

DEED OF CONVEYANCE AND GRANT OF EASEMENT

This **DEED OF CONVEYANCE AND GRANT OF EASEMENT** is made and entered into this the 26 day of October, 2017, by and between **THE MOST REVEREND JOHN STOWE, OFM CONV., BISHOP OF THE ROMAN CATHOLIC DIOCESE OF LEXINGTON, KENTUCKY, AND HIS SUCCESSORS IN OFFICE, c/o** The Catholic Center, 1310 West Main Street, Lexington, Kentucky 40508, 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 **EIGHTY-SEVEN THOUSAND TWO HUNDRED DOLLARS AND 00/100 (\$87,200.00)**, 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 forever the following tract of land located in the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows, to wit:

Fee Simple Right-of-Way
(a portion of 2501 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 51A

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

Beginning at a point 29.37 feet left of Clays Mill Road Pt2 at Station 151+86.13; thence North 21 Degrees 26 Minutes 02 Seconds East a distance of 119.00 feet to a point 24.23 feet left of Clays Mill Road Pt2 at Station 153+05.02; thence North 18 Degrees 42 Minutes 02 Seconds East a distance of 546.20 feet to a point 30.31 feet left of Clays Mill Road Pt2 at Station 158+50.50; thence North 65 Degrees 14 Minutes 58 Seconds West a distance of 14.16 feet to a point 44.43 feet left of Clays Mill Road Pt2 at Station 158+51.58; thence South 21 Degrees 54 Minutes 11 Seconds West a distance of 3.62 feet to a point 44.53 feet left of Clays Mill Road Pt2 at Station 158+47.97; thence along an arc 10.20 feet to the left having a radius of 27.00 feet, the chord of which is South 11 Degrees 04 Minutes 52 Seconds West for a distance of 10.14 feet, to a point 42.90 feet left of Clays Mill Road Pt2 at Station 158+38.00; thence South 0 Degrees 12 minutes 07 Seconds West a distance of 23.92 feet to a point 34.69 feet left of Clays Mill Road Pt2 at Station 158+15.60; thence along an arc 9.77 feet to the right, having a radius of 28.00 feet, the chord of which is South 10 Degrees 08 Minutes 34 Seconds West for a distance of 9.72 feet, to a point 33.00 feet left of Clays Mill Road Pt2 at Station 158+06.06; thence South 20 Degrees 08 Minutes 26 Seconds West a distance of 6.07 feet to a point 33.00 feet left of Clays Mill Road Pt2 at Station 158+00.00; thence North 69 Degrees 52 Minutes 25 Seconds West a distance of 1.00 feet to a point 34.00 feet left of Clays Mill Road Pt2 at Station 158+00.00; thence along an arc 245.76 feet to the left, having a radius of 12,034.00 feet, the chord of which is South 19 Degrees 32 Minutes 28 Seconds West for a distance of 245.76 feet, to a point 34.00 feet left of Clays Mill Road Pt2 at Station 155+54.93; thence South 18 Degrees 57 Minutes 22 Seconds West a distance of 357.48 feet to a point 34.00 feet left of Clays Mill Road Pt2 at Station 151+97.45; thence South 49 Degrees 26 Minutes 43 Seconds West a distance of 11.83 feet to a point 40.00 feet left of Clays Mill Road Pt2 at Station 151+87.26; thence South 64 Degrees 58 Minutes 58 Seconds East a distance of 10.69 feet to a point 29.37 feet left of Clays Mill Road Pt2 at Station 151+86.13 and the POINT OF BEGINNING; and,

The above described parcel contains 0.125 acres (5,430 sq. ft.) in fee simple; and

Being a portion of the property conveyed to The Most Reverend John Stowe, OFM conv., Bishop of the Roman

Catholic Diocese of Lexington, Kentucky, and His Successors in Office (known as Mary Queen of The Holy Rosary Parish/School), by deed dated April 27, 1989, of record in Deed Book 1512, Page 237, in the Fayette County Clerk's Office.

FURTHER, for and in consideration of the sum hereinbefore mentioned, the receipt and sufficiency of which is hereby acknowledged, 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 Right-of-Way Construction Easement
(a portion of 2501 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 51B

Being a tract of land lying in Fayette County on the west side of Clays Mill Road, point of beginning being approximately 43 feet north of the intersection of Hill N Dale Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 40.00 feet left of Clays Mill Road at Station 151+87.26; thence North 64 Degrees 58 Minutes 58 Seconds West a distance of 110.21 feet to a point 149.60 feet left of Clays Mill Road at Station 151+98.90; thence North 25 Degrees 01 Minutes 02 Seconds East a distance of 7.15 feet to a point 148.84 feet left of Clays Mill Road at Station 152+06.01; thence South 71 Degrees 40 Minutes 48 Seconds East a distance of 110.35 feet to a point 38.50 feet left of Clays Mill Road at Station 152+07.23; thence North 19 Degrees 09 Minutes 23 Seconds East a distance of 284.86 feet to a point 37.50 feet left of Clays Mill Road at Station 154+92.09; thence North 40 Degrees 22 Minutes 43 Seconds West a distance of 23.89 feet to a point 58.05 feet left of Clays Mill Road at Station 155+04.27; thence North 18

