

**DEED OF CONVEYANCE AND GRANT OF PERMANENT AND TEMPORARY
CONSTRUCTION EASEMENTS**

This **DEED OF CONVEYANCE AND GRANT OF PERMANENT AND
TEMPORARY CONSTRUCTION EASEMENTS** is made and entered into this the 16
day of July, 2019, by and between **KENTUCKY UTILITIES COMPANY, a
Kentucky corporation**, 1 Quality Street, Lexington, Kentucky 40507, 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 **FOUR HUNDRED THIRTY-SEVEN
THOUSAND SEVEN HUNDRED SIXTEEN DOLLARS AND 00/100 (\$437,716.00)**, 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, in fee simple, the
following described property, located in Fayette County, Kentucky:

**Fee Simple
(a portion of 201 E. Vine Street)
Town Branch Commons Project
Parcel No. 10, Tract A, Zone 2**

Being a tract of land located in Fayette County, Kentucky
along East Vine Street, approximately 30 feet northeast of
the intersection of East Vine Street and Ayers Alley, and
more particularly described as follows:

Beginning at a point 22.21 feet left of East Vine Street
Station 127+58.43; thence North 47 Degrees 52 Minutes 00

Fayette County Clerk Recording
Related Documents
From 192
To 193

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

(CC-F)

Seconds East, 11.70 feet to a point 33.91 feet left of East Vine Street Station 127+58.41; thence South 42 Degrees 05 Minutes 37 Seconds East, 69.79 feet to a point 35.00 feet left of East Vine Street Station 128+27.00; thence South 42 Degrees 21 Minutes 54 Seconds East, 316.67 feet to a point 40.00 feet left of East Vine Street Station 131+44.97; thence South 47 Degrees 35 Minutes 08 Seconds West 13.95 feet to a point 26.05 feet left of East Vine Street Station 131+45.05; thence North 41 Degrees 58 Minutes 56 Seconds West, 386.53 feet to the POINT OF BEGINNING; and,

The above described parcel contains 0.113 Acres (4,904 square feet) of fee simple; and,

Being a portion of the same property conveyed to Kentucky Utilities Company, a Kentucky corporation, by deed dated May 5, 1989, of record in Deed Book 1510, Page 465, 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, said Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, in perpetuity, the exclusive and permanent right to install, construct, maintain, repair, and inspect a shared-use-path and other related improvements, including walls and other hardscape features and appurtenances thereto, which said shared-use-path, appurtenances, walls, and other hardscape features shall be of such dimension, character, construction, and use as determined by Grantee, and which shall become a part of the Town Branch Trail. This portion of the Deed of Permanent Easement and the exercise of the rights and privileges herein granted, are subject to and expressly include the following:

1. Grantee shall have the right, but not the obligation, at Grantee's expense, to install, construct, manage, use, repair and maintain a shared-use-path,

including walls and other hardscape features. Grantor shall not damage or otherwise harm the final paving of the Path at any time after the completion of the Path.

2. Grantor acknowledges that this Path is for non-motorized vehicles only with the exception of emergency or maintenance vehicles, or as necessary for persons of limited mobility.
3. Grantee shall have the right to make minor modifications to the location of the easement granted herein as reasonably necessary to align the Path.
4. Grantor shall not construct, develop, or maintain, or allow any other to construct, develop, or maintain, any right-of-way, easement of ingress or egress, driveway, road, utility line, or other easement into, on, over, under, or across the Path without the prior written permission of the Grantee. Grantor shall not erect fences, barriers, or signs that impede access to or use of the Path, or allow any other to do the same.
5. Grantee shall have the right to erect reasonable signs, blazing, or public art within the Path features.
6. Grantor shall not use the Path, or allow any other to use the Path, for any use which, in the reasonable opinion of Grantee, is or may possess the potential to become inconsistent with the Purposes of this Easement.

The tract of land on which the permanent easement will be located is within the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows, to-wit:

Permanent Easement
(a portion of 201 E. Vine Street)
Town Branch Commons Project
Parcel No. 10, Tract B, Zone 2

Being a tract of land located in Fayette County, Kentucky along East Vine Street, approximately 45 feet east of the intersection of East Vine Street and Quality Street, and more particularly described as follows:

