

OK AS TO FORM
M.B. @ WTC 9.14.2021

Jefferson County
Item No. 5-323.01
Parcel 113

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE dated Oct. 6, 2021 between **JEFFERSON COUNTY SCHOOL DISTRICT FINANCE CORPORATION**, a Kentucky nonprofit corporation, having a mailing address of 3332 Newburg Road, Van Hoose Education Center, Louisville, Kentucky 40218 (“Party of the First Part” or “Grantor”) (in whose care the state and county tax bill for 2021 (if any) may be sent) and the **COMMONWEALTH OF KENTUCKY**, for the use and benefit of the Transportation Cabinet, Department of Highways, having a mailing address of 200 Mero Street, Frankfort, Kentucky 40622 (“Party of the Second Part” or “Grantee”).

WITNESSETH: That the said Party of the First Part, in consideration of NINETY-ONE THOUSAND SEVEN HUNDRED AND SEVENTY DOLLARS (\$91,770.00) cash in hand paid, the receipt and sufficiency of which are hereby acknowledged, has bargained and sold and does hereby sell, grant, and convey to the Party of the Second Part, its successors and assigns forever, the following described Parcel No. 113 Tract A together with all improvements thereon and appurtenances thereto, Parcel No. 113 Tract B, and Parcel No. 113 Tract C:

A parcel of land lying and being in Jefferson County, Kentucky, to wit:

**Parcel No. 113
Tract A**

Being a tract of land located in Jefferson County, Kentucky along Greenwood Road, the point of beginning being approximately 135 feet northwest of the intersection of Greenwood Road and Columbine Drive, and more particularly described as follows:

Beginning at a point 27.24 feet left of Greenwood Road Widening Station 114+67.34; thence North 1 Degrees 41 Minutes 49 Seconds East, 17.30 feet to a point 44.50 feet left of Greenwood Road Widening Station 114+66.28; thence along an arc 131.97 feet to the left, having a radius of 3,685.50 feet, the chord of which is South 85 Degrees 50 Minutes 27 Seconds East, 131.96 feet, to a point 44.50 feet left of Greenwood Road Widening Station 115+99.84; thence South 86 Degrees 52 Minutes 00 Seconds East, 976.42 feet to a point 44.50 feet left of Greenwood Road Widening Station 125+76.26; thence along an arc 110.50 feet to the right, having a radius of 3,774.50 feet, the chord of which is South 86 Degrees 01 Minutes 41 Seconds East, 110.50 feet, to a point 44.50 feet left of Greenwood Road Widening Station 126+85.47; thence along an arc 10.01 feet to the left, having a radius of 3,685.50 feet, the chord of which is South 85 Degrees 16 Minutes 02 Seconds East, 10.01 feet, to a point 44.50 feet left of Greenwood Road Widening Station 126+95.60; thence South 1 Degree 41 Minutes 49 Seconds West, 14.16 feet to a point 30.36 feet left of Greenwood Road Widening Station 126+96.33; thence North 86 Degrees 48 Minutes 52 Seconds West, 1,228.78 feet to the point of beginning.

The above described parcel contains 0.438 acres (19,059 square feet) and is depicted as “0.438 Acre Acquired in Fee Simple” on the drawing attached hereto as Exhibit A and made a part hereof.

It is understood between the parties hereto and made a covenant herein that Parcel No. 113 Tract A described above is hereby conveyed to Grantee with covenant of Special Warranty, in fee simple. Provided, however, there is excepted

from the foregoing covenant and warranty [i] any easements, rights-of-way, restrictions, conditions, leases, covenants and stipulations of record affecting Parcel No. 113 Tract A, [ii] real estate taxes assessed or otherwise payable with respect to the Parcel No. 113 Tract A in the year 2021 (if any), which Grantor hereby assumes and agrees to pay (if any), and all real estate taxes due and payable thereafter (if any), which Grantee hereby assumes and agrees to pay (if any) and [iii] all applicable zoning and other land use laws, rules, regulations and binding elements affecting Parcel No. 113 Tract A.

