

A RESOLUTION AUTHORIZING THE DEPARTMENT OF LAW TO INSTITUTE CONDEMNATION PROCEEDINGS IN FAYETTE CIRCUIT COURT TO OBTAIN ONE TEMPORARY CONSTRUCTION EASEMENT AND ONE PERMANENT DRAINAGE EASEMENT AT 1250 DEER HAVEN LANE FOR THE POLO CLUB BOULEVARD PUBLIC IMPROVEMENT PROJECT.

WHEREAS, the Urban County Council has determined that the acquisition of one temporary construction easement and one permanent drainage easement at 1250 Deer Haven Lane, as further described herein, is necessary for the Polo Club Boulevard Public Improvement Project; and

WHEREAS, the Owner of the property and the Lexington-Fayette Urban County Government have been unable to reach an agreement upon the terms and conditions of the conveyance of the property interests to the Lexington-Fayette Urban County Government;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 — That the Lexington-Fayette Urban County Government has determined that the acquisition of one temporary construction easement and one permanent drainage easement at 1250 Deer Haven Lane is necessary and required for the Polo Club Boulevard Public Improvement Project, and that it is in the best interest of the community to acquire the same, and that the Owner of the property and the Lexington-Fayette Urban County Government have been unable to reach an agreement on the terms and conditions of the conveyance to the Urban County Government.

Section 2 — That pursuant to the condemnation powers granted to this Government, the Lexington-Fayette Urban County Council hereby condemns the property interests referenced herein and further described below to be obtained for the Polo Club Boulevard Public Improvement Project:

1250 Deer Haven Lane
Temporary Construction Easement

Being a tract of land lying in Fayette County along Polo Club Boulevard approximately 1700' north of the intersection of Polo Club Boulevard and Todds Road (KY 1927), and more particularly described as follows:

Beginning at a point in the existing right of way line of Polo Club Boulevard 70.00 feet right of Polo Club Boulevard

station 510+69.88; thence with the existing right of way line N 45°46'09" W a distance of 11.03' to a point 70.00 feet right of Polo Club Boulevard station 510+80.91; thence with a curve turning to the right with an arc length of 273.50', with a radius of 930.00', with a chord bearing of N 37°20'39" W, with a chord length of 272.52', to a point 70.00 feet right of Polo Club Boulevard station 513+75.00; thence with the proposed easement line N 61°04'51" E a distance of 30.00' to a point 100.00 feet right of Polo Club Boulevard station 513+75.00; thence S 83°13'31" E a stance of 37.27' to a point 130.00 feet right of Polo Club Boulevard station 513+50.00; thence N 27°29'46" W a distance of 88.71' to a point 130.00 feet right of Polo Club Boulevard station 514+50.00; thence S 64°36'31" W a distance of 60.00' to a point in the existing right of way line 70.00 feet right of Polo Club Boulevard station 514+50.00; thence with the existing right of way line N 25°23'29" W a distance of 80.85' to a point in the north property line, said point being 70.00 feet right of Polo Club Boulevard station 515+30.85; thence with the north property line N 43°56'12" E a distance of 61.09' to a point 127.16 feet right of Polo Club Boulevard station 515+54.42; thence with the proposed easement line S 49°02'34" E a distance of 171.77' to a point 195.00 feet right of Polo Club Boulevard station 513+85.00; thence S 07°30'21" E a distance of 75.85' to a point 165.00 feet right of Polo Club Boulevard station 513+00.00; thence S 00°34'24" W a distance of 52.02' to a point 134.99 feet right of Polo Club Boulevard station 512+50.00; thence S 07°08'44" E a distance of 30.16' to a point 120.00 feet right of Polo Club Boulevard station 512+20.00; thence S 02°24'44" E a distance of 50.21' to a point 90.00 feet right of Polo Club Boulevard station 511+75.00; thence S 43°22'44" E a distance of 96.51' to a point 90.00 feet right of Polo Club Boulevard station 510+69.98; thence S 43°56'12" W a distance of 20.00' to the POINT OF BEGINNING.

Being a part of that property conveyed to Justin T. Moore by deed dated November 21, 2013, in Deed Book 3201, Page 499.

1250 Deer Haven Lane
Permanent Drainage Easement

Being a tract of land in Fayette County along Polo Club Boulevard approximately 1600' north of the intersection of Polo Club Boulevard and Todds Road (KY 1927), and more particularly described as follows:

Beginning at a point in the existing right of way line of Polo Club Boulevard 70.00 feet right of Polo Club Boulevard station 513+75.00; thence with the right of way line with a curve turning to the right with an arc length of 57.26', with a radius of 930.00', with a chord bearing of N 27°09'19" W, with a chord length of 57.25' to a point 70.00 feet right of Polo Club Boulevard station 514+36.57; thence N 25°23'29" W a distance of 13.43' to a point 70.00 feet right of Polo Club Boulevard station 514+50.00; thence with the proposed easement line N 64°36'31" E a distance of 60.00' to a point 130.00 feet right of Polo Club Boulevard station 514+50.00; thence S 27°29'46" E a distance of 88.71' to a point 130 feet right of Polo Club Boulevard station 513+50.00; thence N 83°13'31" W a distance of 37.27' to a point 100.00 feet right

of Polo Club Boulevard station 513+75.00; thence S 61°04'51" W a distance of 30.00' to the POINT OF BEGINNING.

Being a part of that property conveyed to Justin T. Moore by deed dated November 21, 2013, in Deed Book 3201, Page 499.

Section 3 — That the Department of Law be and hereby is authorized to file an action in the Fayette Circuit Court to carry out the purposes of this Resolution.

Section 4 — That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: August 27, 2015


MAYOR

ATTEST:

CLERK OF THE URBAN COUNTY COUNCIL

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