

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar (\$1.00) paid to Board of Education of Spencer County, Kentucky, whose address is 207 West Main Street, Taylorsville, Kentucky 40071, hereinafter referred to as **GRANTORS**, by THE CITY OF TAYLORSVILLE, whose address is P.O. Box 70, Taylorsville, Kentucky 40071, hereinafter referred to as **GRANTEE**, the receipt of which is hereby acknowledged, this being the full and complete consideration for this conveyance, the **GRANTORS** do hereby grant, bargain, sell, transfer, and convey unto the **GRANTEE**, its successors and assigns, a perpetual easement with the right to erect, construct, install and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove a sanitary sewer line and appurtenances over, across, and through the land of the **GRANTORS** situated in Spencer County, Kentucky, together with the right of ingress and egress over the adjacent lands of the **GRANTORS**, their heirs and assigns, for the purposes of this easement, said easement being more particularly described as follows:

Being an easement over a strip of land twenty (20) feet in width for use during construction and said easement strip to remain a permanent easement ten (10) feet in width at the end of construction. The centerline of the easement is described as follows:

Beginning at a point on Grantor's Northerly Property Line and Southerly right-of-way of S.R.7; Thence in a Southerly direction approximately 175 L.F. to a point; Thence in a Easterly direction approximately 850 L.F. to a point on existing Water Line Easement.

The above described easement is shown on the Water Line Construction plans prepared by Sisler-Maggard Engineering, PLLC, Project No. 13014, Drawing No. 1 of 3,
Dated October 2013.

Being an easement over a portion of that property conveyed to Spencer County Board Of Education by deed dated 7/18/2002, from Ann Hollaway Arnold and J. Fred Arnold, Husband and Wife, Jessica Young Harrison, Formally Known As, Jessica Todd Young and Kendall W. Harrison, Husband and Wife, as recorded in the office of the County Court Clerk of Spencer County, Kentucky in *Deed Book 166, Page 246*.

The consideration herein above recited shall constitute payment in full for any damages to the land of the **GRANTORS**, their heirs and assigns, by reason of the installation, operation, and maintenance of the structures or improvements referred to herein. **GRANTEE** shall restore the property to substantially same condition as it was prior to this construction. The **GRANTEE** covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the **GRANTORS**, their heirs and assigns. The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the **GRANTEE**, its successors and assigns.

IN TESTIMONY WHEREOF, the **GRANTORS** have executed this instrument this the _____ day of _____, 2013.

Name

STATE OF KENTUCKY
COUNTY OF LEWIS

Name

I, _____, a **NOTARY PUBLIC** in and for the County and State aforesaid do hereby certify that to _____, personally appeared before me and acknowledged that they are the persons described in and who executed the foregoing easement to CITY OF TAYLORSVILLE and that they, each of them, duly acknowledged the same before me to be their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, this the _____ day of _____, 2013.

NOTARY PUBLIC, KENTUCKY

My Commission Expires: _____

This Instrument Prepared By:
John "Dudley" Dale, Jr., Attorney at Law
P.O. Box 494
Taylorsville, Kentucky 40071
(502) 477-2296

This **DEED OF CORRECTION** made and entered into this 18th day of July, 2002, by and between **ANN HOLLOWAY ARNOLD and J. FRED ARNOLD**, husband and wife, of 1825 Fielden Drive, Lexington, Kentucky 40502, and **JESSICA YOUNG HARRISON FKA JESSICA TODD YOUNG and KENDALL W. HARRISON**, husband and wife, of 1145 Amherst Drive, Madison, WI 53705, first parties, and **SPENCER COUNTY BOARD OF EDUCATION**, of 207 W. Main Street, Taylorsville, Kentucky 40071, second party.

WITNESSETH: That whereas first parties did on the 15th day of June, 1998, execute and deliver a deed to second parties a Deed which is recorded in Deed Book 130, Page 243, of record in the Office of the Clerk of Spencer County and an error was made in the Legal Description, now, for a valuable consideration, the receipt of which is hereby acknowledged and in order to correct said deed.