**Parcel No. 113
Tract B**

Being a tract of land located in Jefferson County, Kentucky along Greenwood Road, the point of beginning being approximately 146 feet northwest of the intersection of Greenwood Road and Columbine Drive, and more particularly described as follows:

Beginning at a point 44.50 feet left of Greenwood Road Widening Station 114+66.28; thence North 1 Degree 41 Minutes 49 Seconds East, 37.58 feet to a point 82.01 feet left of Greenwood Road Widening Station 114+63.94; thence South 84 Degrees 41 Minutes 44 Seconds East, 2.99 feet to a point 82.00 feet left of Greenwood Road Widening Station 114+67.00; thence South 43 Degrees 11 Minutes 09 Seconds East, 21.02 feet to a point 68.00 feet left of Greenwood Road Widening Station 114+83.00; thence South 86 Degrees 32 Minutes 00 Seconds East, 136.85 feet to a point 69.00 feet left of Greenwood Road Widening Station 116+22.00; thence North 66 Degrees 34 Minutes 05 Seconds East, 78.26 feet to a point 104.00 feet left of Greenwood Road Widening Station 116+92.00; thence South 43 Degrees 24 Minutes 54 Seconds East, 52.35 feet to a point 68.00 feet left of Greenwood Road Widening Station 117+30.00; thence South 86 Degrees 20 Minutes 16 Seconds East, 650.03 feet to a point 62.00 feet left of Greenwood Road Widening Station 123+80.00; thence North 59 Degrees 26 Minutes 35 Seconds East, 18.03 feet to a point 72.00 feet left of Greenwood Road Widening Station 123+95.00; thence South 86 Degrees 52 Minutes 00 Seconds East, 30.00 feet to a point 72.00 feet left of Greenwood Road Widening Station 124+25.00; thence South 41 Degrees 52 Minutes 00 Seconds East, 14.14 feet to a point 62.00 feet left of Greenwood Road Widening Station 124+35.00; thence South 86 Degrees 52 Minutes 00 Seconds East, 48.00 feet to a point 62.00 feet left of Greenwood Road Widening Station 124+83.00; thence North 3 Degrees 08 Minutes 00 Seconds East, 10.00 feet to a point 72.00 feet left of Greenwood Road Widening Station 124+83.00; thence South 86 Degrees 52 Minutes 00 Seconds East, 34.00 feet to a point 72.00 feet left of Greenwood Road Widening Station 125+17.00; thence South 3 Degrees 08 Minutes 00 Seconds West, 10.00 feet to a point 62.00 feet left of Greenwood Road Widening Station 125+17.00; thence South 86 Degrees 47 Minutes 37 Seconds East, 154.57 feet to a point 63.00 feet left of Greenwood Road Widening Station 126+70.00; thence North 4 Degrees 34 Minutes 23 Seconds East, 4.00 feet to a point 67.00 feet left of Greenwood Road Widening Station 126+70.00; thence South 85 Degrees 17 Minutes 25 Seconds East, 24.53 feet to a point 67.00 feet left of Greenwood Road Widening Station 126+94.41; thence South 1 Degree 41 Minutes 49 Seconds West, 22.53 feet to a point 44.50 feet left of Greenwood Road Widening Station 126+95.60; thence along an arc 10.01 feet to the right, having a radius of 3,685.50 feet, the chord of which is North 85 Degrees 16 Minutes 02 Seconds West, 10.01 feet, to a point 44.50 feet left of Greenwood Road Widening Station 126+85.47; thence along an arc 110.50 feet to the left, having a radius of 3,774.50 feet, the chord of which is North 86 Degrees 01 Minutes 41 Seconds West, 110.50 feet, to a point 44.50 feet left of Greenwood Road Widening Station 125+76.26; thence North 86 Degrees 52 Minutes 00 Seconds West, 976.42 feet to a point 44.50 feet left of Greenwood Road Widening Station 115+99.84; thence along an arc 131.97 feet to the right, having a radius of 3,685.50 feet, the chord of which is North 85 Degrees 50 Minutes 27 Seconds West, 131.96 feet to the point of beginning.

The above described parcel contains 0.647 acres (28,190 square feet) and is depicted as "PERM. ESMT. FOR DRAIN. & UTILITIES" on the drawing attached hereto as Exhibit A and made a part hereof.

It is the specific intention of Grantor to convey a permanent easement on the property described above and designated as Parcel No. 113 Tract B for the purposes of entrance construction and the construction and perpetual maintenance of utilities and drainage. Such conveyance is made subject to all easements, rights-of-way, restrictions, conditions, leases, covenants and stipulations of record and all applicable zoning and other land use laws, rules, regulations and binding elements affecting Parcel No. 113 Tract B.

