

DECLARATION OF RESTRICTION

THIS DECLARATION OF RESTRICTION (this “Declaration”) is made, imposed and declared as of _____, 2020 by **JEFFERSON COUNTY SCHOOL DISTRICT FINANCE CORPORATION**, a Kentucky nonprofit corporation, having an address at VanHoose Education Center, 3332 Newburg Rd., Louisville, Kentucky 40218 (“Declarant”).

WHEREAS, Declarant is the owner of certain real property located at 6000 Brownsboro Rd., Louisville, Kentucky 40222, acquired by that certain deed dated June 30, 2000, of record in Deed Book 7472, Page 643, in the Office of the Clerk of Jefferson County, Kentucky, being more particularly described therein as Parcel No. 4 (the “Overall Property”); and

WHEREAS, Declarant desires to declare and impose a restriction upon the portion of the Overall Property depicted as the “Area of Restriction for Stormwater Detention Basin” on the plat attached hereto as **Exhibit A** and made a part hereof and legally described on **Exhibit B** attached hereto and made a part hereof (the “Restricted Property”).

NOW, THEREFORE, Declarant hereby (i) declares that the Restricted Property shall be owned, used, maintained, leased, conveyed and occupied only as a stormwater detention basin (the “Restriction”) and (ii) imposes the Restriction upon the Restricted Property. This Declaration and the Restriction shall run with the land and shall be binding upon Declarant, its successors and assigns, and upon all parties having any right, title or interest in the Restricted Property, or any part thereof, and their respective successors and assigns forever.

IN TESTIMONY WHEREOF, Declarant has executed this Declaration effective as of the date first set forth above.

DECLARANT:

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

By: _____
Dr. Martin A. Pollio, Ed.D., President

COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF JEFFERSON)

The foregoing instrument was acknowledged before me on _____, 2020, by Dr. Martin A. Pollio, Ed.D. as President of the Jefferson County School District Finance Corporation, a Kentucky nonprofit corporation, on behalf of the nonprofit corporation.

My commission expires: _____

Notary Public
Notary ID:

THIS INSTRUMENT PREPARED BY:

R. Benjamin Straus
WYATT, TARRANT & COMBS, LLP
400 West Market Street
Suite 2000
Louisville, KY 40202
502.589.5835

Exhibit A - Plat

Exhibit B - Legal Description

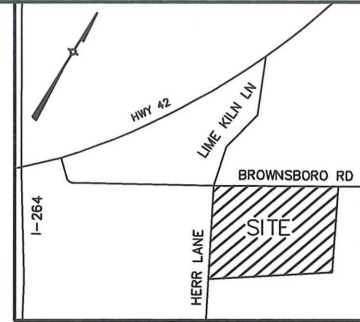
EXHIBIT A

Plat

[attached hereto]

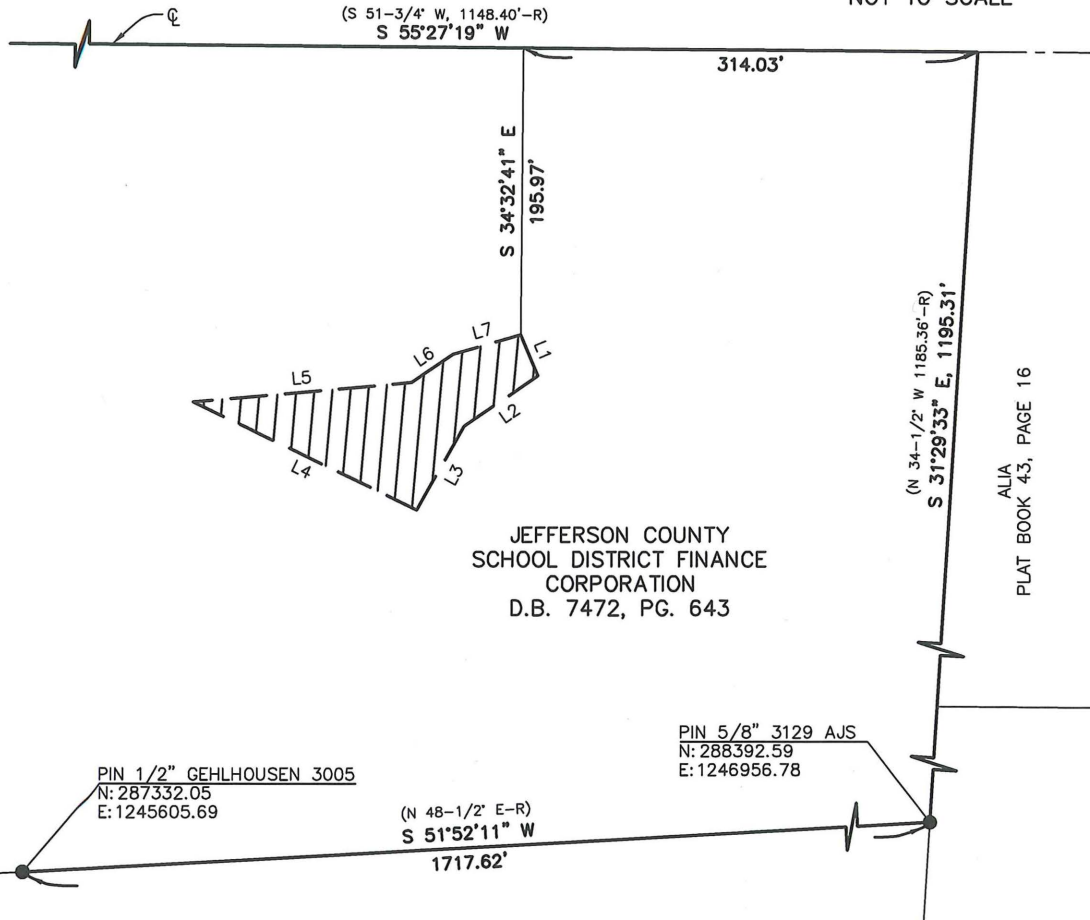
0' 200' 400'
SCALE: 1"=200'

EXHIBIT A



BROWNSBORO ROAD R/W VARIES

LOCATION MAP NOT TO SCALE



AREA OF RESTRICTION FOR STORMWATER DETENTION BASIN = 11,024 S.F.

