

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 17 day of OCTOBER, 2016, by and between **HELEN PHILLIPS, a single person**, 2808 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 **ONE THOUSAND THREE HUNDRED FIFTY DOLLARS AND 00/100 (\$1,350.00)**, 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 2808 Clays Mill Road)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)

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

(C-E)

Parcel No. 35

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately 296 feet south of the intersection of Lamont Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 40.40 feet right of Clays Mill Road at Station 134+14.15; thence North 37 Degrees 45 Minutes 47 Seconds East a distance of 80.51 feet to a point 40.69 feet right of Clays Mill Road at Station 134+94.65; thence South 65 Degrees 46 Minutes 53 Seconds East a distance of 5.14 feet to a point 45.70 feet right of Clays Mill Road at Station 134+95.84; thence South 37 Degrees 45 Minutes 47 Seconds West a distance of 57.02 feet to a point 45.49 feet right of Clays Mill Road at Station 134+38.82; thence South 53 Degrees 11 Minutes 11 Seconds East a distance of 30.00 feet to a point 75.49 feet right of Clays Mill Road at Station 134+39.21; thence South 37 Degrees 45 Minutes 47 Seconds West a distance of 25.19 feet to a point 75.40 feet right of Clays Mill Road at Station 134+14.02; thence North 52 Degrees 14 Minutes 13 Seconds West a distance of 35.00 feet to a point 40.40 feet right of Clays Mill Road at Station 134+14.15 and the POINT OF BEGINNING; and,

The above described parcel contains 0.026 Acres (1,154 sq. ft.) of temporary construction easement; and,

Being a portion of the property conveyed to Bob Phillips (a/k/a James R. Phillips a/k/a James Robert Phillips) and Helen Phillips, husband and wife, by Deed dated June 9, 2009, of record in Deed Book 2878, Page 549, in the Fayette County Clerk's Office. Said Bob Phillips (a/k/a James R. Phillips a/k/a James Robert Phillips) died intestate a resident of Lexington, Fayette County, Kentucky on November 26, 2012. Property vests to his wife, Helen Phillips by the survivorship clause in the aforementioned deed.

TO HAVE AND TO HOLD said easement unto said Grantee, its successors and assigns, for the purposes and uses herein designated.

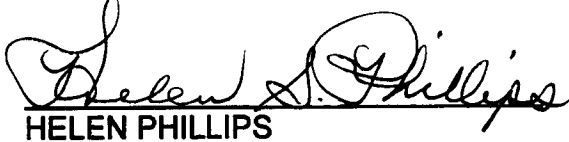
The above-described temporary construction easement runs with the land for the duration of the improvement project on this land and is binding upon the successors and assigns of the Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, that he is lawfully seized in fee simple of said property and has good right to sell and convey the same as herein done, and that he 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 Grantor has signed this Temporary Construction Easement, this the day and year first above written.

GRANTOR:


HELEN PHILLIPS

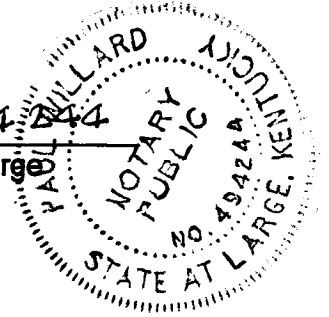
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing Temporary Construction Easement was subscribed, sworn to and acknowledged before me by Helen Phillips, a single person, on this the 17 day of OCTOBER, 2016.

My Commission Expires: 7-29-2017



494-444
Notary Public, Kentucky, State at Large



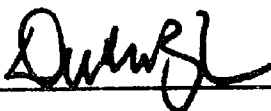
PREPARED BY:



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: SHEA BROWN ,dc

201610200098

October 20, 2016 10:12:01 AM

Fees \$20.00 Tax \$.00

Total Paid \$20.00

THIS IS THE LAST PAGE OF THE DOCUMENT

5 Pages

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