

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 24 day of APRIL, 2017, by and between **PORTER-MAC PROPERTIES, LLC, a Kentucky limited liability company**, P.O. Box 6228, Louisville, Kentucky 40206, 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 **EIGHT HUNDRED FIFTY DOLLARS AND 00/100 (\$850.00)**, 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 1706 Clays Mill Road)**Clays Mill Road Improvement Project, Section 1**
(Harrodsburg Road to New Circle Road)
Parcel No. 155

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately 123 feet north of the intersection of Woodbine Drive and Clays Mill Road, and more particularly described as follows:

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

DTC

Beginning at a point 37.69 feet right of Clays Mill Road at Station 206+95.39; thence North 23 Degrees 52 Minutes 33 Seconds East a distance of 23.92 feet to a point 37.76 feet right of Clays Mill Road at Station 207+19.31; thence North 24 Degrees 45 Minutes 57 Seconds East a distance of 26.08 feet to a point 38.24 feet right of Clays Mill Road at Station 207+45.38; thence South 58 Degrees 32 Minutes 14 Seconds East a distance of 11.08 feet to a point 49.22 feet right of Clays Mill Road at Station 207+43.89; thence South 24 Degrees 20 Minutes 24 Seconds West a distance of 50.03 feet to a point 48.66 feet right of Clays Mill Road at Station 206+93.86; thence North 58 Degrees 23 Minutes 11 Seconds West a distance of 11.08 feet to a point 37.69 feet right of Clays Mill Road at Station 206+95.39 and the POINT OF BEGINNING;

The above described parcel contains 0.013 acres (555 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Porter-Mac Properties, LLC, a Kentucky limited liability company, by deed dated July 9, 2010 of record in Deed Book 2958, Page 730 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:

PORTER-MAC PROPERTIES, LLC



GORDON ARNOLD MACPHERSON
MEMBER

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

201704260082

April 26, 2017

11:46:57 AM

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

457 - 461