Beginning at a point 26.38 feet left of East Vine Street Station 131+98.39; thence North 47 Degrees 35 Minutes 08 Seconds East, a distance of 4.27 feet to a point 30.65 feet left of East Vine Street Station 131+98.37; thence South 42 Degrees 06 Minutes 45 Seconds East, a distance of 61.30 feet to a point 30.68 feet left of East Vine Street Station 132+59.67; thence South 42 Degrees 28 Minutes 36 Seconds East, a distance of 3.13 feet to a point 30.70 feet left of East Vine Street Station 132+62.80; thence South 42 Degrees 03 Minutes 27 Seconds East, a distance of 20.21 feet to a point 30.70 feet left of East Vine Street Station 132+83.01; thence South 42 Degrees 10 Minutes 43 Seconds East, a distance of 3.12 feet to a point 30.70 feet left of East Vine Street Station 132+86.13; thence South 42 Degrees 06 Minutes 21 Seconds East, a distance of 20.22 feet to a point 30.71 feet left of East Vine Street Station 133+06.35; thence South 42 Degrees 17 Minutes 24 Seconds East, a distance of 3.08 feet to a point 30.72 feet left of East Vine Street Station 133+09.43; thence South 42 Degrees 05 Minutes 24 Seconds East, a distance of 20.25 feet to a point 30.73 feet left of East Vine Street Station 133+29.69; thence South 42 Degrees 06 Minutes 41 Seconds East, a distance of 3.09 feet to a point 30.73 feet left of East Vine Street Station 133+32.77; thence South 42 Degrees 06 Minutes 59 Seconds East, a distance of 20.23 feet to a point 30.74 feet left of East Vine Street Station 133+53.00; thence South 42 Degrees 19 Minutes 24 Seconds East, a distance of 3.10 feet to a point 30.75 feet left of East Vine Street Station 133+56.10; thence South 42 Degrees 03 Minutes 33 Seconds East, a distance of 21.06 feet to a point 30.75 feet left of East Vine Street Station 133+77.16; thence South 47 Degrees 51 Minutes 39 Seconds West, a distance of 4.02 feet to a point 26.73 feet left of East Vine Street Station 133+77.16; thence North 42 Degrees 11 Minutes 31 Seconds West, a distance of 178.77

feet to a point 26.38 feet left of East Vine Street Station 131+98.39 and the POINT OF BEGINNING; and,

The above described parcel contains 0.017 Acres (742 square feet) of permanent easement; and,

Being a portion of the same property conveyed to Kentucky Utilities Company, a Kentucky corporation, by deed dated May 5, 1989, of record in Deed Book 1510, Page 465, 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 constructing said Town Branch Trail and roadway slopes 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 201 E Vine Street)
Town Branch Commons Project
Parcel No. 10, Tract C, Zone 2

Being a tract of land located in Fayette County, Kentucky along East Vine Street, approximately 50 feet east of the intersection of East Vine Street and Quality Street, and more particularly described as follows:

Beginning at a point 30.65 feet left of East Vine Street Station 131+98.37; thence North 47 Degrees 34 Minutes 13 Seconds East, a distance of 47.35 feet to a point 78.00 feet left of East Vine Street Station 131+98.08; thence South 42 Degrees 04 Minutes 49 Seconds East, a distance of 14.89 feet to a point 78.00 feet left of East Vine Street Station 132+12.97; thence South 47 Degrees 50 Minutes 55 Seconds West, a distance of 47.34 feet to a point 30.66 feet left of East Vine Street Station 132+13.03; thence North 42 Degrees 06 Minutes 45 Seconds West, a distance of 14.66

feet to a point 30.65 feet left of East Vine Street Station 131+98.37 and the POINT OF BEGINNING; and,

The above described parcel contains 0.016 Acres (700 square feet) of temporary construction easement; and,

Temporary Construction Easement
(a portion of 201 E Vine Street)
Town Branch Commons Project
Parcel No. 10, Tract D, Zone 2

Being a tract of land located in Fayette County, Kentucky along East Vine Street, approximately 100 feet southeast of the intersection of East Vine Street and Quality Street, and more particularly described as follows:

Beginning at a point 30.70 feet left of East Vine Street Station 132+62.80; thence North 47 Degrees 31 Minutes 24 Seconds East, a distance of 2.25 feet to a point 32.95 feet left of East Vine Street Station 132+62.79; thence South 42 Degrees 28 Minutes 36 Seconds East, a distance of 20.21 feet to a point 33.09 feet left of East Vine Street Station 132+83.00; thence South 47 Degrees 32 Minutes 21 Seconds West, a distance of 2.40 feet to a point 30.70 feet left of East Vine Street Station 132+83.01; thence North 42 Degrees 03 Minutes 27 Seconds West, a distance of 20.21 feet to a point 30.70 feet left of East Vine Street Station 132+62.80 and the POINT OF BEGINNING; and

The above described parcel contains 0.001 Acres (47 square feet) of temporary construction easement; and,

Temporary Construction Easement
(a portion of 201 E Vine Street)
Town Branch Commons Project
Parcel No. 10, Tract E, Zone 2

Being a tract of land located in Fayette County, Kentucky along East Vine Street, approximately 125 feet east of the intersection of East Vine Street and Quality Street, and more particularly described as follows:

Beginning at a point 30.70 feet left of East Vine Street Station 132+86.13; thence North 47 Degrees 49 Minutes 17 Seconds East, a distance of 2.25 feet to a point 32.95 feet left of East Vine Street Station 132+86.13; thence South 42

Degrees 10 Minutes 43 Seconds East, a distance of 20.22 feet to a point 32.99 feet left of East Vine Street Station 133+06.35; thence South 47 Degrees 52 Minutes 49 Seconds West, a distance of 2.28 feet to a point 30.71 feet left of East Vine Street Station 133+06.35; thence North 42 Degrees 06 Minutes 21 Seconds West, a distance of 20.22 feet to a point 30.70 feet left of East Vine Street Station 132+86.13 and the POINT OF BEGINNING; and,