The first parties hereby sell and convey, with covenant of general warranty, unto the second parties, the following described real estate located in Spencer County, Kentucky:

SEE ATTACHED EXHIBIT A

BEING a part of the same property conveyed to Ann Holloway Young (now known as Ann Holloway Arnold) and Jessica Todd Young (now known as Jessica Young Harrison, by deed dated the April 16, 1990, of record in Deed Book 92, Page 262, in the Office of the County Court Clerk aforesaid. Also see Deed of Correction dated April 26, 1991, of record in Deed Book 95, Page 307, in the Office of the County Court Clerk aforesaid.

Margaret H. Veech, a single woman, by and through her Attorney in Fact, Sue Carol Cornell, conveyed all of her life estate unto Ann Holloway Young Arnold and Jessica Young Harrison (f/k/a Jessica Todd Young) by deed dated April 14, 1998, and which appears of record in Deed Book 130, Page 239, in the Office of the Spencer County Court Clerk.

The first parties further covenant they are lawfully seized of the estate herein conveyed with the full right and power to convey same in fee simple and there are no encumbrances against same except easements and restrictions of record and Zoning Regulations of Spencer County.

IN TESTIMONY WHEREOF witness the hand of the first parties this day and year first herein written.

Ann Holloway Arnold
Ann Holloway Arnold

J. Fred Arnold
J. Fred Arnold

Jessica Young Harrison
Jessica Young Harrison

Kendall W. Harrison
Kendall W. Harrison

SPENCER COUNTY BOARD OF EDUCATION

BY: R. Larry Holt

R. Larry Holt, Superintendent

STATE OF KENTUCKY
COUNTY OF FAYETTE

I, the undersigned Notary Public, for and in the County and State aforesaid hereby certify that the foregoing instrument was produced before me in said County and State and acknowledged and sworn to by **Ann Holloway Arnold and J. Fred Arnold**, Her Husband, to be their true act and deed.

WITNESS my hand this 16 day of July, 2002.

Linda Wilesworth

NOTARY PUBLIC, KENTUCKY STATE AT LARGE

My Commission expires: Feb. 06

STATE OF WISCONSIN
COUNTY OF Dane

I, the undersigned Notary Public, for and in the County and State aforesaid hereby certify that the foregoing instrument was produced before me in said County and State and acknowledged and sworn to by **Jessica Young Harrison and Kendall W. Harrison**, Her Husband, to be their true act and deed.

WITNESS my hand this 16 day of July, 2002.

Jamie Charles

NOTARY PUBLIC, KENTUCKY STATE AT LARGE

My Commission expires: State of Wisconsin
11-9-03

STATE OF KENTUCKY
COUNTY OF SPENCER

I, the undersigned Notary Public, for and in the County and State aforesaid hereby certify that the foregoing instrument was produced before me in said County and State and acknowledged and sworn to by **R. Larry Holt, as Superintendent of the Spencer County Board of Education**, to be his true act and deed.

WITNESS my hand this 25th day of July, 2002.



NOTARY PUBLIC, KENTUCKY STATE AT LARGE

My Commission expires: 7/24/2004

THIS INSTRUMENT PREPARED BY:



Linda S. Bouvette
Attorney at Law
J. Chester Porter & Associates
37 West Main Street
Taylorsville, Kentucky 40071

SPENCER COUNTY
D196 PG583

DEED

THIS DEED made and entered into as of the 4th day of May, 2004, by the BOARD OF EDUCATION OF SPENCER COUNTY, KENTUCKY, 207 W. Main Street, Taylorsville, Kentucky 40071 (herein called the "Grantor") to the SPENCER COUNTY SCHOOL DISTRICT FINANCE CORPORATION, 207 W. Main Street, Taylorsville, Kentucky 40071, a Kentucky non-profit corporation and instrumentality of the Board of Education of Spencer County (herein called the "Grantee");

WITNESSETH:

That pursuant to the authority of KRS 162.120 through 162.300 and 162.385 and in consideration of the agreement of the Grantee, acting through its Board of Directors to issue its Spencer County (Kentucky) School District Finance Corporation School Building Revenue Bonds, Series of 2004, which, by the execution hereof, Grantor and Grantee certify to be the full consideration under KRS 382.135, [no cash consideration being involved, said conveyance is exempt from deed transfer tax pursuant to KRS 142.050(7)], Grantor hereby conveys unto Grantee in fee simple, with covenant of General Warranty, the real estate situated in Spencer County, Kentucky, having a fair market value of approximately \$14,000,000, as described as follows:


AS DESCRIBED IN EXHIBIT A ATTACHED TO THIS DEED.

TO HAVE AND TO HOLD the above described property and appurtenances unto Grantee, its successors and assigns forever, in fee simple with the covenant of GENERAL WARRANTY of title, Grantor further covenanting that it is lawfully seized of the same; that it has full right and power to convey the same; that it will warrant and defend the same against the claims and demands of all persons; and that the same is free and clear of all encumbrances except easements and/or rights-of-way of record, being such as have been determined will not interfere with the construction of the school buildings and the use of the premises for school purposes.

IN TESTIMONY WHEREOF, Grantor, Board of Education of Spencer County, Kentucky, has caused this Deed to be executed in its name and on its behalf by its Chairperson, attested by its Secretary and the Grantee, Spencer County School District Finance Corporation, has caused this Deed to be executed in its name by its President, attested by its Secretary, all being done as of the year and day first written above.

BOARD OF EDUCATION OF
SPENCER COUNTY, KENTUCKY

By


Chairperson

Attest:


Secretary

SPENCER COUNTY (KENTUCKY) SCHOOL
DISTRICT FINANCE CORPORATION

By


President

Attest:


Secretary

Reed & Johnson

584

COMMONWEALTH OF KENTUCKY)
COUNTY OF SPENCER)

SS

SPENCER COUNTY
D196 PG584

The undersigned, Notary Public in and for the State and County aforesaid, hereby certifies that in this day the foregoing Deed was produced before me in my said County and State by Mary Ann Carden, Chairperson, and R. Larry Holt, Secretary, of the Board of Education of Spencer County, Kentucky, a body corporate, and they thereupon acknowledged the execution and attestation thereof to be their act and deed as such officers of said Board and the official act and deed of said Board pursuant to due authorization; said parties further certifying that said conveyance was between governmental units for nominal consideration.

WITNESS my hand and Notarial Seal this 11th day of June, 2004.

My commission expires 10-4-04

Allen E. Brashear
Notary Public,
Kentucky

(Seal of Notary)

COMMONWEALTH OF KENTUCKY)
COUNTY OF SPENCER)

SS

The undersigned, Notary Public in and for the State and County aforesaid, hereby certifies that in this day the foregoing Deed was produced before me in my said County and State by Mary Ann Carden, President, and R. Larry Holt, Secretary, of the Spencer County School District Finance Corporation, to be their act and deed as President and Secretary of said Corporation and the act and the official deed of said Corporation as authorized by a Resolution of its Board of Directors; said parties further certifying that said conveyance was between governmental units for nominal consideration.

WITNESS my hand and Notarial Seal this 11th day of June, 2004.

My commission expires 10-4-04

Allen E. Brashear
Notary Public,
Kentucky

(Seal of Notary)

COMMONWEALTH OF KENTUCKY)
COUNTY OF SPENCER)

SS

I, Judy Puckett, County Court Clerk of Spencer County, Kentucky, do hereby certify that the foregoing Deed was this day recorded in Deed Book 196, at Page 583, in the office of the Spencer County Court Clerk at Taylorsville, Kentucky.

Dated this 5 day of Aug, 2005.

Judy Puckett by Ailingail Nation
Spencer County Court Clerk

The foregoing instrument was prepared by Henry M. Reed III, Attorney at Law, 2218 Frankfort Avenue, Louisville, Kentucky 40206-2408.

