

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 28 day of March, 2017, by and between **CALVARY FREE METHODIST CHURCH CORPORATION**, a Kentucky non-profit corporation, 2924 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 **THREE THOUSAND TWO HUNDRED TWENTY-FIVE DOLLARS AND 00/100 (\$3,225.00)**, 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 2924 Clays Mill Road)**Clays Mill Road Improvement Project, Section 1**
(Harrodsburg Road to New Circle Road)
Parcel No. 5

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately

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

122 feet south of the intersection of Galata Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 41.93 feet right of Clays Mill Road at Station 119+86.54; thence North 23 Degrees 36 Minutes 36 Seconds East a distance of 178.29 feet to a point 42.00 feet right of Clays Mill Road at Station 121+64.83; thence South 66 Degrees 23 Minutes 24 Seconds East a distance of 15.42 feet to a point 57.42 feet right of Clays Mill Road at Station 121+64.83; thence South 23 Degrees 36 Minutes 36 Seconds West a distance of 74.86 feet to a point 57.39 feet right of Clays Mill Road at Station 120+89.96; thence South 27 Degrees 06 Minutes 24 Seconds West a distance of 103.62 feet to a point 51.03 feet right of Clays Mill Road at Station 119+86.53; thence North 66 Degrees 23 Minutes 24 Seconds West a distance of 9.10 feet to a point 41.93 feet right of Clays Mill Road at Station 119+86.54 and the POINT OF BEGINNING.

The above described parcel contains 0.056 acres (2,422 sq. ft.) of temporary construction easement;

Being a portion of the property conveyed to Calvary Free Methodist Church Corporation, a Kentucky non-profit corporation, by deed dated May 15, 1986 of record in Deed Book 1403, Page 423 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 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 does 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 Grantor has signed this Temporary Construction Easement, this the day and year first above written.

GRANTOR:


CALVARY FREE METHODIST
CHURCH CORPORATION



ANDREW PUCKETT
DIRECTOR

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Andrew Puckett, in his capacity as Director of Calvary Free Methodist Church Corporation, a Kentucky non-profit corporation, on this the 28 day of MARCH, 2017.

 494244

Notary Public, Kentucky, State at Large
My Commission Expires: 7, 29, 2017

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.



By: PATTY DAVIS ,dc

201704060086

April 6, 2017

8:38:46 AM

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

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