

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 7TH day of NOVEMBER, 2022, by and between **CHARLES K. HILL (a/k/a CHARLES K. HILL, JR.)**, a single person, 936 Belmere Drive, Lexington, Kentucky 40509, 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 Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and

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

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 2386 Le Havre Road)

All of that strip or parcel of land situated on the south side of Le Havre Road, north of Versailles Road (US Highway 60) in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

BEGINNING, at a common corner between Lot 4, Unit 1-A, as shown on the Amended Final Plat of Lot 4, Unit 1-A & Plat of Unit 2, Holiday Hills Subdivision (Plat Cabinet D, Slide 583) and Lot 2, as shown on the Amended Final Record Plat of Holiday Hills Subdivision, Lot 2, Block "B", Unit 1-A (Plat Cabinet K, Slide 847), said point being in the northerly right-of-way line of Versailles Road;

Thence leaving the northerly right-of-way line of Versailles Road and the common corner with Lot 2, with a reference line through the lands of Lot 4, North 27°33'06" East, a distance of 59.80 feet to a point in an existing utility easement line, said point being the **TRUE POINT OF BEGINNING**;

Thence with a new temporary construction easement line for two (2) calls:

- 1) North 09°05'01" East, a distance of 28.59 feet to a point; and
- 2) South 80°54'59" East, a distance of 35.83 feet to a point;

Thence with an existing drainage and utility easement line, South 14°58'55" East, a distance of 18.73 feet to a point;

Thence with an existing utility easement line, South 84°16'51" West, a distance of 44.96 feet to the TRUE POINT OF BEGINNING; and,

The above described parcel contains 928 sq. ft. (0.021 Acres) of temporary construction easement; and

The above tract being a portion of the property conveyed to Charles K. Hill, a single person, by Deed dated December 8, 2004, of record in Deed Book 2517, Page 338, 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 the completion of the project.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of his 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 he is lawfully seized in fee simple of said property and has good right to sell and convey the same as herein done, and that he 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 Grantor has signed this Temporary Construction Easement, this the day and year first above written.

GRANTOR:


CHARLES K. HILL (a/k/a
CHARLES K. HILL, JR.)

COMMONWEALTH OF KENTUCKY)
COUNTY OF FAYETTE)
)

This instrument was acknowledged, subscribed and sworn to before me by Charles K. Hill (a/k/a Charles K. Hill, Jr.), a single person, on this the 7TH day of NOVEMBER, 2022.