**Parcel No. 113
Tract C**

Being a tract of land located in Jefferson County, Kentucky along Greenwood Road, the point of beginning being approximately 99 feet northwest of the intersection of Greenwood Road and Columbine Drive, and more particularly described as follows:

Beginning at a point 68.95 feet left of Greenwood Road Widening Station 115+35.00; thence North 4 Degrees 07 Minutes 45 Seconds East, 5.05 feet to a point 74.00 feet left of Greenwood Road Widening Station 115+35.00; thence South 87 Degrees 58 Minutes 36 Seconds East, 74.72 feet to a point 76.00 feet left of Greenwood Road Widening Station 116+11.00; thence North 3 Degrees 08 Minutes 00 Seconds East, 7.00 feet to a point 83.00 feet left of Greenwood Road Widening Station 116+11.00; thence South 82 Degrees 39 Minutes 41 Seconds East, 34.09 feet to a point 80.50 feet left of Greenwood Road Widening Station 116+45.00; thence South 66 Degrees 34 Minutes 05 Seconds West, 25.71 feet to a point 69.00 feet left of Greenwood Road Widening Station 116+22.00; thence North 86 Degrees 32 Minutes 00 Seconds West, 85.80 feet to the point of beginning.

The above described parcel contains 0.017 acres (749 square feet) and is depicted as the "TEMP. ESMT." on the drawing attached hereto as Exhibit A and made a part hereof.

It is the specific intention of Grantor to convey a temporary easement on the property described above and designated as Parcel No. 113 Tract C for the purpose of sidewalk construction and constructing roadway slopes and said easement terminates and reverts upon completion of same. Such conveyance is made subject to all easements, rights-of-way, restrictions, conditions, leases, covenants and stipulations of record and all applicable zoning and other land use laws, rules, regulations and binding elements affecting Parcel No. 113 Tract C.

Parcel No. 113 Tract A, Parcel No. 113 Tract B and Parcel No. 113 Tract C being a portion of the same property conveyed to Grantor by Deed from PRP NATIONAL BANK, a national banking association, dated December 24, 2003, and recorded in Deed Book 8331, at Page 317, in the office of the Jefferson County Clerk and conveyed to Grantor by Deed from THE BOARD OF EDUCATION OF JEFFERSON COUNTY, KENTUCKY (also known as JEFFERSON COUNTY BOARD OF EDUCATION and successor by merger with the BOARD OF EDUCATION OF LOUISVILLE, KENTUCKY), dated September 1, 1990, and recorded in Deed Book 5993, at Page 157, in the office of the Jefferson County Clerk, re-recorded Deed Book 6007, Page 144, and re-recorded again in Deed Book 6033, Page 651, as consolidated by Deed of Consolidation dated July 20, 2016, and recorded in Deed Book 10667, Page 454, all in the Office aforesaid.

The acquisition of the right of way for this project was authorized by the Kentucky Department of Highways Official Order No. 109023. The control of access on this project and access to the remaining property of the Party of the First Part using Parcel No. 113 Tract A herein conveyed shall be by permit, as required to be set forth in Section 6 of the Kentucky Administrative Regulations (603 KAR 5:120).

This conveyance is made, free and clear of any monetary liens, taxes, or monetary encumbrances which the Party of the First Part does hereby agree and promise to pay, subject to Party of the Second Part's assumption of, and agreement to pay, real estate taxes assessed or otherwise payable with respect to Parcel No. 113 Tract A in years after

2021 (if any) as described above.

The proposed public highway improvement for which the above-described Parcel No. 113 Tract A, Parcel No. 113 Tract B and Parcel No. 113 Tract C are being conveyed is identified as Greenwood Road (KY 1931) Widening (Greenbelt Highway to Dixie Highway), State Project Number 1100 FD04 056 6167101R, the plans for which are on file in the office of the Transportation Cabinet in Frankfort, Kentucky.

This Deed of Conveyance conveys a right-of-way that involves a governmental agency pursuant to KRS 382.135 (2) (c). Grantor certifies that the consideration reflected in this Deed of Conveyance is the full consideration paid for the property hereby conveyed.

DR. MARTIN POLLIO, PRESIDENT of JEFFERSON COUNTY SCHOOL DISTRICT FINANCE CORPORATION, a Kentucky nonprofit corporation, is signing this Deed of Conveyance on behalf of said corporation by the authority given to him in accordance with applicable law and as shown in a Resolution signed the ____ day of _____, 2021 by, _____, _____ of JEFFERSON COUNTY SCHOOL DISTRICT FINANCE CORPORATION, a Kentucky nonprofit corporation, on behalf of such corporation.

EXHIBIT A

Drawing for Parcel No. 113 Tract A, Parcel No. 113 Tract B and Parcel No. 113 Tract C

[attached hereto]