

**TEMPORARY CONSTRUCTION EASEMENT**

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 11 day of August, 2017, by and between **ELFIDO BARRIOS and MAGDALENA BARRIOS, husband and wife**, 2050 Clays Mill Road, Lexington, Kentucky 40503, 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 **FOUR HUNDRED SEVENTY-FIVE AND 00/100 (\$475.00)**, 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 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 2050 Clays Mill Road)**

**Clays Mill Road Improvement Project, Section 1**  
**(Harrodsburg Road to New Circle Road)**  
**Parcel No. 101**

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately 159 feet north of the intersection of Rosemill Drive and Clays Mill Road, and more particularly described as follows:

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

DTC

Beginning at a point 36.87 feet right of Clays Mill Road at Station 181+27.96; thence North 23 Degrees 57 Minutes 10 Seconds East a distance of 60.00 feet to a point 36.94 feet right of Clays Mill Road at Station 181+87.78; thence South 66 Degrees 02 Minutes 50 Seconds East a distance of 11.85 feet to a point 48.79 feet right of Clays Mill Road at Station 181+87.74; thence South 61 Degrees 19 Minutes 33 Seconds West a distance of 9.00 feet to a point 43.30 feet right of Clays Mill Road at Station 181+80.63; thence South 23 Degrees 57 Minutes 10 Seconds West a distance of 52.85 feet to a point 43.26 feet right of Clays Mill Road at Station 181+27.97; thence North 66 Degrees 02 Minutes 50 Seconds West a distance of 6.38 feet to a point 36.87 feet right of Clays Mill Road at Station 181+27.96 and the POINT OF BEGINNING;

The above described parcel contains 0.009 acres (403 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Elfido Barrios and Magdalena Barrios, husband and wife, by deed dated, December 28, 2007 of record in Deed Book 2779, Page 654 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 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 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 Grantors have signed this Temporary Construction Easement, this the day and year first above written.


GRANTORS:

Elfido Barrios  
ELFIDO BARRIOS

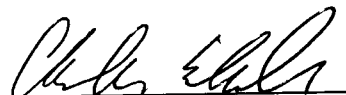
Magdalena Castro  
MAGDALENA BARRIOS

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

This instrument was acknowledged, subscribed and sworn to before me by Elfido Barrios and Magdalena Barrios, husband and wife, on this the 11 day of August, 2017.

 583153  
Notary Public, Kentucky, State at Large  
My Commission Expires: 7, 29, 2021

PREPARED BY:

  
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: PATTY DAVIS ,dc

201708160189

August 16, 2017                      14:05:17    PM

Fees	\$20.00	Tax	\$ .00
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Total Paid	\$20.00
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