

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar (\$1.00) paid to Spencer County Board of Education, whose address is 110 Reasor Avenue, Taylorsville, KY 40071, hereinafter referred to as **GRANTOR**, by the City of Taylorsville, whose address is 70 Taylorsville Rd, Taylorsville, KY 40071, hereinafter referred to as **GRANTEE**, the receipt of which is hereby acknowledged, this being the full and complete consideration for this conveyance, the **GRANTOR** do hereby grant and convey unto the **GRANTEE**, its successors and assigns, a perpetual easement with the right to construct, install asphalt sidewalk/trail and appurtenances and thereafter use, operate, inspect, repair, maintain and replace through the land of the **GRANTOR** situated in Spencer County, Kentucky, together with the right of ingress and egress over the adjacent lands of the **GRANTOR**, its successors and assigns, for the purposes of this easement and said easement being more particularly described as follows:

Being an easement over a strip of land described as follows:

Beginning at a found iron pin (F.I.P.) with plastic cap stamped M. Sibole #3869 located on south Right of Way line of KY State Route #44; thence with KY State Route 44 Right of Way line in an easterly direction, S 79° 57' 05" E, 20.0 feet to a set iron pin (S.I.P.) with plastic cap stamped Sisler #1032 thence leaving KY State Route 44 Right of Way line on to the Spencer County Board of Education property in a southwesterly direction S 62° 38' 09" W, 67.0 feet to a set iron pin (S.I.P.) with plastic cap stamped Sisler #1032; thence in a southerly direction (parallel to KY State Route 55), S 2° 56' 55" W, 70.1 feet to a set iron pin (S.I.P.) with plastic cap stamped Sisler #1032 near the Spencer County High School parking lot; thence in southeasterly direction, along the Spencer County

High School parking lot, S 32° 09' 46" W, 40.0 feet to a set iron pin (S.I.P.) with plastic cap stamped Sisler #1032; thence continuing along the Spencer County High School parking lot in a southwesterly direction, S 17° 49' 30" W, 57.0 feet to a set iron pin (S.I.P.) with plastic cap stamped Sisler #1032; thence leaving the west side of the Spencer County High School parking lot in a westerly direction toward KY State Route 55, N 78° 57' 21" W, 10.0 feet to a set iron pin (S.I.P.) on KY State Route 55 Right of Way; thence turning in a northerly direction and with the KY State Route 55 Right of Way line, N 11° 02' 39" E, 162.0 feet to a KDOT concrete Right of Way marker; thence turning with the KY State Route 44 Right of Way line in a northeasterly direction, N 62° 38' 09" E, 68.6 feet to a found iron pin (F.I.P.) with plastic cap stamped Sisler #1032 and the Point of Beginning. Containing 4,277 square feet, (0.10 acre), more or less.

The above described easement is shown on the Trail/Sidewalk/KDOT TAPS Program

Construction Drawings prepared by Sisler-Maggard Engineering, PLLC,

Project No. 17020, Trail/Sidewalk/KDOT TAPS Program, Drawing No. 1 thru 3,
dated January 21, 2022.

Being an easement over a portion of that property conveyed to Spencer County Board of Education, by deed dated March 19, 1979 from L.A. Prevallet & Lena Prevallet, as recorded in the office of the County Court Clerk of Spencer County, Kentucky in Deed Book 64, Page 471.

GRANTEE covenants and agrees with **GRANTOR** that it and its Construction Contractor, will indemnify and hold harmless from loss, damage, or injury which may be occasioned by **GRANTEE'S** and/or its agents' operation on the leased premises hereunder to the extent allowed by law. **GRANTEE** or its agents shall maintain at their

own expense, workers compensation insurance, comprehensive general liability and property damage insurance, in respect to bodily injury, death or property damage.

It is mutually agreed by the **GRANTOR** and the **GRANTEE**, their successors and assigns, that the property herein conveyed shall be used solely for the purpose of constructing a **trail/sidewalk** and appurtenances and that this restriction shall be a covenant running with the land. Should the **trail/sidewalk** and appurtenances not be constructed and placed in use upon the premises within one year of the execution of this easement, or should the premises subsequently cease to be used for a **trail/sidewalk** and appurtenances, the premises shall revert to the **GRANTOR**, its successors and assigns, unless extended in writing by the **GRANTOR**.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the **GRANTOR**, its successors 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 **GRANTOR**, its successors 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.

Fair market value of property transferred is estimated to be \$1.00.

CERTIFICATE

I, _____ , for the **GRANTOR** and
(Name & Title)

_____, for the **GRANTEE**, do hereby
(Name & Title)

certify, pursuant to KRS Chapter 382, that the above - stated consideration in the amount of \$1.00 is the true, correct and full consideration paid for the property herein conveyed. We further certify our understanding that the falsification of the stated consideration of the sale price of the property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00.

IN TESTIMONY WHEREOF, the **GRANTOR** and the **GRANTEE** have executed this instrument this the

_____ day of January 2022.

(Name & Title of GRANTOR)

(Name & Title of GRANTEE)

**STATE OF KENTUCKY
COUNTY OF SPENCER**

I, _____, a **NOTARY PUBLIC** in and for the
County and State aforesaid do hereby certify that _____

(Name & Title of Grantee)

personally appeared before me and acknowledged that they are the persons described in
and who executed the foregoing easement to the City of Taylorsville and that they, he
or she, 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 _____, 2022.

NOTARY PUBLIC, KENTUCKY

My Commission Expires: _____

**STATE OF KENTUCKY
COUNTY OF SPENCER**

I, _____, a **NOTARY PUBLIC** in and for the
County and State aforesaid do hereby certify that _____

(Name & Title of Grantee)

personally appeared before me and acknowledged that they are the persons described in
and who executed the foregoing easement to the City of Taylorsville and that they, he
or she, 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 _____, 2022.

NOTARY PUBLIC, KENTUCKY

My Commission Expires: _____

THE UNDERSIGNED ATTORNEY MAKES NO REPRESENTATION
AS TO THE TITLE TO THE PROPERTY CONVEYED. THIS
INSTRUMENT WAS PREPARED BY JOHN D. DALE, JR.,
WITHOUT BENEFIT OF A TITLE SEARCH OR WITHOUT
BENEFIT OF A LEGAL DESCRIPTION OF THE PROPERTY
CONVEYED AS SCRIVENER ONLY.

(____)____ - _____