

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 2 day of AUGUST, 2021, by and between **LAFAYETTE CHURCH OF THE NAZARENE, INC., a Kentucky non-profit corporation**, 264 LaFayette Parkway, 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 **SIX HUNDRED DOLLARS AND 00/100 (\$600.00)**, 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 sidewalk 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 Construction Easement
Rosemont Garden Sidewalk Improvement Project
(a portion of 417 Rosemont Garden)
Parcel No. 3

BEGINNING at a point on the existing Rosemont Garden existing right-of-way line 14.43 feet from centerline Station 1+63.59; thence with the proposed easement line, N 32 Degrees 36 Minutes 43 Seconds E a distance of 3.08 feet to corner of the proposed easement line; thence along the proposed easement line, S 58 Degrees 17 Minutes 42

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

Seconds E a distance of 4.21 feet to a point on the proposed easement line; thence along the proposed easement line, S 28 Degrees 39 Minutes 47 Seconds W a distance of 3.13 feet to a point on the existing Rosemont Garden right-of-way line; thence along the existing right-of-way line, N 57 Degrees 38 Minutes 46 Seconds W a distance of 4.43 feet to the **POINT OF BEGINNING**; and

The above described parcel contains 13 sq. ft. of temporary construction easement; and,

Being a portion of the property conveyed to LaFayette Church of the Nazarene, Inc., (formerly LaFayette Church of the Nazarene), a Kentucky non-profit corporation, by deed dated February 22, 1977, of record in Deed Book 1164, Page 402 and by Articles of Incorporation, dated December 3, 2020, of record in Corporate Record Book 417, Page 447, all referenced in the Fayette County Clerk's Office.

Temporary Construction Easement
Rosemont Garden Sidewalk Improvement Project
(a portion of 415 Rosemont Garden)
Parcel No. 4

BEGINNING at a point on the existing Rosemont Garden right-of-way line 21.03 feet from centerline Station 1+67.91; thence with a proposed easement line, N 28 Degrees 40 Minutes 11 Seconds E a distance of 2.65 feet to a corner of the proposed easement line; thence along the proposed easement line, S 58 Degrees 07 Minutes 59 Seconds E a distance of 42.11 feet to a point on the proposed easement line; thence along the proposed easement line, N 87 Degrees 42 Minutes 11 Seconds E a distance of 3.36 feet to a point on the proposed easement line; thence along the proposed easement line, S 28 Degrees 36 Minutes 41 Seconds W a distance of 4.41 feet to a corner on the existing Rosemont Garden right-of-way line; thence along the existing right-of-way line, N 58 Degrees 17 Minutes 36 Seconds W a distance of 44.99 feet to the **POINT OF BEGINNING**; and,

The above described parcel contains 119 sq. ft. of temporary construction easement; and,

Being a portion of the property conveyed to LaFayette Church of the Nazarene, Inc., (formerly LaFayette Church of the Nazarene), a Kentucky non-profit corporation, by deed dated February 22, 1977, of record in Deed Book 1164, Page 404 and by Articles of Incorporation, dated December 3, 2020, of record in Corporate Record Book 417, Page 447, all referenced 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 its right, title, and interest in and to the property to the extent of the interest conveyed herein, including all exemptions allowed by law, and does hereby covenant to and with 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 of this easement was authorized by Resolution 616-2020, passed by the Lexington-Fayette Urban County Council on December 3, 2020. Pursuant to KRS 382.135(2)(c), this temporary construction easement, which pertains to a public right-of-way, 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:


LAFAYETTE CHURCH OF THE NAZARENE, INC., a Kentucky non-profit corporation

BY: 

DAVID W. DORN, PASTOR AND PRESIDENT

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This instrument was acknowledged, subscribed and sworn to before me by David W. Dorn, as Pastor and President, for and on behalf of LaFayette Church of the Nazarene, Inc., a Kentucky non-profit corporation, on this the 2 day of AUGUST , 2021.



Notary Public, Kentucky, State-at-Large
My Commission Expires: 7 / 29 / 2025
Notary ID # KYNP30941

PREPARED BY:



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

X:\Cases\ENGINEER\20-RE0114\RE\00731658.DOC

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: PATTY DAVIS ,dc

202108050001

August 5, 2021

9:56:54 AM

Fees	\$50.00	Tax	\$.00
------	---------	-----	--------

Total Paid	\$50.00
------------	---------

THIS IS THE LAST PAGE OF THE DOCUMENT

6 Pages

262 - 267

TEMPORARY CONSTRUCTION EASEMENT

This **TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 3 day of AUGUST, 2021, by and between i) **THOMAS A. FRILEY and SUSAN D. FRILEY, husband and wife** ii) **ZANE H. FRILEY, a single person**, 4121 Palomar Blvd., Lexington, Kentucky 40513, 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 **THREE HUNDRED DOLLARS AND 00/100 CENTS (\$300.00)**, 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 and assigns, temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sidewalk 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 Construction Easement
Rosemont Garden Sidewalk Improvement Project
(a portion of 411 Rosemont Garden)
Parcel No. 5

Tract A

BEGINNING at a point on the existing Rosemont Garden right-of-way line 21.06 feet from Rosemont Garden centerline Station 2+42.52; thence with a proposed easement line, N 34 Degrees 07 Minutes 00 Seconds E, a distance of 2.11 feet to a corner of the proposed easement

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

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: PATTY DAVIS ,dc

202108050002

August 5, 2021 9:57:30 AM

Fees	\$50.00	Tax	\$.00
------	---------	-----	--------

Total Paid	\$50.00
------------	---------

THIS IS THE LAST PAGE OF THE DOCUMENT

6 Pages

268 - 273