

## DEED OF CORRECTION TO DEED OF PARTIAL RELEASE

**THIS DEED OF CORRECTION TO DEED OF PARTIAL RELEASE** (this “Deed of Correction to Deed of Partial Release”) is made as of this \_\_\_\_ day of July, 2017, by and between [i] **JEFFERSON COUNTY SCHOOL DISTRICT FINANCE CORPORATION**, a Kentucky nonprofit corporation, having a mailing address of VanHoose Education Center, 3332 Newburg Road, Louisville, Kentucky 40218 (“Lessor”) and [ii] **BOARD OF EDUCATION OF JEFFERSON COUNTY, KENTUCKY**, a political subdivision of the Commonwealth of Kentucky, having a mailing address of VanHoose Education Center, 3332 Newburg Road, Louisville, Kentucky 40218 (“Lessee”).

### RECITALS

A. Lessor and Lessee entered into that certain Deed of Partial Release dated February 23, 2016, of record in Deed Book 10563, Page 131 in the Office of the Clerk of Jefferson County, Kentucky (the “Deed of Partial Release”), whereby Lessor and Lessee agreed to release the Property (as defined in the Deed of Partial Release) from the lien of the Lease (as defined in the Deed of Partial Release) for purposes described therein.

B. The Deed of Partial Release says that the Property is described on Exhibit B attached to the Deed of Partial Release.

C. Exhibit B attached to the Deed of Partial Release contains an incorrect description of the Property, and an incorrect minor subdivision plat document attached thereto with an incorrect depiction of the Property.

D. Lessor and Lessee now desire to set forth, and have recorded in the land records, the correct Exhibit B, with the correct description of the Property, and with the correct minor subdivision plat document correctly depicting the Property.

NOW THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, and in order to conform to the intentions of the parties to the Deed of Partial Release and hereto, and to correct the description of the Property and to correct the minor subdivision plat document set forth on Exhibit B to the Deed of Partial Release, Lessor and Lessee acknowledge, agree and affirm that (i) the correct description of the Property and the correct minor subdivision plat correctly depicting the Property are set forth on Exhibit B attached to this Deed of Correction to Deed of Partial Release and made a part of the Deed of Partial Release as corrected by this Deed of Correction to Deed of Partial Release, (ii) such Exhibit B with the correct description of the Property and the correct minor subdivision plat correctly depicting the Property shall supersede and replace the Exhibit B attached to the Deed of Partial Release, (iii) only the Property (as described and depicted on Exhibit B to this Deed of Correction to Deed Partial Release) is released from the lien of Lease, (iv) any reference to the Property shall mean the Property as correctly described and correctly depicted on Exhibit B to this Deed of Correction to Deed Partial Release, and (v) all terms and conditions under the Deed of Partial Release as corrected by this Deed of Correction to Deed of Partial Release are in full force and effect.

IN TESTIMONY WHEREOF, witness the signatures of Lessor and Lessee as of the date first above written.

**LESSOR:**

**JEFFERSON COUNTY SCHOOL  
DISTRICT FINANCE CORPORATION,**  
a Kentucky non-profit corporation

By: \_\_\_\_\_

Name: Dr. Martin A. Pollio, Ed.D.

Title: President

STATE OF \_\_\_\_\_ )  
 ) : SS  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged, subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2017 by Dr. Martin A. Pollio, Ed.D., as President of Jefferson County School District Finance Corporation, a Kentucky non-profit corporation, on behalf of the non-profit corporation.

My commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**[AFFIX NOTARIAL SEAL]**

**LESSEE:**

**BOARD OF EDUCATION OF  
JEFFERSON COUNTY, KENTUCKY**, a  
political subdivision of the Commonwealth of  
Kentucky

By: \_\_\_\_\_

Name: Dr. Martin A. Pollio, Ed.D.

Title: Acting Superintendent

STATE OF \_\_\_\_\_ )  
 ) : SS  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged, subscribed and sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_, 2017 by Dr. Martin A. Pollio, Ed.D. as Acting Superintendent of  
Board of Education of Jefferson County, Kentucky, a political subdivision of the Commonwealth  
of Kentucky, on behalf of the political subdivision of the Commonwealth of Kentucky.

My commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**[AFFIX NOTARIAL SEAL]**

THIS INSTRUMENT PREPARED BY:

---

R. Benjamin Straus  
WYATT, TARRANT & COMBS, LLP  
500 West Jefferson Street, Suite 2800  
Louisville, KY 40202-2898  
502.589.5235

Exhibit B - Correct Legal Description of Property and Correct Minor Subdivision Plat

## **EXHIBIT B**

### **Legal Description of Property**

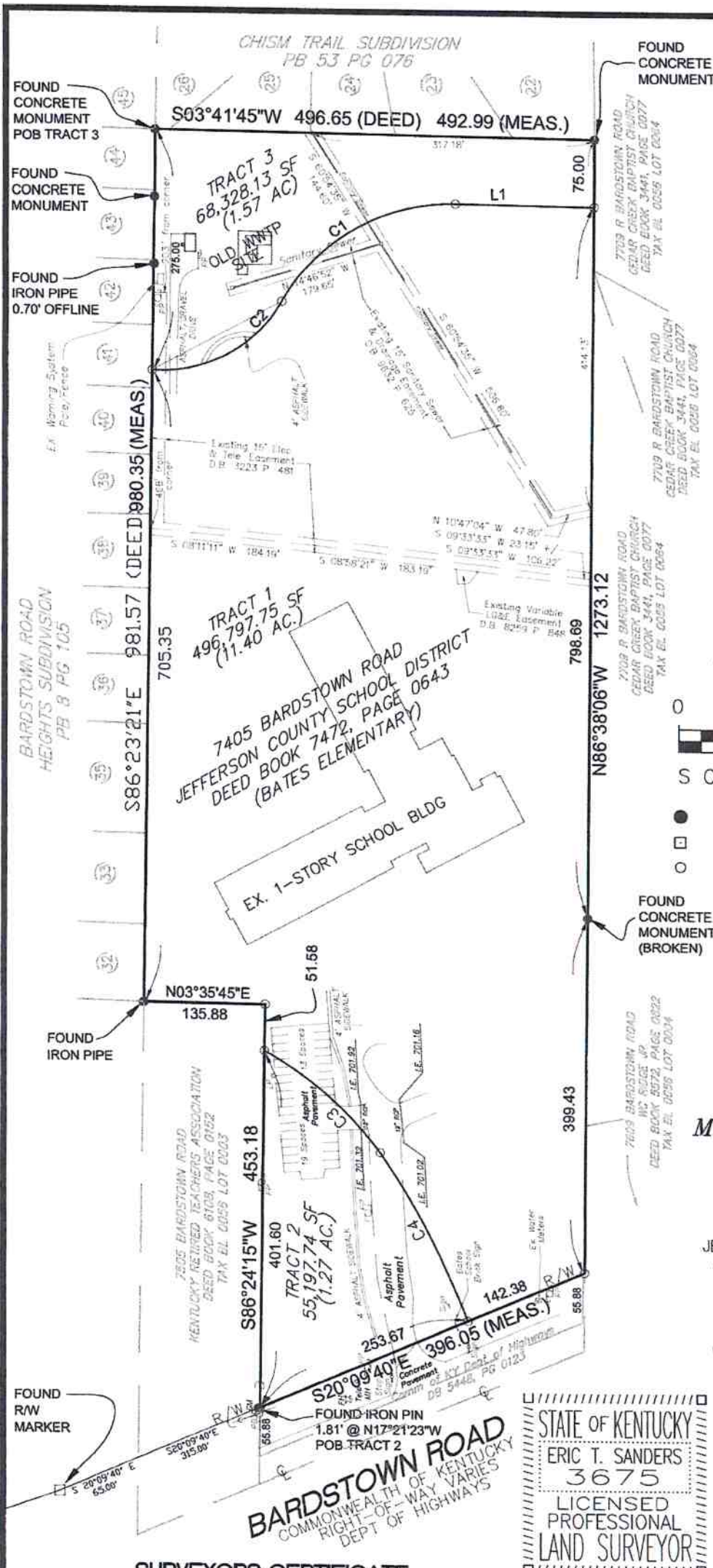
BEING Tract 2 and Tract 3 as shown on the Minor Subdivision Plat attached hereto and made part hereof, dated April 28, 2017, and prepared by Eric J. Sanders, PLS No. 3765, of BlueStone Engineers, PLLC, a Kentucky limited liability company.

BEING a portion of the same property conveyed to Grantor by Deed dated June 30, 2000, of record in Deed Book 7472, Page 643, in the Office of the Clerk of Jefferson County, Kentucky.

