

GRANT OF TEMPORARY EASEMENT

THIS GRANT OF TEMPORARY EASEMENT is made this 15TH day of SEPTEMBER 20 21, by and between **JEFFERSON COUNTY SCHOOL DISTRICT FINANCE CORPORATION, a Kentucky nonprofit corporation**, whose mailing address is 3332 Newburg Road, VanHoose Education Center, Louisville, Kentucky 40218, Grantor, and **LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (successor to the City of Louisville) a Kentucky consolidated local government** for the use and benefit of the Louisville/Jefferson County Metro Government, a Kentucky consolidated local government, 527 West Jefferson Street, Louisville, Louisville, Kentucky 40202, which is the in-care-of address for the tax bill (if any), Grantee.

WITNESSETH: That the Grantor, in consideration of the public and mutual benefits to be derived herefrom and for no monetary consideration, does hereby grant and convey to the Grantee, its successors and assigns the following described property and property rights:

[SEE ATTACHMENT OF AREA DESCRIBED BELOW ON EXHIBIT "A"]

Parcel No. 3
Jefferson County School District

Being a tract of land in Jefferson County, Kentucky located approximately 46 feet northeast of the intersection of Maple St and Dixie Highway, and more particularly described as:

Beginning at a point 32.79 feet right of the centerline of Dixie Highway at Station 909+25.03; thence North 18°12'41" East a distance of 194.98 feet to a point 31.91 feet right of the centerline of Dixie Highway at Station 911+19.61; thence North 18°12'11" East a distance of 10.39 feet to a point 31.86 feet right of the centerline of Dixie Highway at Station 911+30.00; thence South 71°31'22" East a distance of 9.14 feet to a point 40.00 feet right of the centerline of Dixie Highway at Station 911+30.00; thence South 18°27'59" West a distance of 204.02 feet to a point 40.00 feet right of the centerline of Dixie Highway at station 909+26.45; thence North 82°06'10" West a distance of 8.40 feet to a point 32.79 feet right of the centerline of Dixie Highway at Station 909+25.03 and the POINT OF BEGINNING.

The above described parcel contains 0.041 acres (1,572 sq. ft.) of temporary construction easement. It is the specific intention of the grantor(s) herein to convey a temporary easement to the property described above for the purpose of street improvements and landscaping; said easement terminates and reverts upon completion of same.

Being a part of the same property conveyed to Jefferson County School District Finance Corporation., a Kentucky nonprofit corporation, by deed dated April 9, 2021, of record in Deed Book 11983, Page 120, in the office of the County Clerk of Jefferson County, Kentucky.

TO HAVE AND TO HOLD said property unto the Grantee, its successors and assigns, with all the rights and privileges thereunto belonging with covenants of General Warranty.

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IN TESTIMONY WHEREOF, witness the signature of the parties hereto:

GRANTOR:

**JEFFERSON COUNTY SCHOOL DISTRICT
FINANCE CORPORATION, a Kentucky
nonprofit corporation**

By: _____
Martin "Marty" Pollio, Ed.D.
President

GRANTEE:

**LOUISVILLE/JEFFERSON
COUNTY METRO
GOVERNMENT**

By: _____
Vanessa D. Burns, Director
Metro Public Works & Assets

CONSIDERATION CERTIFICATE

Pursuant to KRS 382.135 (1)(d), the undersigned hereby swear and affirm, under penalty of perjury, that the conveyance in the foregoing instrument is for nominal consideration. The estimated fair market value of the property easement herein conveyed is One Thousand and No/100 Dollars (\$1,000.00)

**JEFFERSON COUNTY SCHOOL DISTRICT
FINANCE CORPORATION, a Kentucky
nonprofit corporation**

By: _____
Martin "Marty" Pollio, Ed.D.
President

**LOUISVILLE/JEFFERSON
COUNTY METRO
GOVERNMENT**

By: _____
Vanessa D. Burns, Director
Metro Public Works & Assets

Approved as to form and legality:

Assistant County Attorney

COMMONWEALTH OF KENTUCKY)
) ss
COUNTY OF JEFFERSON)

Notary ID#

COMMONWEALTH OF KENTUCKY)
) ss
COUNTY OF JEFFERSON)

Notary ID#

Prepared by:

**MICHAEL J. O'CONNELL
JEFFERSON COUNTY ATTORNEY**

**By: _____
Assistant County Attorney
531 Court Place, Suite 900
Louisville, Kentucky 40202
(502) 574-6333**

LOUISVILLE/JEFFERSON CO. METRO GOVERNMENT
PUBLIC WORKS & ASSETS
RIGHT OF WAY SECTION, TRANSPORTATION DIVISION

MEMORANDUM OF UNDERSTANDING

County: Jefferson Dixie Highway Landscaping Improvements	Item No.: NOT APPLICABLE	Parcel No. 3
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Property Owner(s): JEFFERSON COUNTY SCHOOL DISTRICT FINANCE CORPORATION, a Kentucky nonprofit corporation, whose mailing address is 3332 Newburg Road, VanHoose Education Center, Louisville, Kentucky 40218

This Memorandum of Understanding contains all the representations and agreements made between the parties hereto and upon which they relied in executing a Grant of Temporary Easement dated _____.

