TEMPORARY CONSTRUCTION EASEMENT

This TEMPORARY CONSTRUCTION EASEMENT is made and entered into this the 2 day of December, 2016, by and between STEPHANIE B. DURBIN, single, 600 Stratford Drive, 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 FOUR HUNDRED FIFTY DOLLARS AND 00/100 (\$1,450.00), 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 600 Stratford Drive)

Clays Mill Road Improvement Project, Section 1 (Harrodsburg Road to New Circle Road) Parcel No. 70

Being a tract of land lying in Fayette County on the west side of Clays Mill Road, point of beginning being approximately

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143 feet south of the intersection of Stratford Drive and Clays Mill Road, and more particularly described as follows:

Beginning at a point 39.87 feet left of Clays Mill Road at Station 167+65.83; thence North 65 Degrees 09 Minutes 26 Seconds West a distance of 9.50 feet to a point 49.37 feet left of Clays Mill Road at Station 167+65.85; thence North 24 Degrees 41 Minutes 06 Seconds East a distance of 118.93 feet to a point 50.05 feet left of Clays Mill Road at Station 168+84.37; thence South 65 Degrees 29 Minutes 53 Seconds East a distance of 11.08 feet to a point 38.97 feet left of Clays Mill Road at Station 168+84.51; thence South 25 Degrees 26 Minutes 52 Seconds West a distance of 119.00 feet to a point 39.87 feet left of Clays Mill Road at Station 167+65.83 and the POINT OF BEGINNING.

The above described parcel contains 0.028 acres (1224 sq. ft.) of temporary construction easement; and

Being a portion of the property conveyed to Stephanie B. Durbin, an unmarried woman, by deed dated October 17, 2016, of record in Deed Book 3441, Page 434, 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 her 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 she is lawfully seized in fee simple of said property and has good right to sell and convey the same as herein done, and that she 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-ofway, need not contain a statement of consideration.

TESTIMONY WHEREOF, the Grantor has signed this Temporary Construction Easement, this the day and year first above written.

STEPHANIE B. DURBIN	
COMMONWEALTH OF KENTUCKY	

This instrument was acknowledged, subscribed and sworn to before me by

Stephanie B. Durbin, single, on this the 12 day of DECEMBER, 2016.

PREPARED BY:

COUNTY OF FAYETTE

Notary Public, Kentucky, State at Large

My Commission Expires: 7 / 19 / 2011

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: EMILY GENTRY, dc

201612160038

December 16, 2016

10:22:31

AM

Fees

\$17.00

Tax

\$.00

Total Paid

\$17.00

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