Spencer County Elementary and Middle Schools

Arnold and Harrison, Et. Ux., to Spencer County Board of Education, a tract of ground lying in Spencer County, Kentucky, on the Southern side of Ky. & 44, aka Mt. Washington Road, at a point 0.50 mile West of the intersection of Kentucky & 44, aka Mt. Washington Road, with Kentucky & 1633, aka Elk Creek Road, west of Brashears Creek and Taylorsville, Kentucky, and bounded as follows:

Beginning at a set Iron Rod and Cap 35 ft. South of the Center line of Kentucky & 44, aka Mt. Washington Road, at a point corner to the Valley Cemetery Company 2 more or less acre tract described by deed recorded in DB 30, Page 461, in the Spencer County Clerk's office, Taylorsville, Ky. Thence with the Valley Cemetery Company 2 more or less acre tract, angling away from the Southern right of way line of Kentucky & 44, S. 87 deg. 38 min. 20 sec. E. 157.90 ft. to a set Iron Rod and Cap on the Northeastern bank of the large drain. Thence down the Northeastern bank of the large drain to a point corner to the Valley Cemetery 2 more or less acre tract, corner to the Myrtle Peyton 58.57 acre tract described by deed recorded in DB 51, Page 551, in the Spencer County Clerk's office. Thence with the Western line of the Peyton 58.57 acre tract, S. 0 deg. 48 min. 28 sec. W. 252.02 ft. to a set Iron Rod and Cap in branch. Thence with branch, being the Western line of the Peyton 58.57 acre tract, S. 13 deg. 29 min. 11 sec. W. 307.51 ft. to a set Iron Rod and Cap in branch. Thence leaving the branch, S. 3 deg. 11 min. 50 sec. E. 422.90 ft. to a set Iron Rod and Cap West of existing fence line corner to the balance of the Arnold and Harrison tract in the Western line of the Myrtle Peyton 58.57 acre tract. Thence with the division line, running with the balance of the Arnold and Harrison tract, S. 83 deg. 51 min. 19 sec. W. 684.77 ft. to a set Iron Rod and Cap at Northeast edge of farm road Northeast of frame barn. Thence running Northeast of the farm road, N. 56 deg. 05 min. 08 sec. W. 94.83 ft. to a found Iron Rod (Cap damaged) Northeast of the farm road. Thence with the Northern side of the farm road, S. 88 deg. 38 min. 13 sec. W. 364.96 ft. to a set Iron Rod and Cap corner to the balance of the Arnold and Harrison tract. Thence on with the balance of the Arnold and Harrison tract, N. 5 deg. 10 min. 05 sec. W. 1009.78 ft. to a set Iron Rod and Cap in the Southern right of way line of Kentucky & 44, aka Mt. Washington road, as established by deed recorded in DB 37, Pages 547, 548, and 549, in the Spencer County Clerk's office, Taylorsville, Kentucky, being corner to the balance of the Arnold and Harrison tract. Thence with the Southern right of way line of Kentucky & 44, aka Mt. Washington Road, running 30 ft. South of and parallel to the center line of same as shown by deed recorded in DB 37, Pages & 547, & 548, and & 549, in the Spencer County Clerk's office, N. 83 deg. 51 min. 16 sec. (for 83 deg. 51 min. 19 sec. E.) 977.81 ft. to a set Iron Rod and Cap in the Southern right of way line of Kentucky & 44. Thence on with same, S. 6 deg. 08 min. 44 sec. E. 5.00 ft. to a point in right of way, thence N. 83 deg. 51 min. 16 sec. (for 83 deg. 51 min. 19 sec.) E. 14.00 ft. to the point of beginning, containing 29.2471 acres, being a correction of the tract described as 30.00 acres recorded in DB 130, Page 243, in the Spencer County Clerk's office, Taylorsville, Kentucky.

SPENCER COUNTY
D196 PG585

DOCUMENT NO: 53787
RECORDED ON: MAR 26 2006
TOTAL FEES: \$12.00
COUNTY CLERK: JUDY PICKETT
SPENCER COUNTY
DEPUTY CLERK: ROBERT L. R. M.
BOOK D196 PAGE 583 -