

**DEED OF CONVEYANCE AND GRANT OF EASEMENT**

This **DEED OF CONVEYANCE AND GRANT OF EASEMENT** is made and entered into this the 18<sup>th</sup> 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 **THIRTEEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$13,500.00)**, 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 556 Rosemont Garden)**

**Clays Mill Road Improvement Project, Section 1**  
**(Harrodsburg Road to New Circle Road)**  
**Parcel No. 114A**

Beginning at a point 44.10 feet right of Clays Mill Road at Station 186+76.56; thence North 23 Degrees 57 Minutes 10 Seconds East a distance of 131.40 feet to a point 46.29 feet

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

right of Clays Mill Road at Station 188+07.94; thence South 60 Degrees 06 Minutes 50 Seconds East a distance of 14.44 feet to a point 60.62 feet right of Clays Mill Road at Station 188+06.21; thence South 61 Degrees 35 Minutes 09 Seconds West a distance of 16.00 feet to a point 50.65 feet right of Clays Mill Road at Station 187+93.71; thence South 23 Degrees 32 Minutes 51 Seconds West a distance of 102.88 feet to a point 49.66 feet right of Clays Mill Road at Station 186+90.84; thence South 44 Degrees 16 Minutes 56 Seconds West a distance of 15.32 feet to a point 44.10 feet right of Clays Mill Road at Station 186+76.56 and the POINT OF BEGINNING; and,

The above described parcel contains 0.016 acres (679 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 556 Rosemont Garden)**

**Clays Mill Road Improvement Project, Section 1**  
**(Harrodsburg Road to New Circle Road)**  
**Parcel No. 114B**

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately

30 feet north of the intersection of Mitchell Avenue and Clays Mill Road, and more particularly described as follows:

Beginning at a point 40.05 feet right of Clays Mill Road at Station 184+34.27; thence North 23 Degrees 57 Minutes 10 Seconds East a distance of 242.32 feet to a point 44.10 feet right of Clays Mill Road at Station 186+76.56; thence North 44 Degrees 16 Minutes 56 Seconds East a distance of 15.32 feet to a point 49.66 feet right of Clays Mill Road at Station 186+90.84; thence North 23 Degrees 32 Minutes 51 Seconds East a distance of 102.88 feet to a point 50.65 feet right of Clays Mill Road at Station 187+93.71; thence North 61 Degrees 35 Minutes 09 Seconds East a distance of 16.00 feet to a point 60.62 feet right of Clays Mill Road at Station 188+06.21; thence South 23 Degrees 47 Minutes 31 Seconds West a distance of 112.22 feet to a point 59.07 feet right of Clays Mill Road at Station 186+94.00; thence North 67 Degrees 00 Minutes 14 Seconds West a distance of 7.07 feet to a point 52.00 feet right of Clays Mill Road at Station 186+94.00; thence South 22 Degrees 59 Minutes 46 Seconds West a distance of 20.00 feet to a point 52.00 feet right of Clays Mill Road at Station 186+74.00; thence South 67 Degrees 00 Minutes 14 Seconds East a distance of 6.79 feet to a point 58.79 feet right of Clays Mill Road at Station 186+74.00; thence South 23 Degrees 47 Minutes 31 Seconds West a distance of 48.25 feet to a point 58.12 feet right of Clays Mill Road at Station 186+25.76; thence South 30 Degrees 24 Minutes 55 Seconds West a distance of 72.22 feet to a point 48.79 feet right of Clays Mill Road at Station 185+54.14; thence South 23 Degrees 57 Minutes 10 Seconds West a distance of 120.00 feet to a point 46.79 feet right of Clays Mill Road at Station 184+34.16; thence North 66 Degrees 02 Minutes 50 Seconds West a distance of 6.74 feet to a point 40.05 feet right of Clays Mill Road at Station 184+34.27 and the POINT OF BEGINNING; and,

The above described parcel contains 0.078 acres (3,415 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.



Parcel No. 114

**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 \$ 13,500<sup>00</sup> 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>[Signature]</u> Signature	<u>Trustee</u> Title
<u>Lynlee M. Watts</u> Printed Name	<u>[Signature]</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

201708220123

August 22, 2017                      10:13:10    AM

Fees                      \$26.00              Tax                      \$13.50

Total Paid                      \$39.50

**THIS IS THE LAST PAGE OF THE DOCUMENT**

7    Pages

43    -    49