(R)= RECORD BEARING AND DISTANCE

● = IRON PIN FOUND AS NOTED

Being a part of the same property conveyed to the
Grantor by deed dated JUNE 30, 2000,
recorded in Deed Book 7472, Page 643,
in the office of the Clerk of the Jefferson County Court.
Tax Block W001 Lot 0001

I hereby certify that this exhibit was made under my supervision & is correct to the best of my knowledge & belief. Distances as shown on this plat have not been adjusted for closure. This exhibit meets or exceeds the minimum standards of governing authorities.



Jacobi, Toombs & Lanz, Inc.
Consulting Engineers & Land Surveyors

2307 River Road, Suite 203 - Louisville, Kentucky 40206

502-583-5994 - WWW.JTLENG.COM

AREA OF RESTRICTION FOR STORMWATER DETENTION BASIN

THIS PLAT DOES NOT REPRESENT
A BOUNDARY SURVEY AND IS NOT
INTENDED FOR LAND TRANSFER

LOUISVILLE AND JEFFERSON COUNTY
METROPOLITAN SEWER DISTRICT
700 West Liberty Street
Louisville, Kentucky 40203-1913

Owner, Property, & Mailing Address:

JEFFERSON COUNTY SCHOOL DISTRICT
FINANCE CORPORATION

3332 NEWBURG RD.

LOUISVILLE, KY 40218

Surveyor

Date

Revised: 6/16/2020

S:\projects\19167 - JCPS Ballard HS Track Rehabilitation\Survey\Drawings\19167-Basin Exhibit

SHEET : 1 OF 2

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 58°02'04" E	30.47'
L2	S 20°42'33" W	61.17'
L3	S 05°17'54" E	65.94'
L4	S 80°27'22" W	171.65'
L5	N 49°57'21" E	151.91'
L6	N 21°09'43" E	34.45'
L7	N 38°47'58" E	48.26'

Notes:

1. This drawing was prepared for the Jefferson County Pubic Schools for the purpose of graphically depicting an area of restriction for Stormwater Detention Basin.
2. Field work at the site was completed on 6/03/2020.
3. The measurements made to locate the control and property corner monuments shown hereon were made using a combination of GPS and conventional radial survey methods and meet or exceed the relative positional accuracy for an "urban" class survey (+/- 0.05' + 100 ppm) as defined by 201 KAR 18:150. The lines representing the "boundary" of the subject tract are based only on a sufficient number of monuments used to situate a mathematical plot of the tract based on deed or plat bearings and distances.
4. The reference meridian used on this exhibit to determine the directions of survey lines is based on Kentucky State Plane Coordinates System, North Zone, NAD 1983 as derived from RTK GPS observations based of KY CORS of December 26, 2019
5. This exhibit was prepared without the benefit of a title examination. An abstract of title or title commitment may reveal easements, right-of-ways, encumbrances, restrictions or rights of others that are not shown here on.



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**AREA OF RESTRICTION FOR
STORMWATER DETENTION BASIN**

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LOUISVILLE AND JEFFERSON COUNTY
METROPOLITAN SEWER DISTRICT
700 West Liberty Street
Louisville, Kentucky 40203-1913

Owner, Property, & Mailing Address:

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3332 NEWBURG RD.

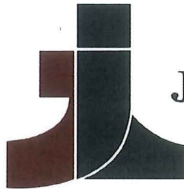
LOUISVILLE, KY 40218

EXHIBIT B

Legal Description

[attached hereto]

100291824.4



Jacobi, Toombs & Lanz, Inc.
Consulting Engineers & Land Surveyors

EXHIBIT B

An area of Restriction for Stormwater Detention Basin, being part of a tract identified as "Parcel 4 Ballard High" as conveyed to the Jefferson County School District Finance Corporation by Deed Book 7472 Page 643, located in Jefferson County, Kentucky and more particularly described as follows:

Commencing at the north corner of said tract in the centerline of Brownsboro Road; thence along centerline, South 55°27'19" West, 314.03 feet; thence through said tract, South 34°32'41" East, 195.97 feet to the True Point of Beginning;

Thence South 58°02'04" East, 30.47 feet; thence South 20°42'33" West, 61.17 feet; thence South 05°17'54" East, 65.94 feet; thence South 80°27'22" West, 171.65 feet; thence North 49°57'21" East, 151.91 feet; thence North 21°09'43" East, 34.45 feet; thence North 38°47'58" East, 48.26 feet being the True Point of Beginning,

Containing 11,024 Square Feet.

Corporate
1829 E. Spring Street
Suite 201
New Albany, IN 47150
812-945-9585

Kentucky
2307 River Road
Suite 203
Louisville, KY 40206
502-583-5994

Central Indiana
1060 N. Capitol Avenue
Suite E360
Indianapolis, IN 46204
317-829-3474

Southern Indiana
124 Bell Ave
Clarksville, IN 47129
812-288-6646