

EXEMPT KRS 382.135(2)(c)

Fayette County
Item Number 07-113.02
Parcel Number 17

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, entered into on this 21st day of February, 2023, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, whose address is 200 East Main Street, Lexington, Kentucky 40507 (hereinafter "Grantor"), *who is exempt from paying tax pursuant to KRS 382.135(2)(c)*; and the **COMMONWEALTH OF KENTUCKY** for the use and benefit of the **TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS**, whose address is 200 Mero Street, Frankfort, Kentucky 40601 (hereinafter "Grantee").

WITNESSETH: That the Grantor, in consideration of **FORTY-ONE THOUSAND, NINE HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$41,950.00)**, cash in hand paid, the receipt of which is hereby acknowledged, has bargained and sold and does hereby sell, grant and convey to the Grantee, its successors and assigns forever, the following described property and property rights, viz:

Parcel Number 17
Tract A

Being a tract of land lying in Fayette County along New Circle Road approximately 820 feet southwest of the intersection of New Circle Road and Leestown Road, and more particularly described as follows:

Beginning at a point in the existing access control and right of way line 99.59 feet right of Proposed New Circle Rd station 330+10.00; thence with the existing access control and right of way line North 41 degrees 24 minutes 16 seconds East, 458.43 feet to a point 99.57 feet right of Proposed New Circle Rd station 334+68.43; thence with the existing access control and right of way line 270.99 feet along an arc to the right, having a radius of 666.20 feet, the chord of which is North 59 degrees 20 minutes 22 seconds East, 269.13 feet to a point 182.44 feet right of Proposed New Circle Rd station 337+24.48; thence with the existing access control and right of way line North 70 degrees 59 minutes 33 seconds East, 69.59 feet to a point in the proposed access control and right of way line 216.80 feet right of Proposed New Circle Rd station 337+85.00; thence with the proposed access control and right of way line South 62 degrees 07 minutes 45 seconds West, 217.04 feet to a point 140.00 feet right of Proposed New Circle Rd station 335+82.00; thence with the proposed access control and right of way line South 47 degrees 55 minutes 05 seconds West, 185.19 feet to a point 119.00 feet right of Proposed New Circle Rd station 333+98.00; thence with the proposed access control and right of way line South 44 degrees 16 minutes 13 seconds West, 388.48 feet to the point of beginning.

The above-described tract contains 0.254 acre (11,081 square feet). It is understood between the parties hereto that the above-described tract is conveyed in fee simple; being known and designated as a portion of 1900 Leestown Road, Lexington, Kentucky.

Being a part of the same tract of property conveyed to City of Lexington, Kentucky (now known as Lexington-Fayette Urban County Government) from Commonwealth of Kentucky, by Donald E. Bradshaw, Commissioner of Finance, of the Commonwealth of Kentucky, by Deed dated September 12, 1972, and recorded in Deed Book 1071, Page 142 in the office of the County Clerk of Fayette County, Kentucky. Also being a part of the same tract of property conveyed to Lexington-Fayette Urban County Government from Dennis Anderson Inv. 1700, LLC, a Kentucky limited liability company, by Deed dated November 24, 2001, and recorded in Deed Book 2245, Page 247 in the office of the County Clerk of Fayette County, Kentucky. There is excepted, Parcel No. 4 (1.75 Acres) and Parcel No. 5 (3.48 Acres) by Deed in favor of Dennis Anderson Inv. 1700, LLC, a Kentucky limited liability company, dated November 29, 2001, and recorded in Deed Book 2245, Page 178, in the office of the County Clerk of Fayette County, Kentucky and as shown on the Consolidation & Easement Minor Subdivision Plat of Sharkey Property & L.F.U.C.G. Property, recorded in Plat Cabinet L, Slide 565 in the office of the County Clerk of Fayette County, Kentucky. There is also excepted, Tract No. 17 (0.252 Acres or 10,967 sq. ft.) by Deed in favor of the Commonwealth of Kentucky, for the use and benefit of the Transportation Cabinet, Department of Highways, dated October 8, 2014, and recorded in Deed Book 3281, Page 657 in the office of the County Clerk of Fayette County, Kentucky.

The proposed public project for which the above-described property is being acquired is identified as Improve New Circle Road from Leestown Road to near Georgetown Road, Federal Project Number 12F0 FD52 034 8534102R; STPM 2681 (037); Item Number 07-113.02, the plans for which are on file in the office of the Kentucky Transportation Cabinet in Frankfort, Kentucky.

The acquisition of the right of way for this project was authorized by the Kentucky Department of Highways Official Order Number 112198.

The control of access for the main line on this project is a fully controlled access highway, as required to be set forth in Section 6 of the Kentucky Administrative Regulations (603 KAR 5:120). Access, if any, on this project as well as the remaining property of the Grantor shall not be from the main line, but shall only be allowed where specifically shown on the project plans or as otherwise permitted by law and Kentucky Transportation Cabinet policy.

This conveyance is made free and clear of any liens, taxes and/or encumbrances.

This conveyance was authorized by Resolution 0716-2023, passed by the Lexington-Fayette Urban County Council on February 16th, 2023.

TO HAVE AND TO HOLD said property unto the Grantee, its successors and assigns, with all the rights and privileges thereunto belonging with covenants of General Warranty.

IN TESTIMONY WHEREOF the Grantor, by and through Linda Gorton, Mayor and Duly Authorized Representative thereof, has executed this Deed of Conveyance on this 27th day of February, 2023.

GRANTOR:

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

BY: Linda Gorton
Linda Gorton, Mayor and Duly Authorized Representative
of the Lexington-Fayette Urban County Government

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF Kentucky
COUNTY OF Fayette

I the undersigned, certify that the foregoing Deed of Conveyance was produced before me in my said County and State and duly acknowledged and sworn to by Linda Gorton, Mayor and Duly Authorized Representative of Lexington-Fayette Urban County Government, the Grantor therein to be its act and deed.

Witness my hand this the 27th day of February, 2023.


NOTARY PUBLIC, STATE AT LARGE

My Commission expires: 11/7/2023

Notary ID Number: 635048

This Instrument Prepared By:

Hon. Kyle W. Ray (KBA # 91959)
Commonwealth of Kentucky
Kentucky Transportation Cabinet
Department of Highways
800 Newtown Court
Lexington, KY 40511
Telephone: (859) 246-2355

Please Return Recorded Instrument To:

Robert Allen
Kentucky Transportation Cabinet
District 7 Right-of-Way
800 Newtown Court
Lexington, KY 40511
Telephone (859) 246-2355