

DEED OF CONVEYANCE AND GRANT OF EASEMENT

This **DEED OF CONVEYANCE AND GRANT OF EASEMENT** is made and entered into this the 9th day of March, 2017, by and between **JOSEPH M. HAYSE and HEIDE I. HAYSE, husband and wife**, 2053 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 **ONE THOUSAND TWO HUNDRED TWENTY-FIVE DOLLARS AND 00/100 (\$1,225.00)**, 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 the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows, to wit:

Fee Simple Right-of-Way
(a portion of 2053 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 102A

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

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

DTC

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

Beginning at a point 30.20 feet left of Clays Mill Road at Station 182+49.37; thence South 23 Degrees 55 Minutes 05 Seconds West for a distance of 51.80 feet, to a point 30.51 feet left of Clays Mill Road at Station 181+97.44; thence North 50 Degrees 58 Minutes 02 Seconds West a distance of 2.58 feet, to a point 33.00 feet left of Station 181+98.13; thence with a curve to the right having an arc of 51.89 feet a radius of 11,967 feet and a chord which bears North 23 Degrees 34 Minutes 05 Seconds East for a distance of 51.89 feet, to a point 33.00 feet left of Clays Mill Road at Station 182+50.16; thence South 50 Degrees 58 Minutes 12 Seconds East a distance of 2.91 feet to the POINT OF BEGINNING;

The above described parcel contains 0.003 acres (136 sq. ft.) in fee simple; and

Being a portion of the property conveyed to Joseph M. Hayse and Heide I. Hayse, husband and wife, by deed dated September 23, 1975, of record in Deed Book 1131, Page 617, 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, Grantors have **BARGAINED** and **SOLD** and do 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 2053 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 102B

Being a tract of land lying in Fayette County on the west side of Clays Mill Road, point of beginning being approximately 227 feet south of the intersection of Mitchell Avenue and Clays Mill Road, and more particularly described as follows:

Beginning at a point 33.00 feet left of Clays Mill Road at Station 181+98.13; thence North 50 Degrees 58 Minutes 02 Seconds West a distance of 7.25 feet to a point 39.99 feet left of Clays Mill Road at Station 182+00.05; thence North 23 Degrees 34 Minutes 12 Seconds East a distance of 51.89 feet to a point 39.98 feet left of Clays Mill Road at Station 182+52.11; thence South 50 Degrees 58 Minutes 12 Seconds East a distance of 7.25 feet to a point 33.00 feet left of Clays Mill Road at Station 182+50.16; thence along an arc 51.89 feet to the right, having a radius of 11,967.00 feet, the chord of which is South 23 Degrees 34 Minutes 05 Seconds West a distance of 51.89 feet and the POINT OF BEGINNING;

The above described parcel contains 0.008 acres (364 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Joseph M. Hayse and Heide I. Hayse, husband and wife, by deed dated September 23, 1975, of record in Deed Book 1131, Page 617, 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

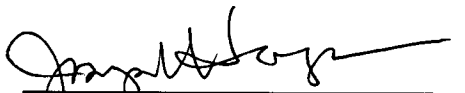
the Grantors. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

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 to the extent of the interests conveyed herein, including all exemptions allowed by law, and do 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.

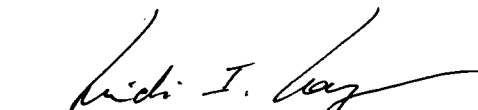
The obtaining of this easement was authorized by Resolution 477-2016, passed by the Lexington-Fayette Urban County Council on July 5, 2016. Pursuant to KRS 382.135(2)(c), this deed and grant of easement, which conveys public right-of-way, need not contain a statement of consideration.

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

GRANTORS:



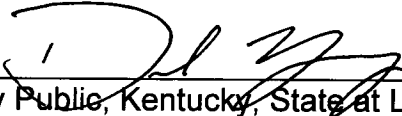
JOSEPH M. HAYSE



HEIDE I. HAYSE

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Joseph M. Hayse and Heide I. Hayse, husband and wife, on this the 9th day of March, 2017.



Notary Public, Kentucky, State at Large ID# 504286
My Commission Expires: 2 / 24 / 2018

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\00564193.DOC

DEED BOOK 3477 PAGE 75

**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

201703210132

March 21, 2017 11:56:37 AM

Fees \$23.00 Tax \$1.50

Total Paid \$24.50

THIS IS THE LAST PAGE OF THE DOCUMENT

6 Pages

70 - 75