Degrees 57 Minutes 22 Seconds East a distance of 33.22 feet to a point 58.05 feet left of Clays Mill Road at Station 155+37.49; thence North 78 Degrees 17 Minutes 28 Seconds East a distance of 23.31 feet to a point 38.00 feet left of Clays Mill Road at Station 155+49.38; thence North 19 Degrees 23 Minutes 28 Seconds East a distance of 219.13 feet to a point 38.23 feet left of Clays Mill Road at Station 157+67.84; thence North 5 Degrees 12 Minutes 12 Seconds East a distance of 88.36 feet to a point 61.06 feet left of Clays Mill Road at Station 158+52.84; thence South 65 Degrees 14 Minutes 58 Seconds East a distance of 16.68 feet to a point 44.43 feet left of Clays Mill Road at Station 158+51.58; thence South 21 Degrees 54 Minutes 11 Seconds West a distance of 3.62 feet to a point 44.53 feet left of Clays Mill Road at Station 158+47.97; thence along an arc 10.20 feet to the left, having a radius of 27.00 feet, the chord of which is South 11 Degrees 04 Minutes 52 Seconds West for a distance of 10.14 feet, to a point 42.90 feet left of Clays Mill Road at Station 158+38.00; thence South 0 Degrees 12 Minutes 07 Seconds West a distance of 23.92 feet to a point 34.69 feet left of Clays Mill Road at Station 158+15.60; thence along an arc 9.77 feet to the right, having a radius of 28.00 feet, the chord of which is South 10 Degrees 08 Minutes 34 Seconds West for a distance of 9.72 feet, to a point 33.00 feet left of Clays Mill Road at Station 158+06.06; thence South 20 Degrees 08 Minutes 26 Seconds West a distance of 6.07 feet to a point 33.00 feet left of Clays Mill Road at Station 158+00.00; thence North 69 Degrees 52 Minutes 25 Seconds West a distance of 1.00 feet to a point 34.00 feet left of Clays Mill Road at Station 158+00.00; thence along an arc 245.76 feet to the left, having a radius of 12,034.00 feet, the chord of which is South 19 Degrees 32 Minutes 28 Seconds West for a distance of 245.76 feet, to a point 34.00 feet left of Clays Mill Road at Station 155+54.93; thence South 18 Degrees 57 Minutes 22 Seconds West a distance of 357.48 feet to a point 34.00 feet left of Clays Mill Road at Station 151+97.45; thence South 49 Degrees 26 Minutes 43 Seconds West a distance of 11.83 feet to a point 40.00 feet left of Clays Mill Road at Station 151+87.26 and the POINT OF BEGINNING; and,

The above described parcel contains 0.132 acres (5,741sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to The Most Reverend John Stowe, OFM conv., Bishop of the Roman Catholic Diocese of Lexington, Kentucky, and His Successors in Office (known as Mary Queen of The Holy Rosary Parish/School), by deed dated April 27, 1989, of record in Deed Book 1512, Page 237, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described fee simple right-of-way and 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 interests 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 477-2016, passed by the Lexington-Fayette Urban County Council on July 5, 2016. Pursuant to KRS 382.135(2)(c), this deed and grant of easement, which conveys public right-of-way, need not contain a statement of consideration.

IN TESTIMONY WHEREOF, the Grantor has signed this Deed of Conveyance and Temporary Easement, this the day and year first above written.

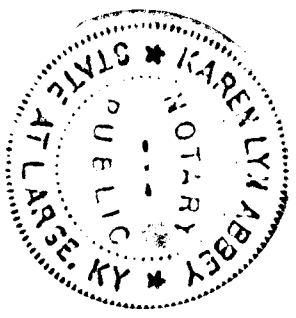
GRANTOR:

+ John Stowe Bishop of Lexington

 THE MOST REVEREND JOHN STOWE, OFM CONV., BISHOP OF THE ROMAN CATHOLIC DIOCESE OF LEXINGTON, KENTUCKY, AND HIS SUCCESSORS IN OFFICE

COMMONWEALTH OF KENTUCKY)
)
 COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by The Most Reverend John Stowe, in his capacity as OFM Conv., Bishop of The Roman Catholic Dioceses of Lexington, Kentucky, on this the 26 day of October, 2017.



Karen Abbey


 Notary Public, Kentucky, State at Large

My Commission Expires: MY COMMISSION EXPIRES
 MAY 22, 2018
 NOTARY ID 511033

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
 X:\Cases\ENGINEER\16-RE0059\RE\00585768.DOC

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: MELISSA STELTER ,dc

201711010220

November 1, 2017 15:31:30 PM

Fees	\$26.00	Tax	\$87.50
------	---------	-----	---------

Total Paid	\$113.50
------------	----------

THIS IS THE LAST PAGE OF THE DOCUMENT

7 Pages

528 - 534