

**PERMANENT AND TEMPORARY GRANT OF EASEMENT**

This **PERMANENT AND TEMPORARY GRANT OF EASEMENT** is made and entered into this the 8<sup>th</sup> day of May, 2017, by and between **PATHWAY CHURCH AND MINISTRY CENTER, INC.**, a Kentucky corporation, 2601 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 **EIGHT THOUSAND THREE HUNDRED SEVENTY-FIVE DOLLARS AND 00/100 (\$8,375.00)**, 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, the permanent 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:

**Permanent Easement**  
**(a portion of 2601 Clays Mill Road)**

**Clays Mill Road Improvement Project, Section 1**  
**(Harrodsburg Road to New Circle Road)**  
**Parcel No. 50A**

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

DTC

Being a tract of land lying in Fayette County on the west side of Clays Mill Road, point of beginning being approximately 57 feet south of the intersection of Hill N Dale Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 49.07 feet left of Clays Mill Road at Station 150+87.50; thence North 49 Degrees 18 Minutes 54 Seconds West for a distance of 135.69 feet, to a point 176.53 feet left of Clays Mill Road at Station 151+40.09; thence South 64 Degrees 32 Minutes 48 Seconds East a distance of 76.13 feet, to a point 100.83 feet left of Clays Mill Road at Station 151+30.68; thence South 49 Degrees 18 Minutes 54 Seconds East a distance of 55.54 feet, to a point 48.80 feet left of Clays Mill Road at Station 151+09.67; thence South 22 Degrees 10 Minutes 41 Seconds West a distance of 21.09 feet, to a point 49.07 feet left of Clays Mill Road at Station 150+87.50 and the POINT OF BEGINNING;

The above described parcel contains 0.044 acres (1,912 sq. ft.) of permanent easement; and

Being a portion of the property conveyed to Pathway Church and Ministry Center, Inc., a Kentucky corporation, by deed dated March 30, 2017, of record in Deed Book 3481, Page 629, in the Fayette County Clerk's Office.

**FURTHER**, for and in consideration of the sum hereinbefore mentioned, the receipt and sufficiency of which is hereby acknowledged, 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 tracts of land located in the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows, to wit:

**Temporary Right-of-Way Construction Easements**  
**(a portion of 2601 Clays Mill Road)**

**Clays Mill Road Improvement Project, Section 1**  
**(Harrodsburg Road to New Circle Road)**  
**Parcel No. 50B & 50C**

Being a tract of land lying in Fayette County on the west side of Clays Mill Road, point of beginning being approximately 256 feet south of the intersection of Hill N Dale Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 39.60 feet left of Clays Mill Road at Station 148+89.19; thence North 64 Degrees 22 Minutes 19 Seconds West a distance of 14.97 feet to a point 54.44 feet left of Clays Mill Road at Station 148+87.04; thence North 29 Degrees 58 Minutes 50 Seconds East a distance of 77.24 feet to a point 56.11 feet left of Clays Mill Road at Station 149+68.80; thence North 22 Degrees 25 Minutes 07 Seconds East a distance of 78.45 feet to a point 61.70 feet left of Clays Mill Road at Station 150+51.98; thence North 27 Degrees 15 Minutes 26 Seconds East a distance of 36.80 feet to a point 58.96 feet left of Clays Mill Road at Station 150+91.04; thence South 49 Degrees 18 Minutes 54 Seconds East a distance of 10.44 feet to a point 49.07 feet left of Clays Mill Road at Station 150+87.50; thence South 22 Degrees 10 Minutes 41 Seconds West a distance of 148.21 feet to a point 37.84 feet left of Clays Mill Road at Station 149+32.85; thence South 34 Degrees 35 Minutes 41 Seconds West a distance of 42.00 feet to a point 39.60 feet left of Clays Mill Road at Station 148+89.19 and the POINT OF BEGINNING;

The above described parcel contains 0.062 acres (2,715 sq. ft.) of temporary construction easement;

AND

Being a tract of land lying in Fayette County on the west side of Clays Mill Road, point of beginning being approximately 35 feet south of the intersection of Hill N Dale Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 48.80 feet left of Clays Mill Road at Station 151+09.67; thence North 49 Degrees 18 Minutes 54 Seconds West a distance of 8.52 feet to a point 56.81 feet left of Clays Mill Road at Station 151+12.74; thence North 27 Degrees 15 Minutes 26 Seconds East a distance of 12.36 feet to a point 55.30 feet left of Clays Mill Road at Station 151+25.74; thence South 64 Degrees 32 Minutes 48 Seconds East a distance of 7.00 feet to a point 48.34 feet left of Clays Mill Road at Station 151+25.03; thence South 22 Degrees 10 Minutes 41 Seconds West a distance of

14.62 feet to a point 48.80 feet left of Clays Mill Road at Station 151+09.67 and the POINT OF BEGINNING;

The above described parcel contains 0.002 acres (102 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Pathway Church and Ministry Center, Inc., a Kentucky corporation, by deed dated March 30, 2017, of record in Deed Book 3481, Page 629, in the Fayette County Clerk's Office.

**TO HAVE AND TO HOLD** the above-described easements 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 above-described permanent easement runs with the land in perpetuity 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 interests 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.

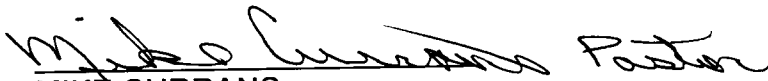
The obtaining of this easement was authorized by Resolution 477-2016, passed by the Lexington-Fayette Urban County Council on July 5, 2016. Pursuant to KRS

382.135(2)(c), this grant of easement, which pertains to a public right-of-way, need not contain a statement of consideration.

**IN TESTIMONY WHEREOF**, the Grantor has signed this Permanent and Temporary Grant of Easement, this the day and year first above written.

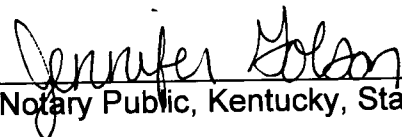
GRANTOR:

PATHWAY CHURCH AND  
MINISTRY CENTER, INC.

  
MIKE CURRANS  
PASTOR

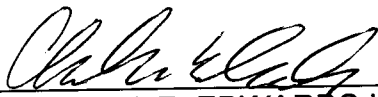
COMMONWEALTH OF KENTUCKY     )  
  )  
COUNTY OF FAYETTE             )

This instrument was acknowledged, subscribed and sworn to before me by Mike Currans, in his capacity as Pastor of Pathway Church and Ministry Center, Inc., on this the 8<sup>th</sup> day of May, 2017.

 548505  
Notary Public, Kentucky, State at Large

PREPARED BY:

My Commission Expires: 1/11/20

  
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\00572684.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: EMILY GENTRY ,dc

201705160017

May 16, 2017                      8:19:47      AM

Fees	\$23.00	Tax	\$ .00
------	---------	-----	--------

Total Paid	\$23.00
------------	---------

**THIS IS THE LAST PAGE OF THE DOCUMENT**

6 Pages

687 - 692