

DEED OF CONVEYANCE

Marion County
Item No. 04-8804.00

THIS DEED OF CONVEYANCE, between Marion County School District Finance Corporation, 755 East Main Street, Lebanon, Kentucky 40033, Grantor, and the Commonwealth of Kentucky for the use and benefit of the Transportation Cabinet, Department of Highways, 200 Mero Street, Frankfort, Kentucky, 40622, Grantee;

WITNESSETH: That the Grantor in consideration of, the benefit to be derived from the highway construction the receipt of which is hereby acknowledged, has bargained and sold and does hereby sell, grant and convey to the Grantee, its successors and assigns forever, the following described property and property rights, viz:

TRACT A

Being a track of land in Marion County along KY 49 approximately 1.55 miles Southeast of Loretto and more particularly described as follows: Beginning at a point 25.10 feet left of KY 49 at Station 2+25.13 thence N 31°13'19" E a distance of 10.02 feet to a point 35.11 feet left of KY 49 at Station 2+24.58 thence S 54°47'47" E a distance of 52.76 feet to a point 36.29 feet left of KY 49 at Station 2+74.86 thence S 49°13'29" E a distance of 55.29 feet to a point 36.07 feet left of KY 49 at Station 3+27.54 thence S 44°21'47" E a distance of 55.73 feet to a point 35.19 feet left of KY 49 at Station 3+80.66 thence S 39°44'39" E a distance of 48.46 feet to a point 33.84 feet left of KY 49 at Station 4+26.91 thence S 36°14'00" E a distance of 52.86 feet to a point 32.65 feet left of KY 49 at Station 4+77.44 thence S 33°56'29" E a distance of 75.05 feet to a point 34.08 feet left of KY 49 at Station 5+50.00 thence S 32°06'58" E a distance of 187.52 feet to a point 37.05 feet left of KY 49 at Station 7+37.50 thence S 33°19'01" E a distance of 84.88 feet to a point 39.08 feet left of KY 49 at Station 8+24.32 thence S 86°41'14" W a distance of 11.55 feet to a point 29.14 feet left of KY 49 at Station 8+18.20 thence N 33°19'01" W a distance of 79.21 feet to a point 27.06 feet left of KY 49 at Station 7+37.76 thence N 32°06'58" W a distance of 187.47 feet to a point 24.09 feet left of KY 49 at Station 5+50.32 thence N 33°56'29" W a distance of 74.69 feet to a point 22.65 feet left of KY 49 at Station 4+77.37 thence N 36°14'00" W a distance of 52.35 feet to a point 23.84 feet left of KY 49 at Station 4+26.65 thence N 39°44'39" W a distance of 47.75 feet to a point 25.18 feet left of KY 49 at Station 3+80.47 thence N 44°21'47" W a distance of 54.90 feet to a point 26.06 feet left of KY 49 at Station 3+27.44 thence N 49°13'29" W a distance of 54.38 feet to a point 26.28 feet left of KY 49 at Station 2+74.94 thence N 54°47'47" W a distance of 51.58 feet to a point 25.10 feet left of KY 49 at Station 2+25.13 and the POINT OF BEGINNING.

The above described parcel contains \pm 0.139 acres (6,074 sq. ft.). It is the specific intention of the grantor herein to convey a permanent easement to the property described above for the purpose of construction and maintenance of drainage features.