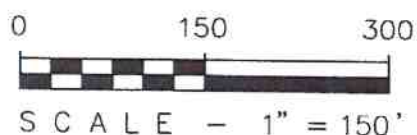
### **Attachment:**

Minor Subdivision Plat





- NOTES:
- INGRESS TO AND EGRESS FROM THE SUBJECT PROPERTY IS CURRENTLY PROVIDED FROM BARDSTOWN ROAD, THE SAME BEING PAVED, DEDICATED PUBLIC RIGHT-OF-WAY MAINTAINED BY THE KENTUCKY TRANSPORTATION CABINET.
  - IN ADDITION TO THE CONVENTIONAL SURVEYING METHODS, GLOBAL POSITIONING SYSTEM WAS USED TO LOCATE THE SURROUNDING STREET RIGHT OF WAYS, AND MONUMENTATION ALONG THE PERIMETER OF THE ADJOINING PROPERTY. THE MONUMENTATION WAS LOCATED IN REAL TIME USING ONE TRIMBLE R-6 ROVER, WHICH IS A DUAL FREQUENCY, DUAL CONSTELLATION RECEIVER, RECEIVING NETWORK CORRECTIONS FROM THE KENTUCKY TRANSPORTATION CABINET NETWORK. THE HORIZONTAL DATUM USED WAS THE KENTUCKY STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM OF 1983, GEOID '12. RELATIVE POSITIONAL ACCURACY VARIED FROM 0.004 FEET TO 0.033 FEET HORIZONTALLY.
  - TRACT 3 WILL HAVE ACCESS FROM THE PROPOSED BRENTLINGER LANE CONNECTOR.



- SCALE - 1" = 150'
- FOUND CORNER AS NOTED
  - FOUND CONC R/W MARKER
  - SET 1/2" REBAR W/CAP #3675

**Floodplain Certification**

The subject property shown hereon is NOT located in a 100 year flood Plain as shown on the flood insurance rate map (FEMA) panel 21111C0097E dated December 5, 2006.

NORTH AND ALL BEARINGS SHOWN HEREON REFER TO GRID NORTH, KENTUCKY STATE COORDINATE SYSTEM, NORTH ZONE, NAD 1983

**MINOR SUBDIVISION PLAT**

**PURPOSE OF PLAT:**

TO CREATE 3 TRACTS FROM 1

**OWNER:**

JEFFERSON COUNTY SCHOOL DISTRICT  
3332 NEWBURG RD VANHOOSE CTR  
LOUISVILLE, KY 40218

**PROPERTY ADDRESS:**

JEFFERSON COUNTY SCHOOL DISTRICT  
FINANCE CORPORATION  
(BATES ELEMENTARY)  
7601 BARDSTOWN ROAD  
LOUISVILLE, KY 40291  
DB. 7472 PG. 0643  
TAX BL 0056 LOT 0072  
ZONING R-4/NEIGHBORHOOD

**CLIENT:**

SOUTHPOINTE PARTNERS, LLC  
320 WHITTINGTON PARKWAY, SUITE 212  
LOUISVILLE, KENTUCKY 40222

STATE OF KENTUCKY  
ERIC T. SANDERS  
3675  
LICENSED PROFESSIONAL  
LAND SURVEYOR

**SURVEYORS CERTIFICATE**

I HEREBY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS PERFORMED BY PERSONS UNDER MY DIRECT SUPERVISION BY THE METHOD OF RANDOM TRAVERSE WITH SIDESHOTS AND THE UNADJUSTED PRECISION RATIO OF THE TRAVERSE WAS 1:14,535. THE BEARINGS, DISTANCES AND TRAVERSE SHOWN HEREON WERE ADJUSTED FOR CLOSURE. THIS SURVEY MEETS OR EXCEEDS THE MINIMUM STANDARDS FOR A URBAN CLASS SURVEY AS ESTABLISHED BY THE COMMONWEALTH OF KENTUCKY, STANDARD OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS PER 201 KAR 18:150 AND IN EFFECT ON THE DATE OF THIS SURVEY.

Eric J. Sanders 4/28/17  
ERIC J. SANDERS, PLS NO. 3765 DATE  
SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SIGNATURE OF SURVEYOR

**BLUESTONE ENGINEERS, PLLC**

3703 TAYLORSVILLE ROAD, SUITE 205  
LOUISVILLE, KENTUCKY 40220

E.T.S. Surveying, Inc.  
3316 Furman Blvd.  
Louisville, Ky 40220  
PHONE: (502) 939-2210  
Email: etssurveying@yahoo.com



## Title Commitment Notes

The items shown hereon are per title commitment by First American Title Insurance Company Commitment No./File No. 15090690 dated at the time of recording.

