

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 26 day of SEPTEMBER, 2016, by and between **CHESTER F. MAGGARD and LINDA K. MAGGARD, husband and wife**, 2115 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").

W I T N E S S E T H:

That for and in consideration of the sum of **SIX HUNDRED FIFTY DOLLARS AND 00/100 (\$650.00)**, 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 2115 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 89

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

(C-E)

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning, being approximately 30 feet north of the intersection of Longview Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 39.43 feet left of Clays Mill Road at Station 176+51.12; thence North 65 Degrees 03 Minutes 40 Seconds West a distance of 9.14 feet to a point 48.56 feet left of Clays Mill Road at Station 176+51.04; thence North 24 Degrees 46 Minutes 43 Seconds East a distance of 60.00 feet to a point 49.22 feet left of Clays Mill Road at Station 177+11.04; thence South 65 Degrees 03 Minutes 40 Seconds East a distance of 9.14 feet to a point 40.08 feet left of Clays Mill Road at Station 177+11.11; thence South 24 Degrees 46 Minutes 43 Seconds West a distance of 60.00 feet to a point 39.43 feet left of Clays Mill Road at Station 176+51.12 and the POINT OF BEGINNING, and;

The above described parcel contains 0.013 Acres (548 sq. ft.) of temporary construction easement; and,

Being a portion of the property conveyed to Chester F. Maggard and Linda K. Maggard, husband and wife, by deed dated February 4, 1992, of record in Deed Book 1615, Page 541, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD said easement 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 on this land 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, 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)(a), this public utility easement is exempt from real estate transfer tax pursuant to KRS 142.050.

IN TESTIMONY WHEREOF, the Grantors have signed this Temporary Construction Easement, this the day and year first above written.

GRANTORS:

Chester F. Maggard
CHESTER F. MAGGARD

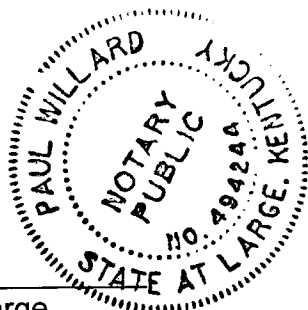
Linda K. Maggard
LINDA K. MAGGARD

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

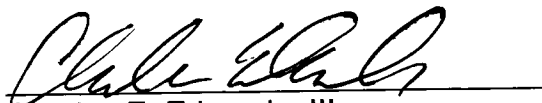
The foregoing Temporary Construction Easement was subscribed, sworn to and acknowledged before me by Chester F. Maggard and Linda K. Maggard, husband and wife, on this the 26 day of SEPTEMBER, 2016.

My Commission Expires: 7-29-2017

Paul Willard
Notary Public, Kentucky, State at Large
494244



PREPARED BY:

A handwritten signature in black ink, appearing to read "Charles E. Edwards, III", is written over a horizontal line.

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\00548743.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: PATTY DAVIS ,dc

201610040312

October 4, 2016 14:23:53 PM

Fees	\$20.00	Tax	\$.00
------	---------	-----	--------

Total Paid	\$20.00
------------	---------

THIS IS THE LAST PAGE OF THE DOCUMENT

5 Pages

185 - 189