

Fayette County, Item No. 07-593.20

## DEED OF CONVEYANCE

THIS DEED, entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 by and between Lexington-Fayette Urban County Government, an urban county government of the Commonwealth of Kentucky, whose address 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 northern portion of a parcel of land located on the west side of Pine Street near its intersection with Cross Street; said tract being more particularly described as follows:

**Tract 216A**

Beginning at the intersection of the proposed Newtown Pike right-of-way line and the Grantor's northern property line at a point 48.58 feet right of Newtown Pike Phase 2 Sta. 32+20.08;

thence with said property line North 64 degrees 53 minutes 20 seconds East, 55.64 feet to a point at the intersection of the existing west right-of-way line of Pine Street and the west right-of-way line of the CNO&TP railroad 1.00 feet left of Newtown Pike Phase 2 Sta. 31+94.83;

thence with said railroad right-of-way line 193.41 feet along an arc to the left, having a radius of 1391.14 feet, the chord of which is South 6 degrees 51 minutes 11 seconds West, 193.25

feet to a point in grantor's southern property line 15.75 feet right of Newtown Pike Phase 2 Sta. 33+87.35;

thence with said line South 47 degrees 48 minutes 49 seconds West, 45.69 feet to a point in said proposed right-of-way line 48.58 feet right of Newtown Pike Phase 2 Sta. 34+19.13;

thence with said proposed line North 1 degrees 52 minutes 54 seconds East, 199.05 feet to the point of beginning.

The above described parcel contains 7,396 square feet.

It is understood between the parties hereto and made a covenant herein that the above described property is conveyed in fee simple.

Being a portion of the same tract of land conveyed to Lexington-Fayette Urban County Government by Shely Construction Company, Inc., a Kentucky corporation, deed bearing date of 6<sup>th</sup> day of April, 1978, which is duly recorded in Deed Book No. 1194 at page 810 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. 106727. The control of access on this project shall be partially controlled access highway from Sta. 29+40.00 to Sta. 55+00.00, as required to be set forth in Section 6 of the Kentucky Administrative Regulations, (603 KAR 5:120).

The proposed public road, Newtown Pike Extension - Phase 2 Project, FD04 1550 C034 6968307R, Item No. 7-593.20, 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 (Grantor), hereby acknowledge that I (we) have been offered compensation based on an appraisal, 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 \$51,000. 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.