### Schedule B -Section II

Item(s) 1, E.T.S. Surveying, Inc. did not examine or address this item.  
Item(s) 2, E.T.S. Surveying, Inc. did not examine or address this item.  
Item(s) 3, E.T.S. Surveying, Inc. did not examine or address this item.  
Item(s) 4, E.T.S. Surveying, Inc. None were found by ETS Surveying Inc. at the time of this survey.  
Item(s) 5, E.T.S. Surveying, Inc. did not examine or address this item.  
Item(s) 6, E.T.S. Surveying, Inc. did not examine or address this item.  
Item(s) 7, LG&E Easement of record in Db. 3223, Pg. 481, does affect Tract 3 as stated in deed and is shown on this survey.  
Item(s) 8, LG&E Easement of record in Db. 4569, Pg. 129, (Indeterminant)  
Item(s) 9, LG&E Easement of record in Db. 8259, Pg. 848, does not affect Tract 2 or Tract 3.  
Item(s) 10, Louisville MSD Easement of record in Db. 9632, Pg. 625, does affect Tract 3 as stated in deed and is shown on this survey.  
Item(s) 11, Kentucky Transportation Cabinet Temporary Easement of record in Db. 10019, Pg. 663, does not affect.  
Item(s) 12-22, Jefferson County School District Finance Corporation Supplemental Leases of record does affect Tract 2 and Tract 3 as stated in deeds.

## Legal Description

### Tract 2

Beginning at point on the east right-of-way line of Bardstown Road and on the southwestern most corner of a tract of land found in Deed book 6108, page 152, owned by the Kentucky Retired Teachers Association, found in the office of the Clerk of Jefferson county, this point is referenced by a pin found 1.81' away on a bearing of North 17°21'23" West; thence leaving aforesaid right-of-way, along the South boundary line of the KRTA property, North 86°24'15" East, 401.60' to a set iron pin with cap stamped "ETS 3675"; thence with a curve to the right, having a radius of 421.56', chord of which is South 44°03'13" West, 172.67' to a set iron pin with cap stamped "ETS 3675"; thence with a curve to the right, having a radius of 909.52', chord of which is South 65°18'57" West, 212.74' to a set iron pin with cap stamped "ETS 3675" on the Eastern right-of-way of Bardstown Road; thence with the aforesaid right-of-way, North 20°09'40" West, 253.67' to the point of beginning containing 1.27 acres more or less.

### Tract 3

Beginning at an existing concrete monument on the Northwestern most point of Chism Trail Subdivision found in Plat book 53, page 76 in the office of the Clerk of Jefferson County; thence with the western boundary line of the aforesaid subdivision, South 03°41'45" West, 496.65' by deed, 492.99' measured in the field, to an existing concrete monument; thence North 86°38'06" West, 75.00' to a set iron pin with cap stamped "ETS 3675"; thence North 3°41'45" East, 156.02' to a set iron pin with cap stamped "ETS 3675"; thence with a curve to the left, having a radius of 220.00', chord of which is North 26°59'02" West, 224.51' to an iron pin with cap stamped "ETS 3675"; thence with a curve to the right, having a radius of 155.00', cord of which is North 25°31'36" West, 164.90' to a set iron pin with cap stamped "ETS 3675"; thence South 86°23'21" East, 275.00' to the point of beginning containing 1.57 acres more or less.

## MINOR SUBDIVISION PLAT

### PURPOSE OF PLAT:

TO CREATE 3 TRACTS FROM 1

### OWNER:

JEFFERSON COUNTY SCHOOL DISTRICT  
3332 NEWBURG RD VANHOOSE CTR  
LOUISVILLE, KY 40218

### PROPERTY ADDRESS:

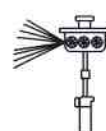
JEFFERSON COUNTY SCHOOL DISTRICT  
FINANCE CORPORATION  
(BATES ELEMENTARY)  
7601 BARDSTOWN ROAD  
LOUISVILLE, KY 40291  
DB. 7472 PG. 0643  
TAX BL 0056 LOT 0072  
ZONING R-4/NEIGHBORHOOD

### CLIENT:

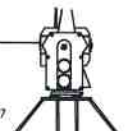
SOUTHPONTE PARTNERS, LLC  
320 WHITTINGTON PARKWAY, SUITE 212  
LOUISVILLE, KENTUCKY 40222

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3316 Furman Blvd.  
Louisville, Ky 40220  
PHONE: (502) 939-2210  
Email: etssurveying@yahoo.com



Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	235.60'	220.00'	30.68°	N26°59'02"W	224.51'
C2	173.88'	155.00'	1.46°	N25°31'36"W	164.90'
C3	173.90'	421.56'	130.46°	S44°03'13"W	172.67'
C4	213.23'	909.52'	21.26°	S65°18'57"W	212.74'

Line Table

Line #	Length	Direction
L1	156.02'	N3°41'45"E