

R-460-2022
Deed # 8554

202303200187
FAYETTE CO, KY FEE \$50.00
PRESENTED / LODGED: 03-20-2023 01:39:22 PM
RECORDED: 03-20-2023
SUSAN LAMB
CLERK
BY: MELISSA STELTER
DEPUTY CLERK
BK: DB 4007
PG: 86-90

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 13 day of March 2023, by and between **STEVE FEATHERSTON, III, a single person**, 688 E. New Circle Road, Lexington, Kentucky 40505, 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 FIVE HUNDRED DOLLARS AND 00/100 (\$3,500.00)**, 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**

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

unto the Grantee, its successors 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 2368 Le Havre Road)

Tract A

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

BEGINNING, at a common corner between Lots 21 and 22, as shown on the Amended Final Plat of Lot 4, Unit 1-A and Plat of Unit 2, Holiday Hills Subdivision (Plat Cabinet D, Slide 583), said point being in the westerly boundary line of the H.D. & Nellie Million Property (Plat Cabinet D, Slide 396);

Thence with the northerly property line of Lot 21, North 71°56'59" West, a distance of 41.82 feet to a point;

Thence leaving the northerly property line of Lot 21, with an existing utility and sanitary sewer line through the lands of Lot 22, North 01°04'51" East, a distance of 6.27 feet to the **TRUE POINT OF BEGINNING**;

Thence with an existing drainage and utility easement line, North 71°56'59" West, a distance of 79.09 feet to a point;

Thence with an existing sanitary sewer easement line, South 78°06'58" East, a distance of 77.01 feet to a point;

Thence with an existing utility and sanitary sewer easement line, South 01°04'51" West, a distance of 8.65 feet to the **TRUE POINT OF BEGINNING**; and,

The above described parcel contains 327 sq. ft. (0.008 Acres) of temporary construction easement; and

The above tract being a portion of the property conveyed to Steve Featherston, III, a single person, by Deed dated May 1, 2009, of record in Deed Book 2871, Page 511, 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:



STEVE FEATHERSTON, III

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by Steve Featherston, III, a single person, on this the 13 day of March, 2023.

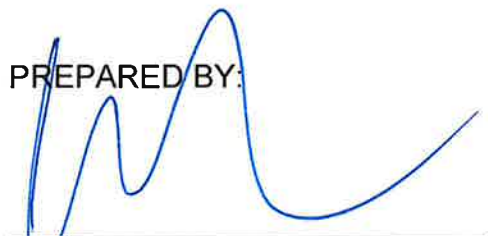


Notary Public, Kentucky, State-at-Large

My Commission Expires: 05 / 10 / 2025

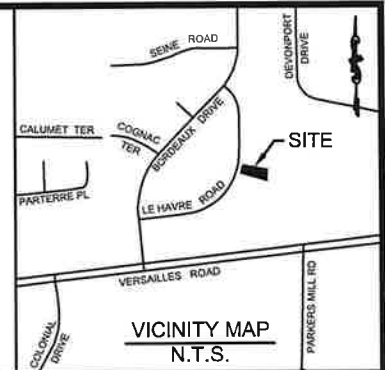
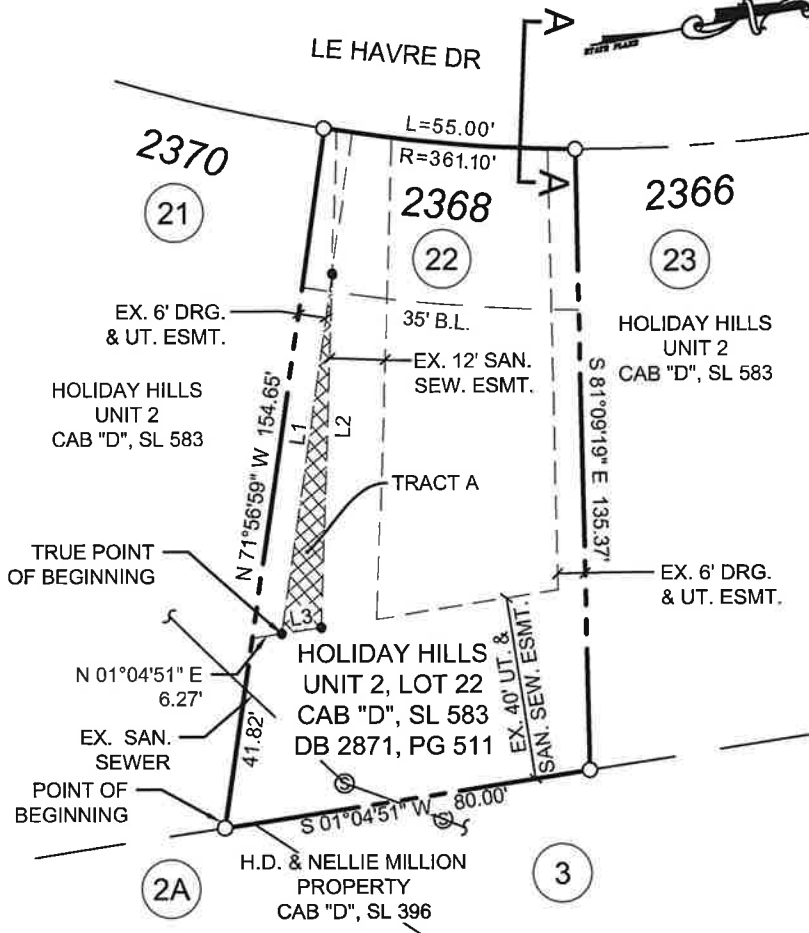
Notary ID # KYNP 27704

PREPARED BY:



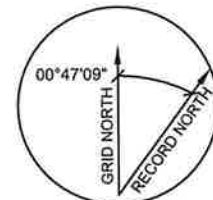
Evan P. Thompson,
Attorney Sr.
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500



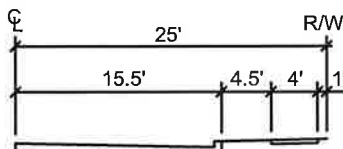


EASEMENT LINE TABLE

LINE #	BEARING	LENGTH
L1	N 71°56'59" W	79.09'
L2	S 78°06'58" E	77.01'
L3	S 01°04'51" W	8.65'

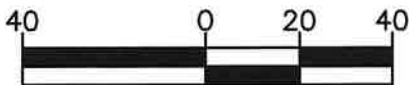


BEARING BASIS



**SECTION "A"-A
LE HAVRE DRIVE
HALF SECTION**

**TEMP. ESMT. AREA
327 SQ. FT. (0.008 AC)**



GRAPHIC SCALE: 1"=40'

NOTES:

1. THE PROPERTY BOUNDARIES AND EASEMENTS SHOWN HEREON ARE BASED ON THE RECORD DESCRIPTION (DEED BOOK 2871, PAGE 511) 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.

**SANITARY SEWER EASEMENT EXHIBIT
STEVE FEATHERSTON III
2368 LE HAVRE ROAD
PARKERS MILL TRUNK SEWER REPLACEMENT
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KENTUCKY**



FIGURE 1

FEBRUARY 2023

2815.304