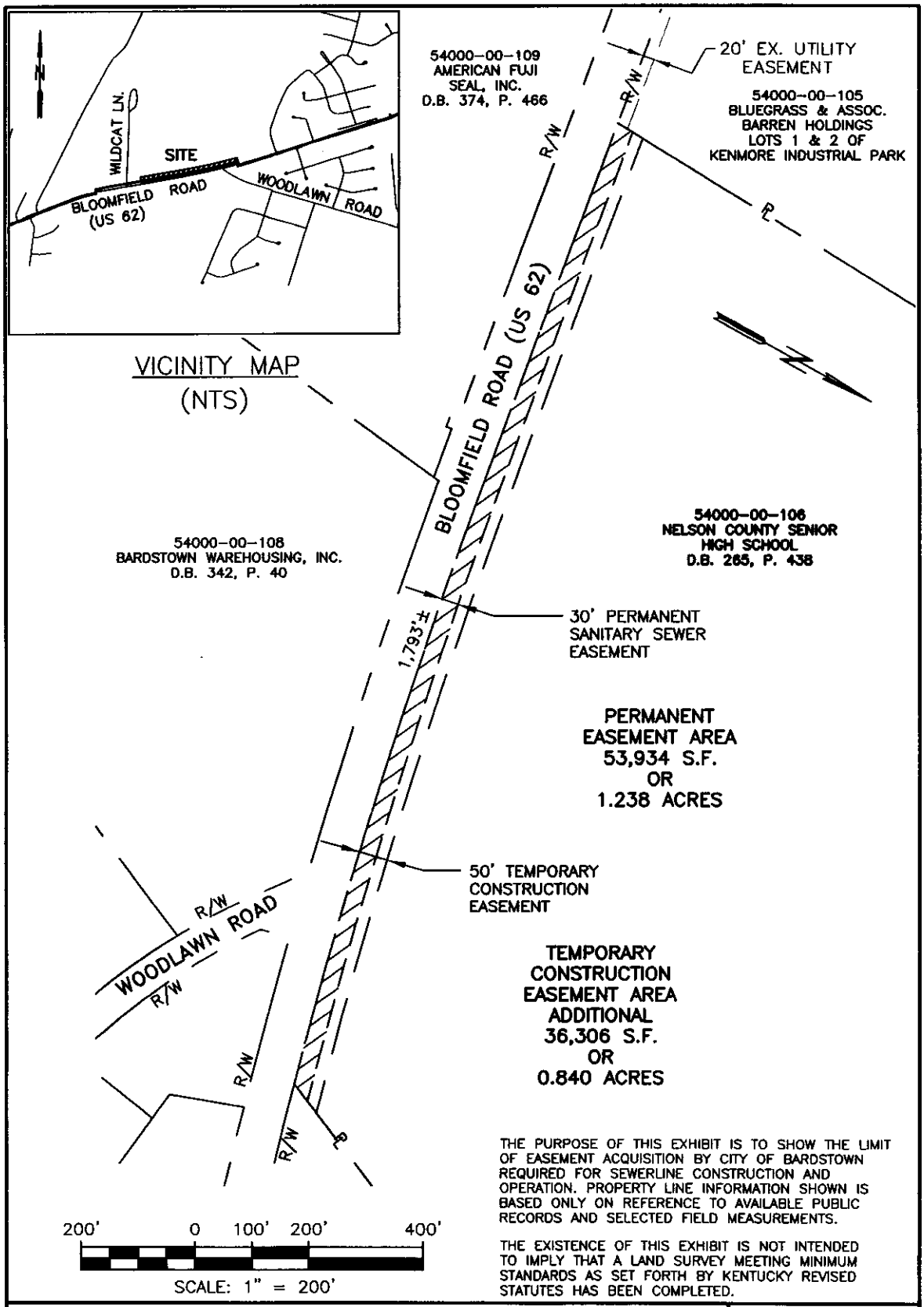


THE PURPOSE OF THIS EXHIBIT IS TO SHOW THE LIMIT OF EASEMENT ACQUISITION BY CITY OF BARDSTOWN REQUIRED FOR SEWERLINE CONSTRUCTION AND OPERATION. PROPERTY LINE INFORMATION SHOWN IS BASED ONLY ON REFERENCE TO AVAILABLE PUBLIC RECORDS AND SELECTED FIELD MEASUREMENTS.

THE EXISTENCE OF THIS EXHIBIT IS NOT INTENDED TO IMPLY THAT A LAND SURVEY MEETING MINIMUM STANDARDS AS SET FORTH BY KENTUCKY REVISED STATUTES HAS BEEN COMPLETED.

