

**TEMPORARY CONSTRUCTION EASEMENT**

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 14 day of January, <sup>2019</sup> ~~2018~~, by and between **RALPH S. GERKENS and VIKI S. GERKENS, husband and wife**, 227 Old Georgetown Street, Lexington Kentucky 40508, 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 **THREE THOUSAND DOLLARS AND 00/100 (\$3,000.00)**, 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, temporary right to excavate, grade, install, construct, alter, inspect, maintain, re-grade and perform related work for the purpose of slope construction, of a shared-use-path known as Town Branch Trail/ Town Branch Commons 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 227 Old Georgetown Street)**  
**formerly 227-233 Old Georgetown Street**  
**Town Branch Commons Project**  
**Zone 7**  
**Parcel No. 54A**

Being a tract of land situated northeast of the intersection of Newtown Pike (US Highway 25, KY Highway 922) and

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

(CC-F)

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Second Street in Fayette County, Kentucky, and being more particularly described as follows:

Beginning at a point in the easterly right-of-way line of Newtown Pike, said point being 20.14 feet right of KY 922 Baseline Station 222+75.00; thence leaving the easterly right-of-way line of Newtown Pike with a new easement line through the lands of Ralph S. Gerkens, S 31°34'34" W, 71.93 feet to a point 40.00 feet right of KY 922 Baseline Station 222+05.81; said point being in the easterly right-of-way line of Newtown Pike; thence with the easterly right-of-way line of Newtown Pike along an arc 34.19 feet to the right, having a radius of 25.00 feet, the chord of which is N 8°30'20" E for a distance of 31.58 feet to a point; thence continuing with the easterly right-of-way line of Newtown Pike, N 47°40'51" E, 44.62 feet to the POINT OF BEGINNING; and

The above described parcel contains ±0.013 acres or 567 sq. ft. of temporary construction easement; and

Being a portion of the property conveyed to Ralph S. Gerkens, a married person, by deed dated November 8, 1979, of record in Deed Book 1240, Page 498, referenced in the Fayette County Clerk's Office.

**Temporary Construction Easement**  
**(a portion of 227 Old Georgetown Street)**  
**formerly 227-233 Old Georgetown Street)**  
**Town Branch Commons Project**  
**Zone 7**  
**Parcel No. 54B**

Being a tract of land situated southeast of the intersection of Newtown Pike (US Highway 25, KY Highway 922) and Maryland Avenue in Fayette County, Kentucky, and being more particularly described as follows:

Beginning at a point in the easterly right-of-way line of Newtown Pike, said point being 30.14 feet right of KY 922 Baseline Station 225+02.31; thence leaving the easterly right-of-way line of Newtown Pike with a new easement line through the lands of Ralph S. Gerkens for three (s) calls:

(1) S 70°31'16"W, 14.52 feet to a point 24.50 feet right of KY 922 Baseline Station 224+89.00; (2) S 49°28'22" W 16.01 feet to a point 24.00 feet right of KY 922 Baseline Station 224+73.00; (3) N 42°19'02" W 3.87 feet to a point 20.13 feet right of KY 922 Baseline Station 224+73.00; said point being in the easterly right-of-way line of Newtown Pike; thence with the easterly right-of-way line of Newtown Pike, N 47°40'51" E, 9.38 feet to a point; thence continuing with the easterly right-of-way line of Newtown Pike along an arc 23.18 feet to the right, having a radius of 25.00 feet, the chord of which is N 74°14'46" E for a distance of 22.36 feet to the POINT OF BEGINNING; and,

The above described parcel contains ±0.002 acres or 102 sq. ft. of temporary construction easement; and

Being a portion of the property conveyed to Ralph S. Gerkens, a married person, by deed dated November 8, 1979, of record in Deed Book 1240, Page 498, referenced in the Fayette County Clerk's Office.

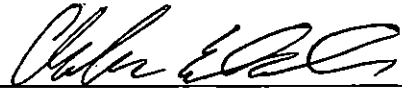
**TO HAVE AND TO HOLD** said easement together with all rights, appurtenances, and improvements thereunto belonging unto said Grantee, its successors and assigns, for the purposes and uses herein designated.

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 the 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 interest 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



PREPARED BY:



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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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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.



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By: EMILY GENTRY ,dc

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January 18, 2019                      14:54:11    PM

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|------|---------|-----|--------|
| Fees | \$23.00 | Tax | \$ .00 |
|------|---------|-----|--------|

|            |         |
|------------|---------|
| Total Paid | \$23.00 |
|------------|---------|

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6 Pages

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