

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 26 day of October, 2017, by and between **THE MOST REVEREND JOHN STOWE, OFM CONV., BISHOP OF THE ROMAN CATHOLIC DIOCESE OF LEXINGTON, KENTUCKY, AND HIS SUCCESSORS IN OFFICE**, c/o The Catholic Center, 1310 West Main Street, Lexington, Kentucky 40508, 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 **SIX HUNDRED DOLLARS AND 00/100 (\$600.00)**, 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, 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 2240 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 72

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

(CC-F)

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately 155 feet south of the intersection of Stratford Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 38.47 feet right of Clays Mill Road at Station 167+54.40; thence North 25 Degrees 40 Minutes 10 Seconds East a distance of 59.23 feet to a point 39.35 feet right of Clays Mill Road at Station 168+13.81; thence South 61 Degrees 37 Minutes 23 Seconds East a distance of 8.54 feet to a point 47.87 feet right of Clays Mill Road at Station 168+13.30; thence South 25 Degrees 40 Minutes 12 Seconds West a distance of 59.46 feet to a point 46.99 feet right of Clays Mill Road at Station 167+53.61; thence North 60 Degrees 01 Minutes 49 Seconds West a distance of 8.56 feet to a point 38.47 feet right of Clays Mill Road at Station 167+54.40 and the POINT OF BEGINNING; and

The above described parcel contains 0.012 acres (506 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to The Most Reverend John Stowe, OFM Conv., Bishop of the Roman Catholic Diocese of Lexington, Kentucky, and His Successors in Office, by deed dated July 6, 1990, of record in Deed Book 1551, Page 516, 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 Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon the 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 interest 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 temporary construction easement, which pertains to a public right-of-way, need not contain a statement of consideration.

IN TESTIMONY WHEREOF, the Grantor has signed this Temporary Construction Easement, this the day and year first above written.

GRANTOR:


**THE MOST REVEREND JOHN STOWE, OFM
CONV., BISHOP OF THE ROMAN CATHOLIC
DIOCESE OF LEXINGTON, KENTUCKY, AND
HIS SUCCESSORS IN OFFICE**

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

201711010219

November 1, 2017 15:30:23 PM

Fees	\$20.00	Tax	\$0.00
------	---------	-----	--------

Total Paid	\$20.00
------------	---------

THIS IS THE LAST PAGE OF THE DOCUMENT

5 Pages

523 - 527