mill Road at Station 134+14.15; thence South 52 Degrees 14 Minutes 13 Seconds East a distance of 35.00 feet to a point 75.40 feet right of Clays Mill Road at Station 134+14.02; thence North 60 Degrees 16 Minutes 03 Seconds West a distance of 28.26 feet to a point 47.40 feet right of Clays Mill Road at Station 134+10.17; thence South 36 Degrees 57 Minutes 50 Seconds West a distance of 99.88 feet to a point 48.42 feet right of Clays Mill Road at Station 133+10.30; thence North 66 Degrees 17 Minutes 23 Seconds West a distance of 8.67 feet to a point 40.00 feet right of Clays Mill Road at Station 133+08.22 and the POINT OF BEGINNING; and,

The above described parcel contains 0.020 acres (862 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to David T. Hall and Carla J. Hall, husband and wife by deed dated November 12, 1998, of record in Deed Book 2016, Page 547, in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** said easement together with all rights, appurtenances, and improvements thereunto belonging unto the Grantee, its successors and assigns, forever, in fee simple.

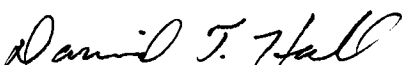
The above-described temporary construction easement runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantors. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.


Grantors do hereby release and relinquish unto the Grantee, its successors and assigns forever, all of her 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 they are lawfully seized in fee simple of said property and have good right to sell and convey the same property interest as herein done, and that they 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)(c), this temporary construction easement, which pertains to a public right-of-way, 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:

  
\_\_\_\_\_  
DAVID T. HALL

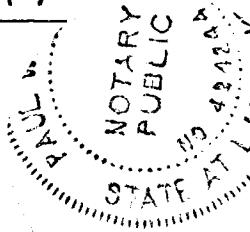
  
\_\_\_\_\_  
CARLA J. HALL

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This instrument was acknowledged, subscribed and sworn to before me by David  
T. Hall and Carla J. Hall, husband and wife, on this the 5 day of JANUARY, ~~2016~~ <sup>2017</sup>.

*Paul White* 494 244  
Notary Public, Kentucky, State at Large

My Commission Expires: 7/29/2017




PREPARED BY:

*Charles E. Edwards, III*

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: EMILY GENTRY ,dc

201701090250

January 9, 2017                      11:28:50    AM

Fees	\$20.00	Tax	\$ .00
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Total Paid	\$20.00
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5 Pages

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