

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 16TH day of NOVEMBER, 2022, by and between **DANIEL L. SANDERS and DANA SANDERS, husband and wife**, 1286 Cross Keys Road, Lexington, Kentucky 40504, which is the in-care of tax mailing address for the current year ("Grantors"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 ("Grantee").

WITNESSETH:

That for and in consideration of the sum of **FIVE HUNDRED DOLLARS AND 00/100 (\$500.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantors have **BARGAINED** and **SOLD** and do hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors

Return to:
Cynthia Cannon-Ferguson
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

and assigns, temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction, installation and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on the attached Exhibit "A", and more particularly described as follows, to wit:

Temporary Construction Easement
Parkers Mill Trunk
Sewer Replacement Project
(a portion of 1286 Cross Keys Road)

All of that strip or parcel of land situated on the south side of Cross Keys Road, east of Parkers Mill Road in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

Tract A

BEGINNING, at a common corner between Lots 3 and 4, as shown on the plat of Gardenside Subdivision, Unit 15-C (Plat Cabinet C, Slide 359), said point being in the southerly right-of-way line of Cross Keys Road;

Thence leaving the southerly right-of-way line of Cross Keys Road, with the westerly property line of Lot 4, South 48°05'41" West, a distance of 12.66 feet to a point;

Thence leaving the westerly property line of Lot 4, with a new temporary construction easement line through the lands of Lot 3, North 39°32'16" West, a distance of 83.79 feet to a point;

Thence with an existing utility easement line, North 54°41'55" East, a distance of 5.26 feet to a point in the southerly right-of-way line of Cross Keys Road;

Thence with the southerly right-of-way line of Cross Keys Road, South 44°38'19" East, a distance of 83.21 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 746 sq. ft. (0.017 Acres) of temporary construction easement; and

Tract B

BEGINNING, at a common corner between Lots 2 and 3, as shown on the plat of Gardenside Subdivision, Unit 15-C (Plat Cabinet C, Slide 359), said point being in the southerly right-of-way line of Cross Keys Road;

Thence with the southerly right-of-way line of Cross Keys Road, South 44°38'19" East, a distance of 4.67 feet to a point;

Thence leaving the southerly right-of-way line of Cross Keys Road, with an existing utility easement line through the lands of Lot 3, South 54°41'55" West, a distance of 4.18 feet to a point;

Thence with a new temporary construction easement line, North 39°32'16" West, a distance of 4.18 feet to a point in the easterly property line of the aforesaid Lot 2;

Thence with the easterly property line of Lot 2, North 48°06'41" East, a distance of 3.75 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 17 sq. ft. (0.001 Acres) of temporary construction easement; and

The above Tract A and B, being a portion of the property conveyed to Daniel L. Sanders and Dana Sanders, husband and wife, by Deed dated July 16, 2002, of record in Deed Book 2294, Page 741, 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 Grantors. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon the completion of the project.

Grantors do 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 do hereby covenant to and with the Grantee, its successors and assigns forever, that it 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.

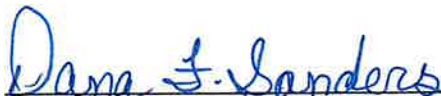
The obtaining of this easement was authorized by Resolution 460-2022, passed by the Lexington-Fayette Urban County Council on August 30, 2022. Pursuant to KRS 382.135(2)(a), this temporary construction easement, which pertains to a public utility, need not contain a statement of consideration.

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

GRANTORS:



DANIEL L. SANDERS



DANA SANDERS

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Daniel L. Sanders and Dana Sanders, husband and wife, on this the 16th day of NOVEMBER, 2022.



