

**DEED OF CONVEYANCE AND TEMPORARY CONSTRUCTION EASEMENT**

This **DEED OF CONVEYANCE AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 7<sup>th</sup> day of February, 2019, by and between **MAIN & VINE PROPERTIES, LLC, a Kentucky limited liability company,** 333 West Vine Street, Suite 300, Lexington, Kentucky 40507, 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 **TWO HUNDRED SIXTY-TWO THOUSAND DOLLARS AND 00/100 (\$262,000.00)**, 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, in fee simple, the following described property, located in Fayette County, Kentucky:

**Fee Simple**  
**(a portion of 400 E. Main Street)**  
**Town Branch Commons Project**  
**Parcel No. 16, Tract A, Zone 1**

Being a tract of land located in Fayette County, Kentucky along East Vine Street, approximately 205 feet southwest of the intersection of East Vine Street and East Main Street, and more particularly described as follows:

Beginning at a point 19.58 feet left of East Vine Street Station 144+27.24; thence along an arc 33.56 feet to the left,

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

(C-F)

having a radius of 87.66 feet, the chord of which is North 89 Degrees 03 Minutes 04 Seconds East, 33.36 feet, to a point 23.88 feet left of East Vine Street Station 144+63.71; thence North 77 Degrees 20 Minutes 08 Seconds East, 1.91 feet to a point 24.36 feet left of East Vine Street Station 144+65.77; thence along an arc 15.00 feet to the left, having a radius of 270.87 feet, the chord of which is North 71 Degrees 43 Minutes 45 Seconds East, 15.00 feet, to a point 28.96 feet left of East Vine Street Station 144+81.87; thence along an arc 98.02 feet to the left, having a radius of 579.48 feet, the chord of which is North 51 Degrees 39 Minutes 21 Seconds East, 97.90 feet, to a point 66.73 feet left of East Vine Street Station 145+96.87; thence South 42 Degrees 51 Minutes 08 Seconds East, 4.56 feet to a point 62.28 feet left to East Vine Street Station 145+98.22; thence South 0 Degrees 18 Minutes 20 Seconds West, 26.57 feet to a point 39.02 feet left of East Vine Street Station 145+81.84; thence along an arc 39.94 feet to the right, having a radius of 41.00 feet, the chord of which is South 35 Degrees 25 Minutes 51 Seconds West, 38.38 feet, to a point 18.40 feet left of East Vine Street Station 145+44.90; thence South 69 Degrees 39 Minutes 51 Seconds West, 10.00 feet to a point 17.71 feet left of East Vine Street Station 145+34.10; thence along an arc 98.42 feet to the right, having a radius of 218.65 feet, the chord of which is South 88 Degrees 58 Minutes 07 Seconds West, 97.60 feet to the point of beginning; and,

The above described parcel contains 0.063 Acres (2,748 square feet) of fee simple; and,

Being a portion of the same property conveyed to Main & Vine Properties, LLC, a Kentucky limited liability company, by deed dated May 3, 2016, of record in Deed Book 3394, Page 626 and by deed dated November 16, 2016, of record in Deed Book 3446, Page 634, both referenced in the Fayette County Clerk's Office.

**FURTHER**, for and in consideration of the sum hereinbefore mentioned, the receipt and sufficiency of which is hereby acknowledged, 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 constructing said Town Branch Trail and roadway slopes

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 400 E. Main Street)**  
**Town Branch Commons Project**  
**Parcel No. 16, Tract B, Zone 1**

Being a tract of land located in Fayette County, Kentucky along East Vine Street, approximately 215 feet southwest of the intersection of East Vine Street and East Main Street, and more particularly described as follows:

Beginning at a point 19.69 feet left of East Vine Street Station 144+20.06; thence along an arc 71.40 feet to the left, having a radius of 46.03 feet, the chord of which is North 8 Degrees 41 Minutes 11 Seconds West, 64.45 feet, to a point 78.00 feet left of East Vine Street Station 143+84.96; thence North 60 Degrees 18 Minutes 49 Seconds East, 5.21 feet to a point 82.00 feet left of East Vine Street Station 143+90.00; thence South 38 Degrees 44 Minutes 50 Seconds East, 65.21 feet to a point 40.00 feet left of East Vine Street Station 144+58.00; thence North 47 Degrees 12 Minutes 11 Seconds East, 84.85 feet to a point 89.00 feet left of East Vine Street Station 145+55.00; thence North 36 Degrees 46 Minutes 04 Seconds West, 40.29 feet to a point 127.00 feet left of East Vine Street Station 145+30.00; thence North 49 Degrees 37 Minutes 31 Seconds East, 15.73 feet to a point 133.00 feet left of East Vine Street Station 145+62.42; thence South 42 Degrees 51 Minutes 08 Seconds East, 69.01 feet to a point 66.73 feet left of East Vine Street Station 145+96.87; thence along an arc 98.02 feet to the right, having a radius of 579.48 feet, the chord of which is South 51 Degrees 39 Minutes 21 Seconds West, 97.90 feet, to a point 28.96 feet left of East Vine Street Station 144+81.87; thence along an arc 15.00 feet to the point to the right, having a radius of 270.87 feet, the chord of which is South 71 Degrees 43 Minutes 45 Seconds West, 15.00 feet, to a point 24.36 feet left of East Vine Street Station 144+65.77; thence South 77 Degrees 20 Minutes 08 Seconds West, 1.91 feet to a point 23.88 feet left of East Vine Street Station 144+63.71; thence along an arc 33.56 feet to the right, having a radius of 87.66 feet, the chord of which is South 89 Degrees 03 Minutes 04 Seconds West, 33.36 feet, to a point 19.58 feet left of East Vine Street

Station 144+27.24; thence along an arc 6.58 feet to the right, having a radius of 218.65 feet, the chord of which is North 77 Degrees 16 Minutes 24 Seconds West, 6.58 feet to the point of beginning; and,

The above described parcel contains 0.109 Acres (4,766 square feet) of temporary construction easement; and,

Being a portion of the same property conveyed to Main & Vine Properties, LLC, a Kentucky limited liability company, by deed dated May 3, 2016, of record in Deed Book 3394, Page 626 and by deed dated November 16, 2016, of record in Deed Book 3446, Page 634, both referenced in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** the above-described interests 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 Grantor. The temporary construction easement shall take effect upon the commencement of the construction of the project and will expire upon completion of the project.

Grantor does hereby covenant to and with the Grantee, its successors and assigns forever, that it is lawfully seized in fee simple of said property and has good right to sell and convey the same as herein done, and that it will **WARRANT GENERALLY** said title.

The parties do hereby certify pursuant to KRS 382.135 that the consideration stated herein is the full actual consideration paid for the property transferred herein, and the estimated fair cash value of the property conveyed is \$262,000.00. Grantee joins this Deed for the sole purpose of certifying the consideration, as authorized by

Resolution No. 384-2018, passed by the Lexington-Fayette Urban County Council on June 21, 2018. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

**IN TESTIMONY WHEREOF**, the Grantor has signed this Deed of Conveyance and Temporary Constriction Easement, this the day and year first above written.

GRANTOR:

MAIN & VINE PROPERTIES, LLC, a  
Kentucky limited liability company

BY:   
\_\_\_\_\_  
PHIL HOLOUBEK, MANAGER

GRANTEE:

LEXINGTON-FAYETTE URBAN  
COUNTY GOVERNMENT

BY:   
\_\_\_\_\_  
LINDA GORTON, MAYOR

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This Instrument and consideration certificate was acknowledged, subscribed and sworn to before me by Phil Holoubek, as Manager, for and on behalf of the Main & Vine Properties, LLC, a Kentucky limited liability company, on this the 7 day of FEBRUARY 2019.



Notary Public, Kentucky, State-at-Large

My Commission Expires: 7 / 29 / 2021

Notary ID # 383153

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This Certificate of Consideration certificate was acknowledged, subscribed and sworn to before me by Linda Gorton, as Mayor, for and on behalf of the Lexington-Fayette Urban County Government, on this the 7th day of February, 2019.



Notary Public, Kentucky, State-at-Large

My Commission Expires: 2 / 24 / 2021

Notary ID # 573812



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.

  
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By: SHEA BROWN ,dc

201902200132

February 20, 2019                      10:56:50    AM

Fees	\$29.00	Tax	\$262.00
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Total Paid	\$291.00
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8 Pages

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