

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 4 day of OCTOBER, 2016, by and between **GREGORY MARSHALL and VIDYA MARSHALL, husband and wife**, 3113 Weymouth Court, Lexington, Kentucky 40509, 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").

W I T N E S S E T H:

That for and in consideration of the sum of **NINE HUNDRED EIGHTY-THREE DOLLARS AND 00/100 (\$983.00)**, 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 bridge 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 3113 Weymouth Court)

Project Number 553
Brighton Rail Trail Bridge Project

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

(CCF)

Parcel No. 4

Beginning at a point 17.72 feet right of Brighton Trail at Station 12+83.44; thence South 81 Degrees 39 Minutes 39 Seconds East a distance of 137.00 feet to a point 8.81 feet right of Brighton Trail at Station 14+19.54; thence South 7 Degrees 36 Minutes 54 Seconds West a distance of 11.70 feet to a point 20.50 feet right of Brighton Trail at Station 14+19.69; thence North 80 Degrees 35 Minutes 53 Seconds West a distance of 131.50 feet to a point 26.57 feet right of Brighton Trail at Station 12+89.73; thence North 23 Degrees 09 Minutes 54 Seconds West a distance of 10.86 feet to a point 17.72 feet right of Brighton Trail at Station 12+83.44 and the POINT OF BEGINNING.

The above described parcel contains 0.032 Acres (1,403 sq. ft.) of temporary construction easement; and,

Being a portion of the property conveyed to Gregory Marshall and Vidya Marshall, husband and wife, by deed dated July 17, 2007, of record in Deed Book 2743, Page 142, 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 Grantors. The temporary construction easement shall take effect upon the commencement of construction of the project and shall be binding until the completion of the project.

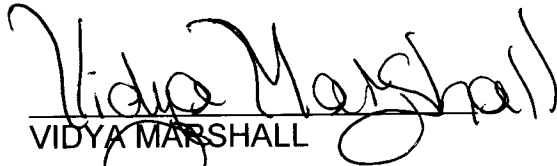
Grantors do hereby release and relinquish unto the Grantee, its successors and assigns forever, that they are lawfully seized in fee simple of said property and have good right to sell and convey the same as herein done, and that they will **WARRANT GENERALLY** said title.

The obtaining of this easement was authorized by Resolution 478-2016, 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 Grantors have signed this Temporary Construction Easement, this the day and year first above written.

GRANTORS:


GREGORY MARSHALL


VIDYA MARSHALL

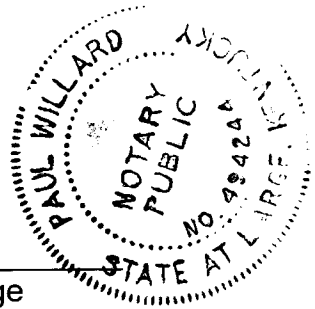
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing Temporary Construction Easement was subscribed, sworn to and acknowledged before me by Gregory Marshall and Vidya Marshall, husband and wife, on this the 4 day of October, 2016.

My Commission Expires: 7-29-2017



Notary Public, Kentucky, State at Large
494244



PREPARED BY:

A handwritten signature in black ink, appearing to read "Charles E. Edwards, III", written over a horizontal line.

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

X:\Cases\ENGINEER\16-RE0504\RE\00547957.DOC

**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: SHEA BROWN ,dc

201610050117

October 5, 2016 10:17:43 AM

Fees \$20.00 Tax \$.00

Total Paid \$20.00

THIS IS THE LAST PAGE OF THE DOCUMENT

5 Pages

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