

**TEMPORARY CONSTRUCTION EASEMENT**

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 15 day of MAY, 2020, by and between **MARCIA L. PARTIN and DANNY E. PARTIN, wife and husband**, 3536 Creekwood Drive, Apt. 15, Lexington, Kentucky 40502, 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 **EIGHT HUNDRED DOLLARS AND 00/100 (\$800.00)**, 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, construct, alter, re-grade and perform related work for the purpose of sidewalk 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**  
**Armstrong Mill Road Sidewalk Improvement Project**  
**(a portion of 1071 Armstrong Mill Road)**  
**Parcel No. 6**

Being a tract of land lying in Fayette County along Armstrong Mill Road, and more particularly described as follows:

Beginning at a point on the existing northern Armstrong Mill right-of-way line and the existing western property line, 36.34 feet left of the proposed Armstrong Mill centerline at Station

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

105+74.97; thence leaving the existing northern Armstrong Mill right-of-way with the existing western property line, N 30 Degrees 01 Minutes 41 Seconds E, a distance of 16.72 feet to a point 53.05 feet left of the proposed Armstrong Mill centerline at Station 105+74.58; thence leaving the existing western property line, S 66 Degrees 42 Minutes 00 Seconds E, a distance of 25.02 feet to a point 56.50 feet left of the proposed Armstrong Mill centerline at Station 105+99.64; thence S 56 Degrees 57 Minutes 14 Seconds E, a distance of 10.79 feet to a point 56.12 feet left to the proposed Armstrong Mill centerline at Station 106+10.54, said point being on the existing eastern property line; thence with the existing eastern property line, S 31 Degrees 09 Minutes 00 Seconds W, a distance of 19.70 feet to a point 36.41 feet left of the proposed Armstrong Mill centerline at Station 106+10.47, said point being on the existing northern Armstrong Mill right-of-way; thence leaving the existing eastern property line with the existing northern Armstrong Mill right-of-way, N 58 Degrees 57 Minutes 56 Seconds W, a distance of 35.24 feet to a point 36.34 feet left of the proposed Armstrong Mill centerline Station 105+74.97 and the POINT OF BEGINNING; and

The above described parcel contains 668 sq. ft. of temporary construction easement; and

**Temporary Construction Easement**  
**Armstrong Mill Road Sidewalk Improvement Project**  
**(a portion of 1073 Armstrong Mill Road)**  
**Parcel No. 7**

Being a tract of land lying in Fayette County along Armstrong Mill Road, and more particularly described as follows:

Beginning at a point on the existing northern Armstrong Mill right-of-way line and existing western property line, 36.41 feet left of the proposed Armstrong Mill centerline at Station 106+10.47; thence leaving the existing northern Armstrong Mill right-of-way with the existing western property line, N 31 Degrees 09 Minutes 00 Seconds E, a distance of 19.70 feet to a point 56.12 feet left of the proposed Armstrong Mill centerline at Station 106+10.54; thence leaving the existing western property line, S 56 Degrees 57 Minutes 14 Seconds E, a distance of 34.41 feet to a point 54.79 feet left of the proposed Armstrong Mill centerline at Station 106+45.07,

said point being on the existing eastern property line; thence with the existing eastern property line, S 30 Degrees 01 Minutes 48 Seconds W, a distance of 18.50 feet to a point 36.29 feet left of the proposed Armstrong Mill centerline at Station 106+45.32, said point being on the existing northern Armstrong Mill right-of-way; thence leaving the existing eastern right-of-way with the existing northern Armstrong Mill right-of-way, N 58 Degrees 57 Minutes 56 Seconds W, a distance of 34.76 feet to a point 36.41 feet left of the proposed Armstrong Mill centerline at Station 106+10.47 and the POINT OF BEGINNING; and,

The above described parcel contains 660 sq. ft. of temporary construction easement; and

Both parcels being a portion of the property conveyed to Marcia Partin, a married person, by deed dated January 23, 2018, of record in Deed Book 3559, Page 335, 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

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 56-2020, passed by the Lexington-Fayette Urban County Council on February 6, 2020. 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 Grantors have signed this Temporary Construction Easement, this the day and year first above written.

GRANTORS:

  
\_\_\_\_\_  
MARCIA L. PARTIN

  
\_\_\_\_\_  
DANNY E. PARTIN

[Intentionally left blank]



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: PATTY DAVIS ,dc

202005280080

May 28, 2020                      9:30:31      AM

Fees	\$50.00	Tax	\$ .00
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Total Paid	\$50.00
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**THIS IS THE LAST PAGE OF THE DOCUMENT**

6 Pages

669 - 674

RECEIVED  
06/17/2020

MAYOR LINDA GORTON



LEXINGTON

SUSAN B. SPECKERT  
COMMISSIONER  
DEPARTMENT OF LAW

To: Abigail Allan, Council Clerk  
Council Clerk's Office

From: Department of Law

Date: June 10, 2020

Re: Temporary Construction Easement  
1071 and 1073 Armstrong Mill Road

Our File No. 19-RE0687  
Armstrong Mill Road Sidewalk  
Improvement Project

Enclosed is the original recorded Temporary Construction Easement for the above property to the Urban County Government for the Armstrong Mill Road Sidewalk Improvement Project. Please file the easement with the authorizing legislation, Resolution No. 56-2020.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles E. Edwards, III".

Charles E. Edwards, III  
Attorney

Enclosure

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