

DEED OF CONVEYANCE AND GRANT OF EASEMENT

This **DEED OF CONVEYANCE AND GRANT OF EASEMENT** is made and entered into this the 18th day of August, 2017, by and between **BOARD OF TRUSTEES OF THE ROSEMONT BAPTIST CHURCH, LEXINGTON, KENTUCKY**, a non-profit Kentucky corporation, 556 Rosemont Garden, Lexington, 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 **THREE THOUSAND EIGHT HUNDRED DOLLARS AND 00/100 (\$3,800.00)**, 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 forever the following tract of land located in the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows, to wit:

Fee Simple Right-of-Way
(a portion of 1930 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 122A

Beginning at a point 32.75 feet right of Clays Mill Road at Station 189+09.01; thence South 19 Degrees 08 Minutes 36 Seconds East a distance of 28.84 feet to a point 52.10 feet

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

right of Clays Mill Road at Station 188+87.62; thence North 60 Degrees 14 Minutes 22 Seconds West a distance of 19.59 feet to a point 32.65 feet right of Clays Mill Road at Station 188+89.93; thence North 23 Degrees 17 Minutes 36 Seconds East a distance of 19.08 feet to a point 32.75 feet right of Clays Mill Road at Station 189+09.01 and the POINT OF BEGINNING; and,

The above described parcel contains 0.004 acres (186 sq. ft.) in fee simple; and

Being a portion of the property conveyed to Board of Trustees of the Rosemont Baptist Church, a non-profit Kentucky corporation, by deed dated December 22, 2008, of record in Deed Book 2851, Page 005, 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 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:

Temporary Right-of-Way Construction Easement
(a portion of 1930 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 122B

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately 50 feet north of the intersection of Rosemont Garden and Clays Mill Road, and more particularly described as follows:

Beginning at a point 32.75 feet right of Clays Mill Road at Station 189+09.01; thence North 23 Degrees 17 Minutes 36 Seconds East a distance of 46.92 feet to a point 33.00 feet

right of Clays Mill Road at Station 189+55.93; thence South 60 Degrees 14 Minutes 22 Seconds East a distance of 9.84 feet to a point 42.77 feet right of Clays Mill Road at Station 189+54.77; thence South 26 Degrees 45 Minutes 20 Seconds West a distance of 48.32 feet to a point 39.60 feet right of Clays Mill Road at Station 189+06.56; thence South 19 Degrees 08 Minutes 36 Seconds East a distance of 15.30 feet to a point 49.87 feet right of Clays Mill Road at Station 188+95.21; thence South 60 Degrees 16 Minutes 10 Seconds East a distance of 139.35 feet to a point 42.35 feet left of Rosemont Garden at Station 11+84.55; thence North 74 Degrees 48 Minutes 28 Seconds East a distance of 7.58 feet to a point 47.70 feet left of Rosemont Garden at Station 11+89.92; thence South 60 Degrees 14 Minutes 22 Seconds East a distance of 18.52 feet to a point 47.70 feet left of Rosemont Garden at Station 12+08.44; thence South 23 Degrees 18 Minutes 59 Seconds West a distance of 12.78 feet to a point 35.00 feet left of Rosemont Garden at Station 12+09.87; thence North 60 Degrees 14 Minutes 22 Seconds West a distance of 161.55 feet to a point 52.10 feet right of Clays Mill Road at Station 188+87.62; thence North 19 Degrees 08 Minutes 36 Seconds West a distance of 28.84 feet to a point 32.75 feet right of Clays Mill Road at Station 189+09.01 and the POINT OF BEGINNING; and,

The above described parcel contains 0.041 acres (1,780 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Board of Trustees of the Rosemont Baptist Church, a non-profit Kentucky corporation, by deed dated December 22, 2008, of record in Deed Book 2851, Page 005, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described fee simple right-of-way and easement 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 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 its right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and 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 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 deed and grant of easement, which conveys public right-of-way, need not contain a statement of consideration.

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

GRANTOR:

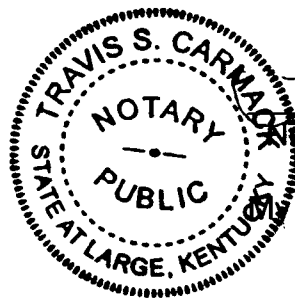
BOARD OF TRUSTEES OF THE ROSEMONT
BAPTIST CHURCH, LEXINGTON,
KENTUCKY, a non-profit Kentucky corporation



BUDDY CUNNINGHAM,
BUSINESS ADMINISTRATOR

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Buddy Cunningham, as Business Administrator for and on behalf of Board of Trustees of the Rosemont Baptist Church, Lexington, Kentucky, a non-profit Kentucky corporation, on this the 18 day of August, 2017.



[Signature] ID# 575447
Notary Public, Kentucky, State at Large
Commission Expires: 3 13 2021

PREPARED BY:

[Signature]

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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Parcel No. ~~114~~ 122

RESOLUTION

WHEREAS, the Lexington-Fayette Urban County Government, desires to obtain land belonging to **Rosemont Baptist Church, Lexington, Kentucky** and

WHEREAS, a majority of the *Trustee's of Rosemont Baptist Church* having voted to accept \$ 3,800⁰⁰ as consideration thereof,

BE IT THEREFORE resolved that the above named organization accepts said consideration and hereby authorized and directs ***Buddy Cunningham, Business Administrator***, to execute a deed for the use and benefit of the Lexington-Fayette Urban County Government, for the consideration above stated.

BE IT THEREFORE also resolved that the above named officer shall act as its agent to certify that the consideration reflected in the deed of easement is the full consideration paid.

Approved at a meeting of the **Trustee's of Rosemont Baptist Church, Lexington, Kentucky**. This 19th day of July, 2017.

<u>Lissy R Woodcock</u> Printed Name	<u>Lissy R Woodcock</u> Signature	<u>Trustee</u> Title
<u>Lynlee N. Watts</u> Printed Name	<u>Lynlee N. Watts</u> Signature	<u>Trustee</u> Title

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: PATTY DAVIS ,dc

201708220124

August 22, 2017 10:14:21 AM

Fees	\$26.00	Tax	\$4.00
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Total Paid	\$30.00
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