

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this 13 day of July 2015, by and between **DEER HAVEN PROPERTIES, LLC**, a Kentucky limited liability company, 2062 Cleveland Road, Lexington, Kentucky 40509, 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 **THREE THOUSAND DOLLARS AND NO/100 (\$3,000.00)**, and other good and valuable consideration, 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 based upon Lexington-Fayette Urban County Control Survey Monuments:

Temporary Construction Easement
(a portion of 3689 Polo Club Boulevard and 3693 Polo Club Boulevard)
formerly known as 1321 Deer Haven Lane

Polo Club Boulevard Road Improvement Project
(Deerhaven Lane to Todds Road)

Being a tract of land lying in Fayette County along Polo Club Boulevard approximately 2100' north of the intersection of Polo Club Boulevard and Todds Road (KY 1927), and more particularly described as follows:

Mail to:
Hon. Glenda Humphrey George
Department of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

Beginning at a point in the existing right of way line of Polo Club Boulevard 70.00 feet right of Polo Club Boulevard station 517+91.92; thence with the existing right of way line N 25°23'29" W, a distance of 161.18' to a point 70.00 feet right of Polo Club Boulevard station 519+53.11; thence with the north property line N 64°36'31" E, a distance of 10.00' to a point 80.00 feet right of Polo Club Boulevard station 519+53.11; thence with the proposed easement line S 25°23'29" E a distance of 103.11' to a point 80.00 feet right of Polo Club Boulevard station 518+50.00; thence S 36°33'34" E a distance of 51.63' to a point 90.00 feet right of Polo Club Boulevard station 517+99.35; thence with the south property line S 44°14'21" W, a distance of 21.33' to the POINT OF BEGINNING.

The above described parcel contains 1,865.10 square feet (0.043 acres); and,

Being a portion of the same property conveyed to Deer Haven Properties, LLC, a Kentucky limited liability company by deed dated October 16, 2001, of record in Deed Book 2240, Page 583, all referenced in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD said easement unto said Grantee, its successors and assigns, for the purposes and uses herein designated.

The above-described temporary construction easement will expire upon completion of the improvement project on this land, runs with the land for the duration of the improvement project on this land and is binding upon the successors and assigns of the Grantor.

Grantor does hereby release and relinquish unto 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 this easement was authorized by Resolution 16-2015, passed by the Lexington-Fayette Urban County Council on January 29, 2015. Pursuant to KRS 382-135(2)(a), this public utility easement is exempt from real estate transfer tax pursuant to KRS 142.050.

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

GRANTOR:

DEER HAVEN PROPERTIES, LLC, a
Kentucky limited liability company

BY: Marion C. Clark

ITS: general manager

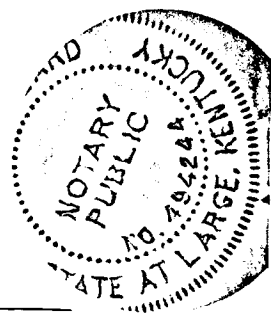
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing Temporary Construction Easement was subscribed, sworn to and acknowledged before me by MARION CLARK, as GENERAL MANAGER, on behalf of Deer Haven Properties, LLC, a Kentucky limited liability company, on this the 13 day of JULY, 2015.

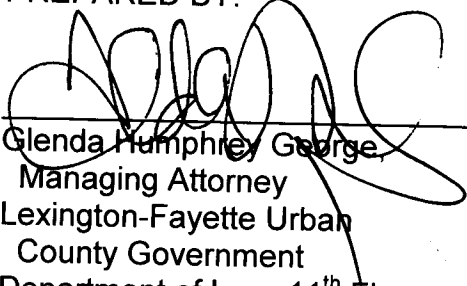
My commission expires: 7-29-2017

Paul W. [Signature]

Notary Public, Kentucky, State-at-Large
494244



PREPARED BY:



Glenda Humphrey George,

Managing 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: SHEA BROWN ,dc

201507200191

July 20, 2015

14:26:32 PM

Fees	\$20.00	Tax	\$.00
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Total Paid	\$20.00
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