

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 9 day of November, 2016, by and between **TERESA M. FOODY, a single person**, 2054 Clays Mill Road, Kentucky 40503, 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 **FOUR HUNDRED FIFTY DOLLARS AND 00/100 (\$450.00)**, 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, 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 2054 Clays Mill Road)**Clays Mill Road Improvement Project, Section 1**
(Harrodsburg Road to New Circle Road)
Parcel No. 100

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately 99 feet north of the intersection of Rosemill Drive and Clays Mill Road, and more particularly described as follows:

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

(C-E)

Beginning at a point 37.10 feet right of Clays Mill Road at Station 180+68.15; thence North 23 Degrees 57 Minutes 10 Seconds East a distance of 60.00 feet to a point 36.87 feet right of Clays Mill Road at Station 181+27.96; thence South 66 Degrees 02 Minutes 50 Seconds East a distance of 6.38 feet to a point 43.26 feet right of Clays Mill Road at Station 181+27.97; thence South 23 Degrees 57 Minutes 10 Seconds West a distance of 60.00 feet to a point 43.48 feet right of Clays Mill Road at Station 180+68.19; thence North 66 Degrees 02 Minutes 50 Seconds West a distance of 6.38 feet to a point 37.10 feet right of Clays Mill Road at Station 180+68.15 and the POINT OF BEGINNING; and,

The above described parcel contains 0.009 acres (383 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Teresa M. Foody, a single person, by deed dated September 6, 1994, of record in Deed Book 1748, Page 606, 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 and is binding upon the successors and assigns of the Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

Grantor does 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 she is lawfully seized in fee simple of said property and has good right to sell and convey the

same property interest as herein done, and that she 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 Grantor has signed this Temporary Construction Easement, this the day and year first above written.

GRANTOR:

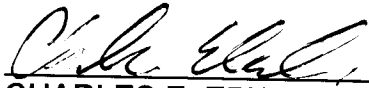
Teresa M. Foody
TERESA M. FOODY

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Teresa M. Foody, a single person, on this the 9 day of November, 2016.

Paul White 494244
Notary Public, Kentucky, State at Large
My Commission Expires: 7 / 29 / 2017

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

X:\Cases\ENGINEER\16-RE0059\RE\00552892.DOC

DEED BOOK 3445 PAGE 389

**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: MELISSA STELTER ,dc

201611140240

November 14, 2016 13:44:08 PM

Fees \$20.00 Tax \$.00

Total Paid \$20.00

THIS IS THE LAST PAGE OF THE DOCUMENT

5 Pages

385 - 389