

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 19th day of April, 2017, by and between **RUBY E. SAUTEBEN, widow**, 2783 Clays Mill Road, 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 **TWO THOUSAND SIX HUNDRED DOLLARS AND 00/100 (\$2,600.00)**, 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 2783 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 45

Being a tract of land lying in Fayette County on the west side of Clays Mill Road, point of beginning being approximately 306 feet north of the intersection of Pasadena Drive and Clays Mill Road, and more particularly described as follows:

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

Beginning at a point 39.42 feet left of Clays Mill Road at Station 145+35.78; thence North 65 Degrees 49 Minutes 08 Seconds West a distance of 11.72 feet to a point 51.07 feet left of Clays Mill Road at Station 145+34.50; thence North 35 Degrees 16 Minutes 30 Seconds East a distance of 91.03 feet to a point 46.30 feet left of Clays Mill Road at Station 146+22.57; thence South 65 Degrees 43 Minutes 35 Seconds East a distance of 5.00 feet to a point 41.37 feet left of Clays Mill Road at Station 146+23.38; thence along an arc 89.98 feet left, having a radius of 2,291.83 feet, the chord of which is South 31 Degrees 04 Minutes 19 Seconds West a distance of 89.97 feet and the POINT OF BEGINNING;

The above described parcel contains 0.017 acres (720 sq. ft.) of temporary construction easement;

Being a portion of the property conveyed to Wilson C. Sauteben and Rubye E. Sauteben, husband and wife, by deed dated October 31, 1958 of record in Deed Book 656, Page 569 in the Fayette County Clerk's Office;

Wilson C. Sauteben predeceased Rubye E. Sauteben, vesting sole title in Rubye E. Sauteben, by survivorship.

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 completion of the project.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of her 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 she is lawfully seized in fee simple of said property and have good right to sell and convey the same as herein done, and that she 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:

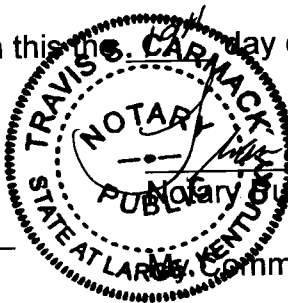
Ruby E. Sauteben
RUBY E. SAUTEBEN

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Ruby E. Sauteben, widow, on this 9th day of April, 2017.

PREPARED BY:


Charles E. Edwards III
CHARLES E. EDWARDS III



Travis S. Carmack ID# 5754417
Notary Public, Kentucky, State at Large

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.



By: PATTY DAVIS ,dc

201704250052

April 25, 2017

8:49:57 AM

Fees	\$17.00	Tax	\$0.00
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Total Paid	\$17.00
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