The deed conveys this amount of property as shown on the official plans:

Land acquired in fee simple	N/A	
Permanent easement	N/A	
Construction easement	N/A	
Temporary easement	1,572	Square feet
Excess property	N/A	

In addition, the parties agree as follows: **"Grantee agrees that use of the temporary construction easement described herein will not interfere with Grantors ongoing construction of its new elementary school at this location".**

"JCPS is concerned since the timeframes overlap. Our schedule for construction last through Spring of 2023." Per Tommy Knoy, Fiscal Specialist, Operations, JCPS

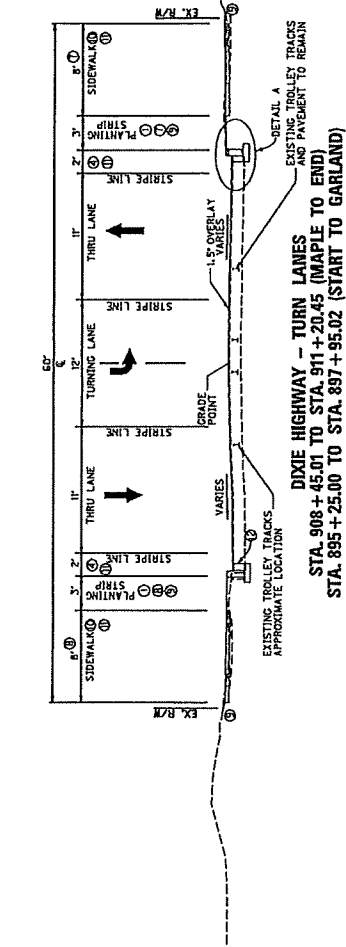
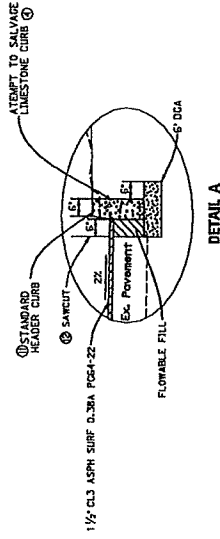
This Memorandum of Understanding, together with the Right of Way Plans and any other documents referenced in these instruments, represent all the terms and conditions of the agreement between Louisville/Jefferson Co. Metro Government and the Property Owner(s), which was reached without coercion, threats or other promises by either party.

By their signature on this document, the agent representing Louisville/Jefferson County Metro Government, certifies that they have no direct, indirect, present or contemplated interest in this property and in no way will benefit from this acquisition.

This Memorandum of Understanding was signed this _____ day of _____, 20_____.

Signature of Agent(s) for Louisville/Jefferson Co. Metro Government		Signature of Property Owner(s)
X		X
Mike Penick, Agent for Metro		Printed Name: Martin A. Pollio Title: Superintendent

