

**DEED OF CONVEYANCE AND GRANT OF EASEMENT**

This **DEED OF CONVEYANCE AND GRANT OF EASEMENT** is made and entered into this the 23<sup>rd</sup> day of January, 2017, by and between **KENNETH A. SMITH and FAYE SMITH (also known as PATRICIA FAYE SMITH), husband and wife, MARTIN ALLEN SMITH, a single person, LORNE AVERY SMITH and MARY SMITH, husband and wife**, all of 2897 Clays Mill Road, Lexington, Kentucky 40503, 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")**.

**WITNESSETH:**

That for and in consideration of the sum of **SIX THOUSAND DOLLARS AND 00/100 (\$6,000.00)**, 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 forever, the following tract of land located in Lexington, Fayette County, Kentucky, and more particularly described as follows, to wit:

**Fee Simple Right-of-Way**  
**(a portion of 2897 Clays Mill Road)**

**Clays Mill Road Improvement Project, Section 1**  
**(Harrodsburg Road to New Circle Road)**  
**Parcel No. 19A**

Beginning at a point 28.87 feet right of Clays Mill Road at Station 131+69.02; thence North 37 Degrees 33 Minutes 16

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

(CCP)

Seconds East a distance of 74.05 feet to a point 28.86 feet left of Clays Mill Road at Station 132+43.07; thence North 65 Degrees 56 Minutes 44 Seconds West a distance of 7.34 feet to a point 36.00 feet left of Clays Mill Road at Station 132+41.36; thence South 37 Degrees 33 Minutes 04 Seconds West a distance of 74.05 feet to a point 36.00 feet left of Clays Mill Road at Station 1341+67.30; thence South 65 Degrees 58 Minutes 45 Seconds East a distance of 7.34 feet to a point 28.87 feet left of Clays Mill Road at Station 131+69.02 and the POINT OF BEGINNING;

The above described parcel contains 0.012 acres (528 sq. ft.) in fee simple; and

Being a portion of the property conveyed to Kenneth A. Smith and Faye Smith (also known as Patricia Faye Smith), husband and wife, for life with remainder to Lorne Avery Smith and Martin Allen Smith, by deed dated September 17, 2008, of record in Deed Book 2852, Page 245, in the Fayette County Clerk's Office.

**FURTHER**, for and in consideration of the aforementioned sum, the receipt and sufficiency of which is hereby acknowledged, Grantors have **BARGAINED** and **SOLD** and do hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, the 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 Construction Easement**  
**(a portion of 2897 Clays Mill Road)**

**Clays Mill Road Improvement Project, Section 1**  
**(Harrodsburg Road to New Circle Road)**  
**Parcel No. 19B**

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

99 feet north of the intersection of Cecil Way and Clays Mill Road, and more particularly described as follows:

Beginning at a point 36.00 feet left of Clays Mill Road at Station 131+67.30; thence North 65 Degrees 58 Minutes 45 Seconds West a distance of 9.60 feet to a point 45.33 feet left of Clays Mill Road at Station 131+65.06; thence North 1 Degree 09 Minutes 25 Seconds West a distance of 26.02 feet to a point 61.60 feet left of Clays Mill Road at Station 131+85.36; thence North 40 Degrees 09 Minutes 16 Seconds East a distance of 42.10 feet to a point 59.69 feet left of Clays Mill Road at Station 132+27.42; thence North 84 Degrees 03 Minutes 06 Seconds East a distance of 16.06 feet to a point 48.04 feet left of Clays Mill Road at Station 132+38.47; thence South 65 Degrees 56 Minutes 44 Seconds East a distance of 12.39 feet to a point 36.00 feet left of Clays Mill Road at Station 132+41.36; thence South 37 Degrees 33 Minutes 04 Seconds West a distance of 74.05 feet to a point 36.00 feet left of Clays Mill Road at Station 131+67.30 and the PONT OF BEGINNING; and,

The above described parcel contains 0.037 acres (1,595 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed Kenneth A. Smith and Faye Smith (also known as Patricia Faye Smith), husband and wife, for life with remainder to Lorne Avery Smith and Martin Allen Smith, by deed dated September 17, 2008, of record in Deed Book 2852, Page 245, in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** the above-described property together with all rights, appurtenances, and improvements thereunto belonging unto said Grantee, its successors and assigns, forever, in fee simple.

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 Grantors. The temporary construction easement shall take effect upon the

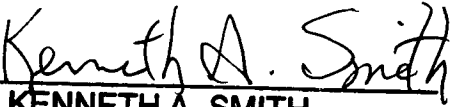
commencement of construction of the project and will expire upon completion of the project.

Grantors do hereby release and relinquish unto the Grantee, its successors and assigns forever, all of their right, title, and interest in and to the property, including all exemptions allowed by law, and does hereby covenant to and with 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 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 Grantors have signed this Deed and Easement, this the day and year first above written.

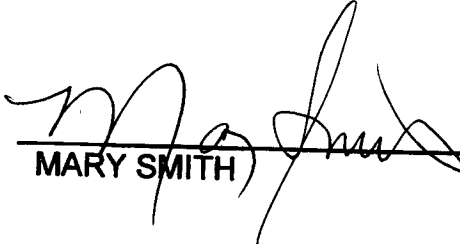
GRANTORS:

  
KENNETH A. SMITH

  
FAYE SMITH (also known as  
PATRICIA FAYE SMITH)

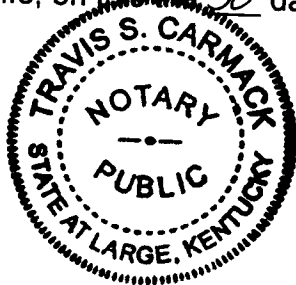
  
MARTIN ALLEN SMITH

  
LORNE AVERY SMITH

  
MARY SMITH

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This instrument was acknowledged, subscribed and sworn to before me by Kenneth A. Smith and Faye Smith (also known as Patricia Faye Smith), husband and wife; Martin Allen Smith, a single person; Lorne Avery Smith and Mary Smith, husband and wife, on this the 30 day of January, 2017.

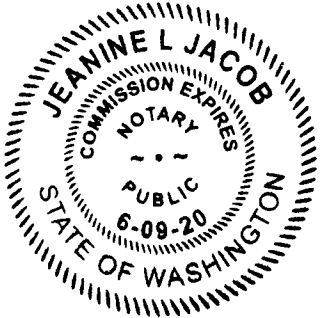


Travis S. Carmack Notary # 484692  
Notary Public, Kentucky, State at Large

My Commission Expires: 3/5/2017

STATE OF WASHINGTON )  
 )  
COUNTY OF King )

This instrument was acknowledged, subscribed and sworn to before me by Martin Allen Smith, a single person, on this the 23 day of Jan, 2017.



Jeanine L. Jacob  
Signature

WA Public Notary  
Title

My Appointment Expires: 06/09/2020

PREPARED BY:

Charles E. Edwards, III

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

**DEED BOOK 3466 PAGE 30**

**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**

**201702020066**

**February 2, 2017                      10:08:01    AM**

<b>Fees</b>	<b>\$23.00</b>	<b>Tax</b>	<b>\$6.00</b>
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<b>Total Paid</b>	<b>\$29.00</b>
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**THIS IS THE LAST PAGE OF THE DOCUMENT**

**6    Pages**

**25    -    30**