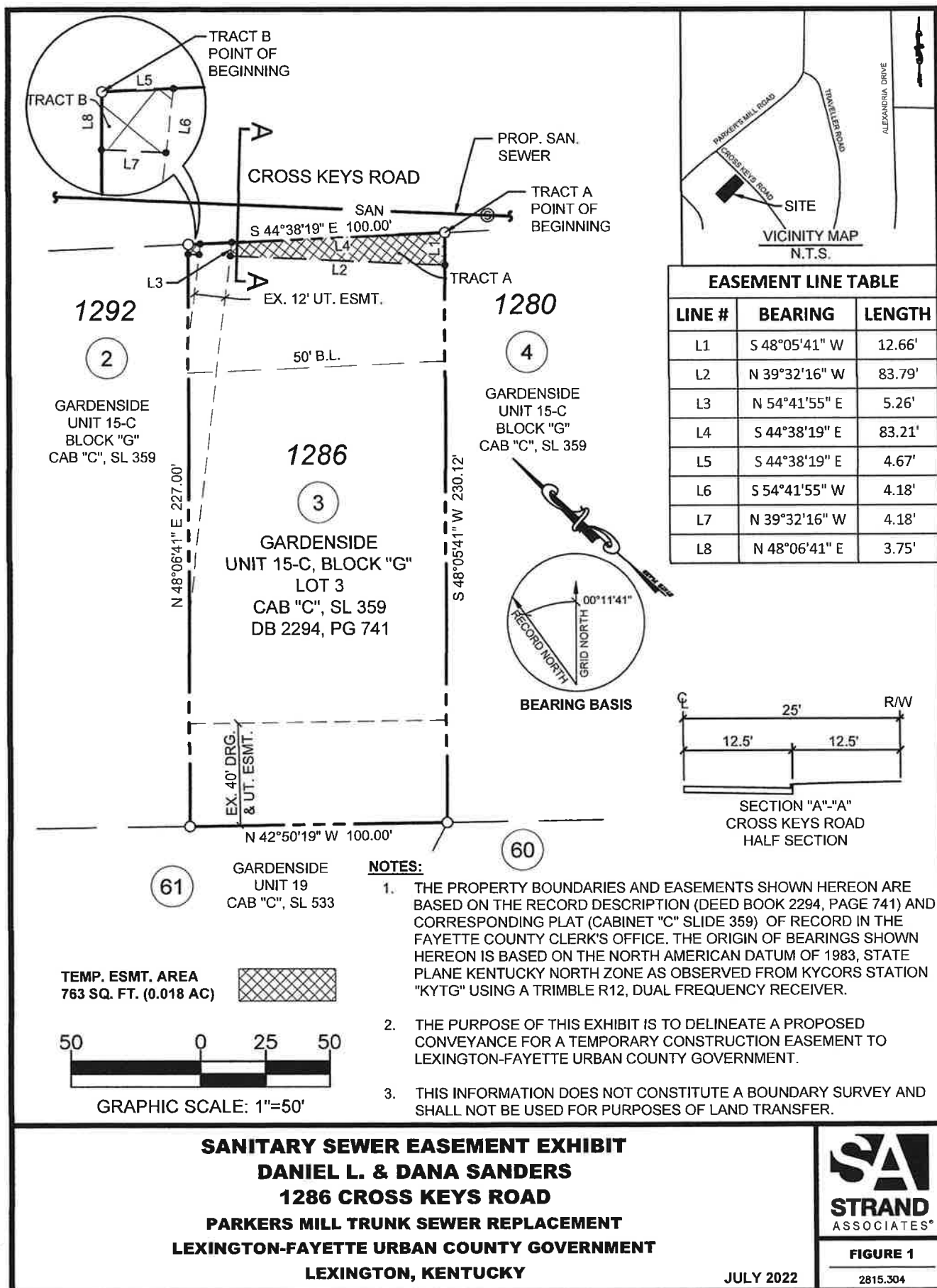
Michael Clayborne
Notary Public, Kentucky, State-at-Large
My Commission Expires: 05 / 10 / 2025
Notary ID # KYNP27704

PREPARED BY:

A handwritten signature in blue ink, appearing to read "Evan P. Thompson", written over a horizontal line.

Evan P. Thompson,
Attorney Sr.
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

X:\Cases\WATER-AIR\22-RE0344\RE\00768021.DOC



SANITARY SEWER EASEMENT EXHIBIT
DANIEL L. & DANA SANDERS
1286 CROSS KEYS ROAD
PARKERS MILL TRUNK SEWER REPLACEMENT
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY



JULY 2022

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: HALLIE WOOSLEY ,dc

202211220249

November 22, 2022

14:09:21 PM

Fees	\$53.00	Tax	\$.00
------	---------	-----	--------

Total Paid	\$53.00
------------	---------

THIS IS THE LAST PAGE OF THE DOCUMENT

7 Pages

6 - 12