COUNTY OF	ITEM NO.	SHEET NO.
JEFFERSON	05-0478.8	R02



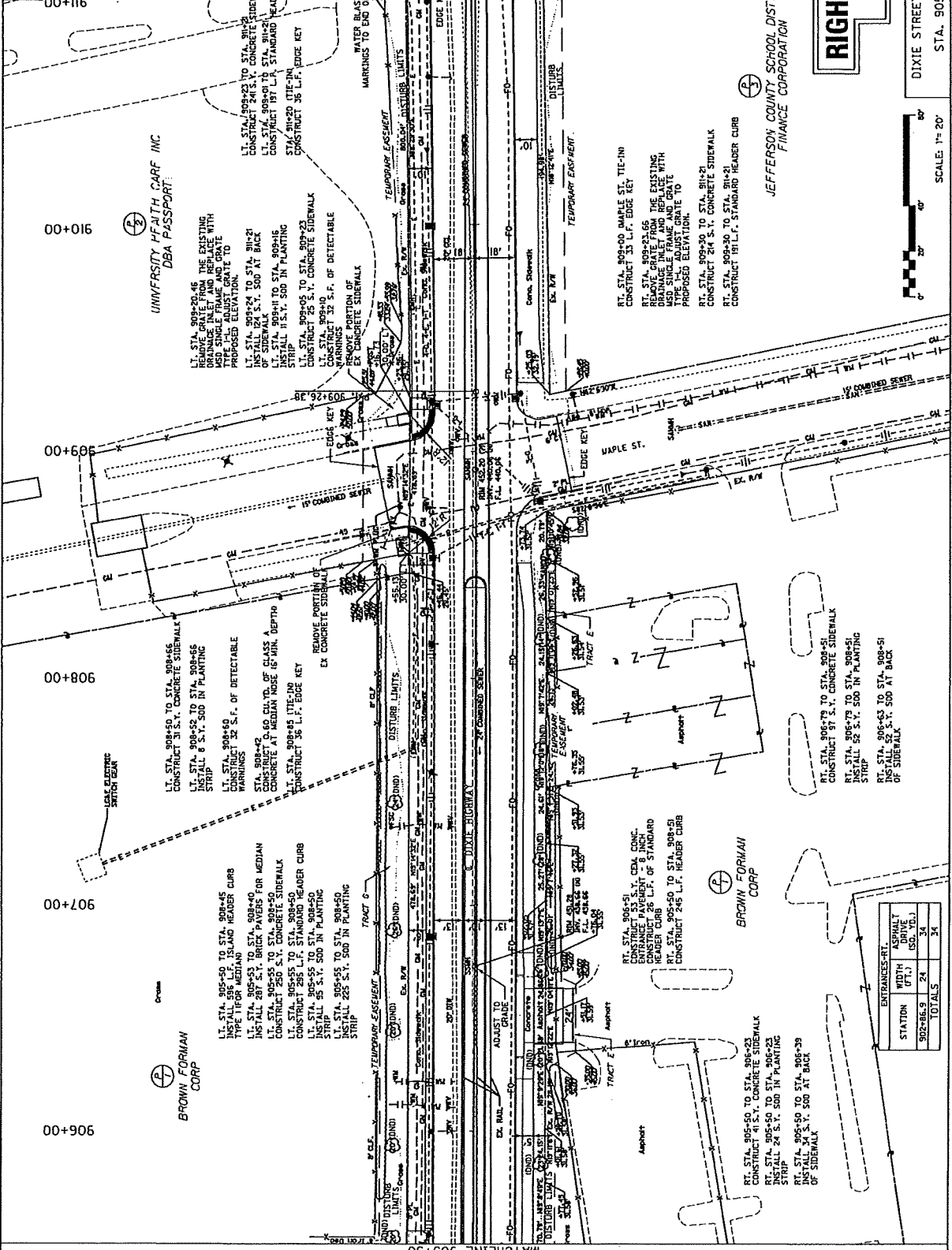
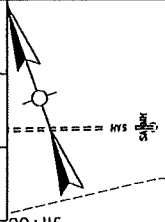
- 1 PLANTING STRIP 1/4" TO 1/2" WIDE, LOCATION OF STREET/PAVEMENT AND/OR SIDEWALK.
- 2 PLANTING STRIP 1/4" TO 1/2" WIDE, LOCATION OF SIDEWALK AND/OR SIDEWALK.
- 3 BIDM. THICK PAVERS WILL BE PLACED ON TOP OF ASPHALT TO MAKE THEM TRAFFIC RATED. SEE SHEET R202B FOR PAVEMENT DETAILS.
- 4 FIRST COURSE TO CONCRETE PAVERS
- 5 FIRST COURSE TO CONCRETE PAVERS
- 6 SEE SHEET R202B FOR SPECIAL NOTE FOR LIMESTONE CURB AND PROPOSED HISTORIC MATERIALS.
- 7 ON EXISTING PAVEMENT SECTION SEE ATC SECTION 100.00 FOR CONCRETE PAVEMENT.
- 8 3" SIDEWALK FROM STA. 904'-08.51 TO STA. 908'-50.80
- 9 10" SIDEWALK FROM STA. 904'-08.51 TO STA. 907'-50.80
- 10 10" SIDEWALK WITH NO PLANTING STRIP FROM STA. 909'-50.16 TO STA. 910'-20.45
- 11 10" SIDEWALK WITH NO PLANTING STRIP FROM STA. 905'-28.17 TO STA. 910'-20.45
- 12 300 ALL AREAS
- 13 4" THICK HISTORIC MIX CONCRETE
- 14 HISTORIC MIX CONCRETE
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OVERLAY	MINIMUM	1 1/2" DEPTH
00130	CL3 ASPH SURF	0.38A PG64-22