The above described parcel contains 0.001 Acres (46 square feet) of temporary construction easement; and,

Temporary Construction Easement
(a portion of 201 E Vine Street)
Town Branch Commons Project
Parcel No. 10, Tract F, Zone 2

Being a tract of land located in Fayette County, Kentucky along East Vine Street, approximately 145 feet east of the intersection of East Vine Street and Quality Street, and more particularly described as follows:

Beginning at a point 30.72 feet left of East Vine Street Station 133+09.43; thence North 47 Degrees 42 Minutes 36 Seconds East, a distance of 2.25 feet to a point 32.97 feet left of East Vine Street Station 133+09.42; thence South 42 Degrees 17 Minutes 24 Seconds East, a distance of 20.25 feet to a point 33.05 feet left of East Vine Street Station 133+29.68; thence South 47 Degrees 45 Minutes 10 Seconds West, a distance of 2.32 feet to a point 30.73 feet left of East Vine Street Station 133+29.69; thence North 42 Degrees 05 Minutes 24 Seconds West, a distance of 20.25 feet to a point 30.72 feet left of East Vine Street Station 133+09.43 and the POINT OF BEGINNING; and,

The above described parcel contains 0.001 Acres (46 square feet) of temporary construction easement; and,

Temporary Construction Easement
(a portion of 201 E Vine Street)
Town Branch Commons Project
Parcel No. 10, Tract G, Zone 2

Being a tract of land located in Fayette County, Kentucky along East Vine Street, approximately 170 feet southeast of

the intersection of East Vine Street and Quality Street, and more particularly described as follows:

Beginning at a point 30.73 feet left of East Vine Street Station 133+32.77; thence North 47 Degrees 53 Minutes 19 Seconds East, a distance of 2.25 feet to a point 32.98 feet left of East Vine Street Station 133+32.77; thence South 42 Degrees 06 Minutes 41 Seconds East, a distance of 20.23 feet to a point 32.99 feet left of East Vine Street Station 133+53.00; thence South 47 Degrees 53 Minutes 43 Seconds West, a distance of 2.25 feet to a point 30.74 feet left of East Vine Street Station 133+53.00; thence North 42 Degrees 06 Minutes 59 Seconds West, a distance of 20.23 feet to a point 30.73 feet left of East Vine Street Station 133+32.77 and the POINT OF BEGINNING; and,

The above described parcel contains 0.001 Acres (45 square feet) of temporary construction easement; and,

Temporary Construction Easement
(a portion of 201 E Vine Street)
Town Branch Commons Project
Parcel No. 10, Tract H, Zone 2

Being a tract of land located in Fayette County, Kentucky along East Vine Street, approximately 190 feet southeast of the intersection of East Vine Street and Quality Street, and more particularly described as follows:

Beginning at a point 30.75 feet left of East Vine Street Station 133+56.10; thence North 47 Degrees 45 Minutes 03 Seconds East, a distance of 6.25 feet to a point 37.00 feet left of East Vine Street Station 133+56.08; thence South 42 Degrees 04 Minutes 49 Seconds East, a distance of 21.07 feet to a point 37.00 feet left of East Vine Street Station 133+77.15; thence South 47 Degrees 51 Minutes 39 Seconds West, a distance of 6.25 feet to a point 30.75 feet left of East Vine Street Station 133+77.16; thence North 42 Degrees 03 Minutes 33 Seconds West, a distance of 21.06 feet to a point 30.75 feet left of East Vine Street Station 133+56.10 and the POINT OF BEGINNING; and,

The above described parcel contains 0.003 Acres (132 square feet) of temporary construction easement; and,

All of the above tracts or parcels being a portion of the same property conveyed to Kentucky Utilities Company, a Kentucky corporation, by deed dated May 5, 1989, of record in Deed Book 1510, Page 465, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described interests 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 easements run 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 easements shall take effect upon the commencement of the 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 its 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 it is lawfully seized in fee simple of it will **WARRANT GENERALLY** said title.

The parties do hereby certify pursuant to KRS 382.135 that the consideration stated herein is the full actual consideration paid for the property transferred herein, and the estimated fair cash value of the property conveyed is \$437,716.00. Grantee joins this Deed for the sole purpose of certifying the consideration, as authorized by Resolution No. 391-2018, passed by the Lexington-Fayette Urban County Council on

Paul Weller

Notary Public, Kentucky, State-at-Large

My Commission Expires: 7 / 29 / 2021

Notary ID # 583153

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This Certificate of Consideration certificate was acknowledged, subscribed and sworn to before me by Linda Gorton, as Mayor, for and on behalf of the Lexington-Fayette Urban County Government, on this the 10th day of July, 2019.

Cynthia A. Cannon-Ferguson
Notary Public, Kentucky, State-at-Large

My Commission Expires: 2 / 20 / 2021

Notary ID # ~~578~~ 573812

PREPARED BY:

Charles E. Edwards, III

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



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

201908010192

August 1, 2019 12:35:36 PM

Fees	\$41.00	Tax	\$438.00
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Total Paid	\$479.00
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12 Pages

449 - 460