

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 7 day of FEBRUARY, 2017, by and between **HOLLYHILL ENTERPRISES, LLC**, a Kentucky limited liability company, 103 Katelyn Lane, Nicholasville, Kentucky 40356, 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 **TWO THOUSAND NINE HUNDRED DOLLARS AND 00/100 (\$2,900.00)**, 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 Right-of-Way Construction Easement
(a portion of 544 Hollyhill Drive)

Clays Mill Road Improvement Project, Section 1
(Harrodsburg Road to New Circle Road)
Parcel No. 62

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

DTC

Being a tract of land lying in Fayette County on the east side of Clays Mill Road, point of beginning being approximately 134 feet south of the intersection of Hollyhill Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 39.86 feet right of Clays Mill Road at Station 157+43.92; thence North 19 Degrees 45 Minutes 02 Seconds East a distance of 106.11 feet to a point 39.19 feet right of Clays Mill Road at Station 158+50.37; thence South 66 Degrees 41 Minutes 56 Seconds East a distance of 18.42 feet to a point 57.59 feet right of Clays Mill Road at Station 158+49.42; thence South 81 Degrees 53 Minutes 21 Seconds West a distance of 14.01 feet to a point 45.27 feet right of Clays Mill Road at Station 158+42.72; thence South 19 Degrees 45 Minutes 02 Seconds West a distance of 98.84 feet to a point 45.86 feet right of Clays Mill Road at Station 157+43.51; thence North 66 Degrees 15 Minutes 00 Seconds West a distance of 6.01 feet to a point 39.86 feet right of Clays Mill Road at Station 157+43.92 and the POINT OF BEGINNING.

The above described parcel contains 0.016 acres (682 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Hollyhill Enterprises, LLC, a Kentucky limited liability company, by deed dated November 29, 2016 of record in Deed Book 3450, Page 191, 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 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 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:

HOLLYHILL ENTERPRISES, LLC


DONALD E. GRIFFITH, 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: SHEA BROWN ,dc

201702160015

February 16, 2017 8:57:38 AM

Fees \$20.00 Tax \$.00

Total Paid \$20.00

THIS IS THE LAST PAGE OF THE DOCUMENT

5 Pages

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