**DIXIE STREETSCAPE (GARLAND-MAPLE)
TYPICAL SECTIONS**

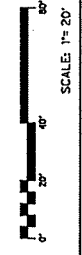
SCALE: 1"=NA

COUNTY OF	ITEM NO.	SHEET NO.
JEFFERSON	05-0476.8	ROT



RIGHT OF WAY PLANS

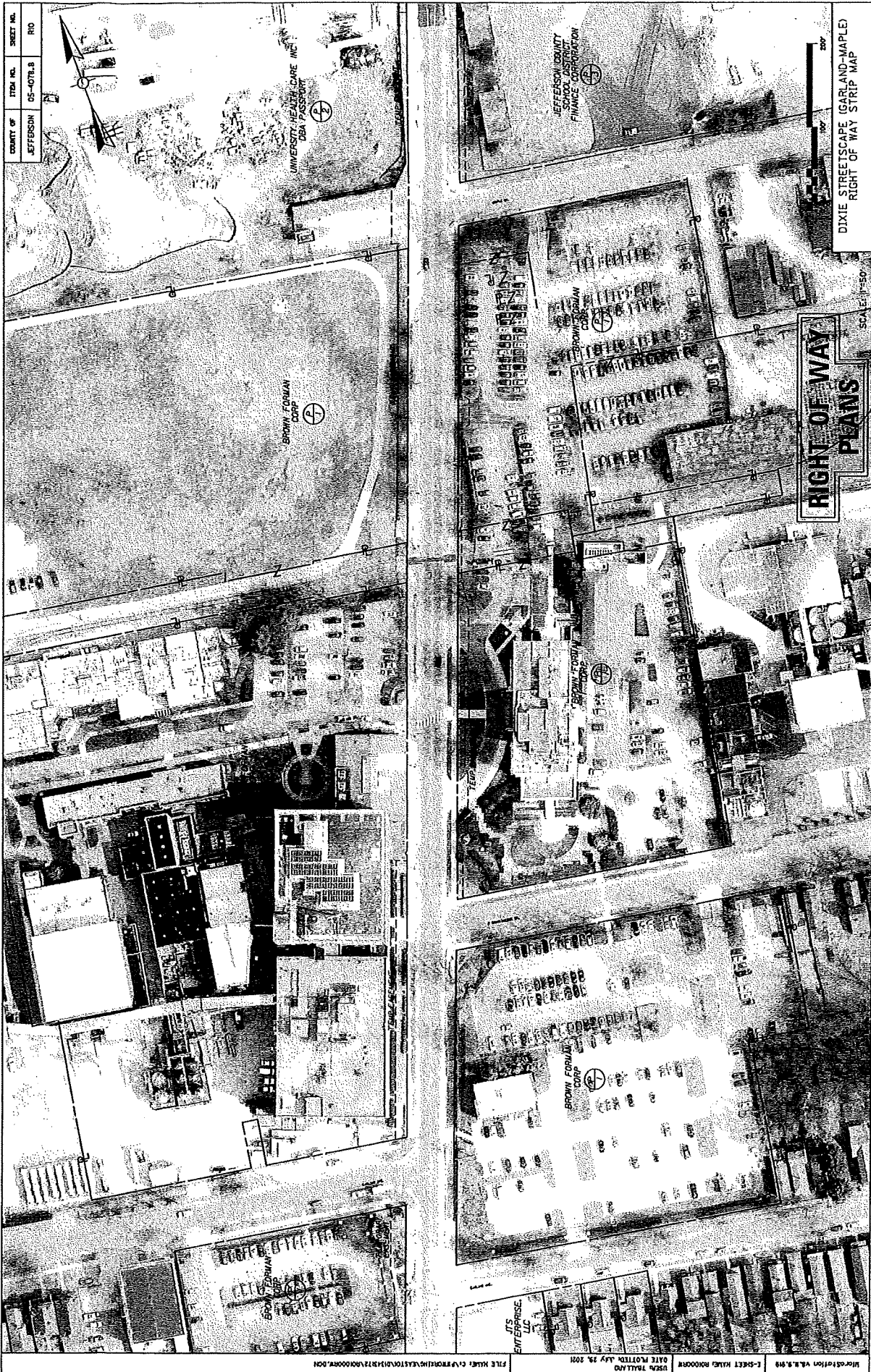
DIXIE STREETSCAPE (GARLAND-MAPLE)
PLAN SHEET
STA. 905+50 TO STA. 911+50



JEFFERSON COUNTY SCHOOL DISTRICT
FINANCE CORPORATION

ENTRANCES-RT.			
STATION	WIDTH (FT.)	ADJUST (FT.)	TOTALS
902+86.9	24	34	
TOTALS			34

SHEET NO.	ITEM NO.	COUNTY OF
R10	05-4078.8	JEFFERSON



RIGHT OF WAY PLANS

DIXIE STREETSCAPE (GARLAND-MAPLE)
RIGHT OF WAY STRIP MAP

SCALE 1"=50'

ENTERPRISE
LLC