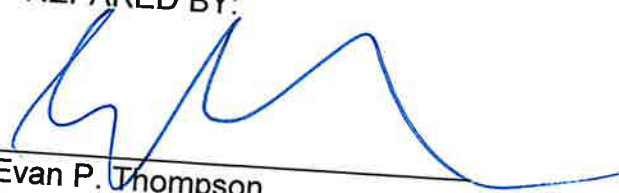



Notary Public, Kentucky, State-at-Large

My Commission Expires: 05 / 10 / 2025

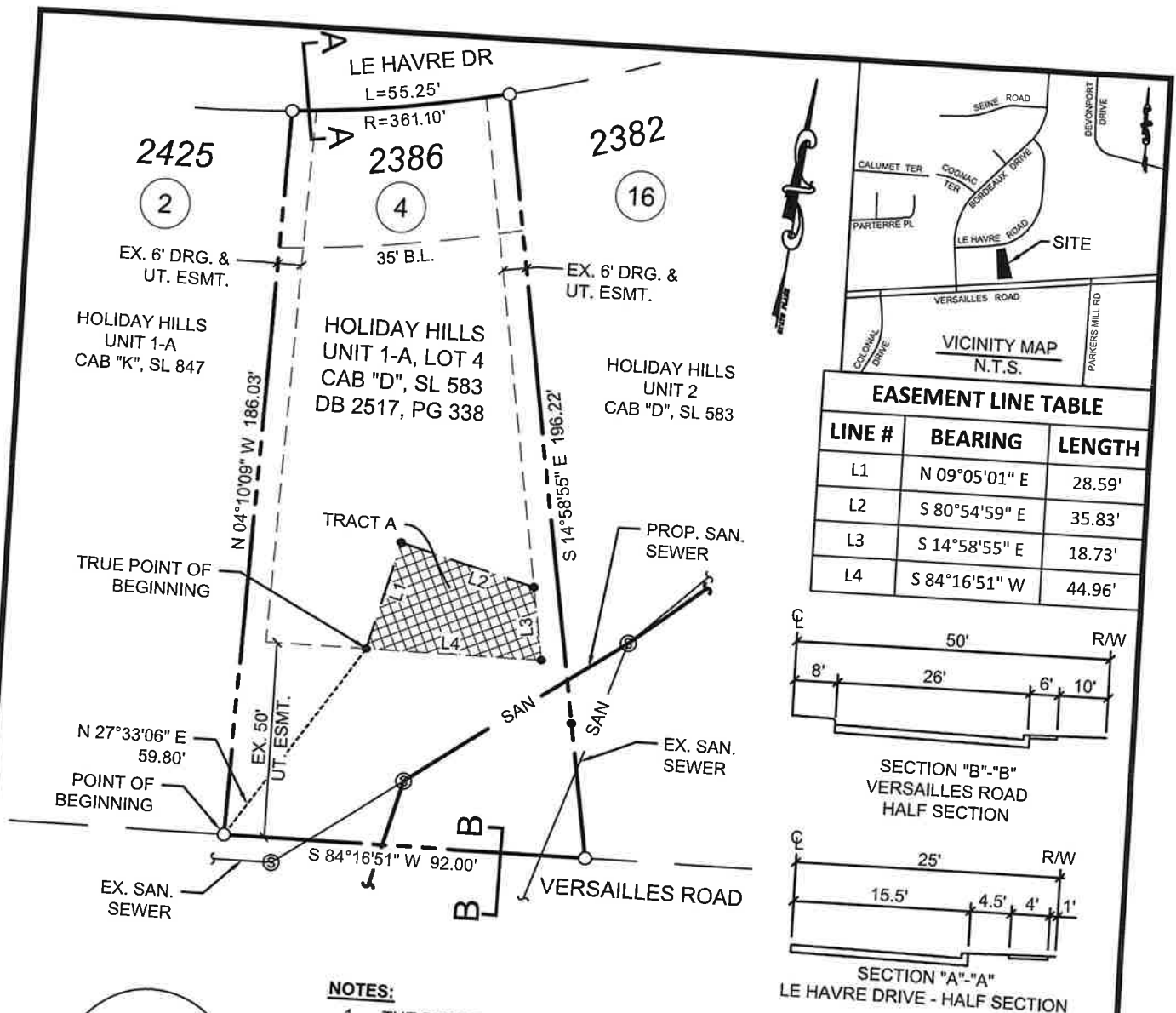
Notary ID # KYNP 27764

PREPARED BY:



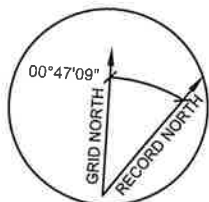
Evan P. Thompson,
Attorney Sr.
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

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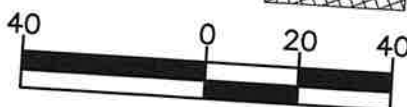
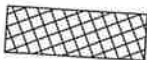
NOTES:

1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE RECORD DESCRIPTION (DEED BOOK 2517, PAGE 338) AND CORRESPONDING PLAT (CABINET "D" SLIDE 583) OF RECORD IN THE FAYETTE COUNTY CLERK'S OFFICE. THE ORIGIN OF BEARINGS SHOWN HEREON IS BASED ON THE NORTH AMERICAN DATUM OF 1983, STATE PLANE KENTUCKY NORTH ZONE AS OBSERVED FROM KYCORS STATION "KYTG" USING A TRIMBLE R12, DUAL FREQUENCY RECEIVER.
2. THE PURPOSE OF THIS EXHIBIT IS TO DELINEATE A PROPOSED CONVEYANCE FOR A TEMPORARY CONSTRUCTION EASEMENT TO LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT.
3. IN ADDITION TO THE EASEMENTS SHOWN HEREON, THERE IS A RETENTION AND DRAINAGE EASEMENT NOT SHOWN ALONG THE BACK OF THE PROPERTY. SEE THE ABOVE REFERENCED PLAT FOR DETAILS.
4. THIS INFORMATION DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR PURPOSES OF LAND TRANSFER.



BEARING BASIS

TEMP. ESMT. AREA
928 SQ. FT. (0.021 AC)



GRAPHIC SCALE: 1"=40'

SANITARY SEWER EASEMENT EXHIBIT
CHARLES K. HILL
2386 LE HAVRE ROAD
PARKERS MILL TRUNK SEWER REPLACEMENT
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY

SA
STRAND
ASSOCIATES®

FIGURE 1

2815.304

SEPTEMBER 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

202211150040

November 15, 2022

9:46:28 AM

Fees	\$53.00	Tax	\$.00
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Total Paid	\$53.00
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7 Pages

558 - 564