TRACT B

Beginning at a point 35.11 feet left of KY 49 at Station 2+24.58 thence N 30°35'07" E a distance of 30.10 feet to a point 65.14 feet left of KY 49 at Station 2+22.69 thence S 54°47'47" E a distance of 56.65 feet to a point 66.32 feet left of KY 49 at Station 2+74.63 thence S 49°13'29" E a distance of 58.02 feet to a point 66.10 feet left of KY 49 at Station 3+27.81 thence S 44°21'47" E a distance of 58.21 feet to a point 65.21 feet left of KY 49 at Station 3+81.19 thence S 39°44'39" E a distance of 50.59 feet to a point 63.84 feet left of KY 49 at Station 4+27.64 thence S 36°14'00" E a distance of 54.38 feet to a point 62.66 feet left of KY 49 at Station 4+77.65 thence S 33°56'29" E a distance of 76.13 feet to a point 64.07 feet left of KY 49 at Station 5+49.05 thence S 32°06'58" E a distance of 27.48 feet to a point 64.51 feet left of KY 49 at Station 5+76.53 thence S 56°50'44" W a distance of 30.00 feet to a point 34.52 feet left of KY 49 at Station 5+77.54 thence N 32°06'58" W a distance of 27.55 feet to a point 34.08 feet left of KY 49 at Station 5+50.00 thence N 33°56'29" W a distance of 75.05 feet to a point 32.65 feet left of KY 49 at Station 4+77.44 thence N 36°14'00" W a distance of 52.86 feet to a point 33.84 feet left of KY 49 at Station 4+26.91 thence N 39°44'39" W a distance of 48.46 feet to a point 35.19 feet left of KY 49 at Station 3+80.66 thence N 44°21'47" W a distance of 55.73 feet to a point 36.07 feet left of KY 49 at Station 3+27.54 thence N 49°13'29" W a distance of 55.29 feet to a point 36.29 feet left of KY 49 at Station 2+74.86 thence N 54°47'47" W a distance of 52.76 feet to a point 35.11 feet left of KY 49 at Station 2+24.58 and the POINT OF BEGINNING.

The above described parcel contains \pm 0.258 acres (11,237 sq. ft.). It is the specific intention of the grantors herein to convey a temporary easement to the property described above for the purpose of paving and construction of drainage features; said easement terminates and reverts upon completion of same.

The above described property being a portion of the same property conveyed to the Grantor by Board of Education of the Marion County School District, bearing the date of December 01, 1987 which is duly recorded in Deed Book 146 at Page 149 in the office of the County Clerk of Marion County, Kentucky.

This proposed public highway improvement for which the above described property is being acquired is identified as **Improve Curve/Turn Lane at West Marion Elementary School** State Project No. **1100 FD04 078 90392 01D**, the plans for which are on file in the office of the Transportation Cabinet in Frankfort, Kentucky. The acquisition of right of way on this project was authorized by Transportation Cabinet Official Order No. **109977**. The control of access on this project and access to the remaining property of the first party shall be by permit, as required to be set forth in Section 6 of the Kentucky Administrative Regulations (603 KAR 5: 120).

Consideration Certificate of Grantor

The parties of the first part, **County of Marion, Kentucky** (Grantor), hereby acknowledge that we have been advised of the right of an appraisal of the property being affected by this project and an offer of compensation based on that appraisal, but hereby waive that right in exchange for the consideration of, the benefit to be derived from the highway construction. Further parties of the first part, **County of Marion, Kentucky**. Grantor herein, hereby certify that this Deed of Permanent Easement as set forth herein above for the property hereby conveyed is being donated by Grantor for the

purpose of highway improvement. Further, parties of the first part, **County of Marion, Kentucky**. Grantor herein, hereby certify that the real property conveyed herein is estimated to have a fair cash value of **\$3,000.00**.

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

IN TESTIMONY WHEREOF the Grantor has executed this Deed of Conveyance to be duly executed as the day and date first above written.

GOVERNMENT ENTITY NAME

By: _____

Name: _____

Title: _____

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____

I, _____ a notary public in and for the state and county aforesaid, do hereby certify that the foregoing deed was produced to me in said state and county by _____ and was signed, acknowledged and delivered to be the free act and deed of Marion County, Kentucky. This _____ day of _____, 2016.

Notary Public

My Commission Expires _____

STATEMENT CONCERNING TAX BILL

Pursuant to KRS 382.135(3)(c), the tax bill for the above-described real property is to be sent to: N/A Government entity no tax paid.

This instrument prepared by:

Adam Kinney, Attorney
Transportation Cabinet
P. O. Box 309
Elizabethtown, KY 42702

Please Return Deed To:

Division of Right of Way
Department of Highways
P. O. Box 309
Elizabethtown, KY 42702