

**TEMPORARY CONSTRUCTION EASEMENT**

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 6 day of May, 2019, by and between **BRAMCO PROPERTIES COMPANY**, a Kentucky corporation, successor-in-interest to **BRAMCO PROPERTIES, INC.**, a Kentucky corporation, (formerly **BRAMCO PROPERTIES, LLC**, a Kentucky limited liability company), P.O. Box 32230, Louisville, Kentucky 40232, 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 **SEVENTY-FIVE DOLLARS AND 00/100 DOLLARS (\$75.00)**, 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 installing a shared-use-path and other related improvements, including a pedestrian signal, pavement markings, traffic calming, signage and sight distance improvements thereto, 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:

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

(CC-F)

**Temporary Construction Easement**  
**(a portion of 1397 Cahill Drive formerly**  
**1373-1397 Cahill Drive)**

**Town Branch Trail Mid-Block Crossing**  
**Parcel No. 1**

**BEGINNING AT A POINT** in the northwestern most corner of Parcel 3, as shown on the Consolidation Record Plat of Cahill Industrial Park, Unit 1, Block C, Lots 2, 3, 4, 5 & 6 and recorded in Plat Cabinet L, Slide 405, in the Fayette County Clerk's Office, said point also lying in the existing southern right-of-way of Old Frankfort Pike; thence with said existing right-of-way, South 81 Degrees 03 Minutes 00 Seconds East, 41.79 feet to a point in the northeastern most corner of the aforementioned Parcel; thence with the eastern line of said Parcel 3, South 01 Degrees 09 Minutes 18 Seconds West, 8.37 feet to a point in the Proposed Temporary Easement; thence with said Temporary Easement, North 79 Degrees 43 Minutes 59 Seconds West, 44.89 feet to a point in the western line of the aforementioned Parcel; thence with said western line, North 23 Degrees 59 Minutes 21 Seconds East, 7.52 feet to the POINT OF BEGINNING;

The above described parcel contains 337 sq. ft. of temporary easement;

Being a portion of the property conveyed to Bramco Properties, LLC, a Kentucky limited liability company, formerly Bramco Properties, Inc., a Kentucky corporation, (now known as Bramco Properties Company, a Kentucky corporation) by Articles of Merger, effective January 1, 2006 by deed dated July 29, 1998, of record in Deed Book 1995, Page 583, 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 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 648-2018, passed by the Lexington-Fayette Urban County Council on November 1, 2018. Pursuant to KRS 382.135(2)(c), this grant of 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:

BRAMCO PROPERTIES COMPANY, a Kentucky corporation,  
Successor-in-interest to BRAMCO PROPERTIES, INC., a  
Kentucky corporation (formerly BRAMCO PROPERTIES, LLC, a  
Kentucky limited liability company)

BY: 

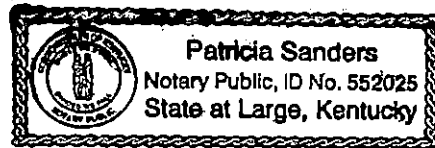
ITS: Chairman & CEO

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF JEFFERSON )

This instrument was acknowledged, subscribed and sworn to before me by Michael T. Paradis, in his capacity as Chairman & CEO on behalf of Bramco Properties Company, a Kentucky corporation, successor-in-interest to Bramco Properties, Inc., a Kentucky corporation (formerly Bramco Properties, LLC, a Kentucky limited liability company) on this the 6 day of May, 2019.

Patricia Sanders  
Notary Public, Kentucky, State at Large

My Commission Expires: 04/06/2020



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

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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

201905160127

May 16, 2019 13:45:05 PM

Fees	\$20.00	Tax	\$0.00
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Total Paid	\$20.00
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5 Pages

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