EXHIBIT SHOWING PERMANENT EASEMENT TO THE CITY OF BARDSTOWN

ACROSS THE PROPERTY OF

NELSON COUNTY SENIOR HIGH SCHOOL

LOCATED AT:

288 WILDCAT LANE, BARDSTOWN

NELSON COUNTY KENTUCKY

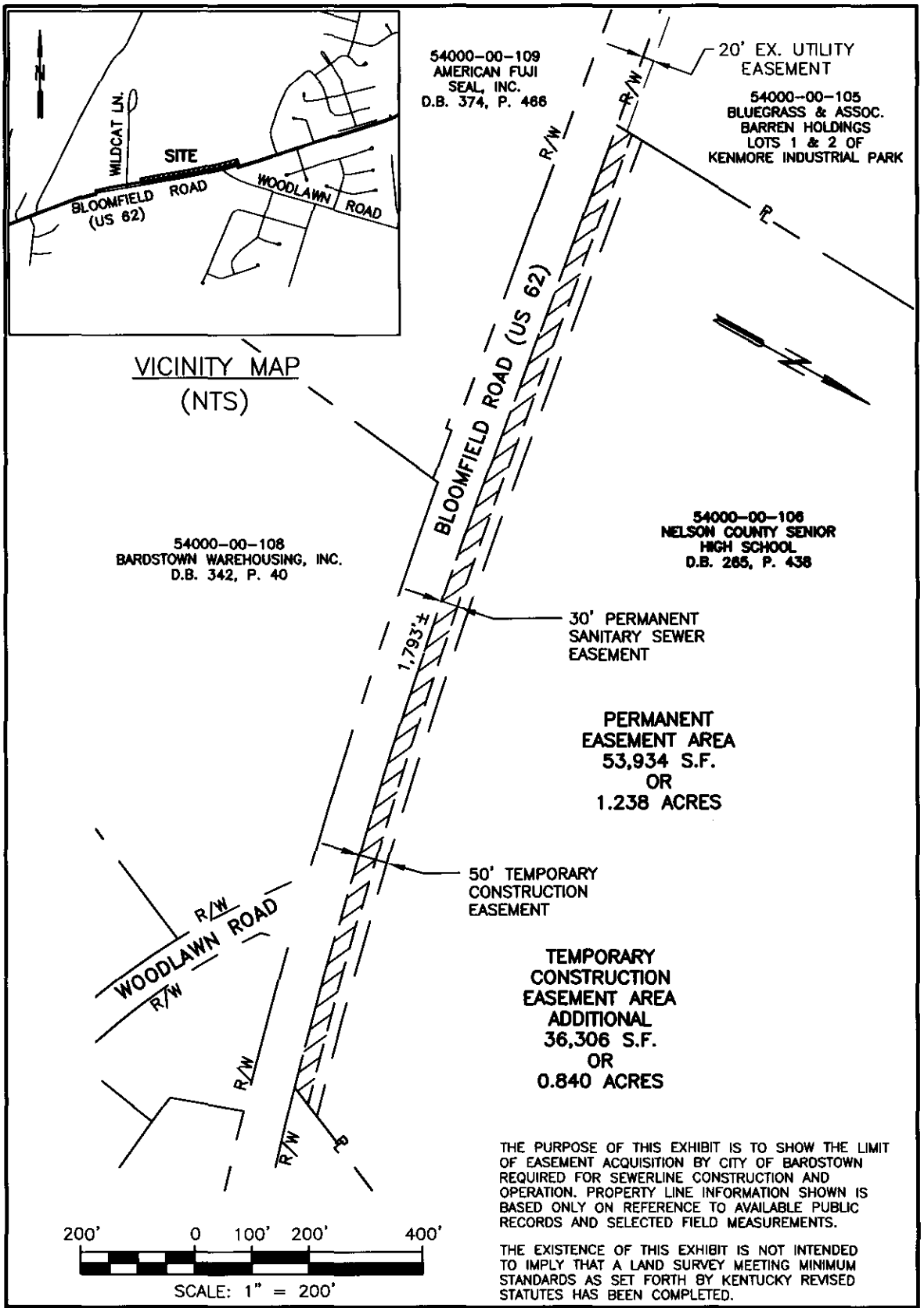
PREPARED BY:

HDR | Quest

HDR/Quest Engineers, Inc.

2517 SIR BARTON WAY
LEXINGTON, KY
(859) 223-3755

JANUARY, 2011



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JANUARY, 2011

DEED OF EASEMENT

THIS DEED OF EASEMENT made and entered into this the _____ day of _____ 20 ____ by and between Nelson County Board of Education of Bardstown, Kentucky party of the first part, hereinafter referred to as the OWNER, and the City of Bardstown, a municipal corporation of the fourth class in Nelson County, Kentucky, party of the second part, hereinafter referred to as the CITY.

WITNESSETH

For and in consideration of the benefits which the OWNER will derive from the extension by the CITY of its sewer system and other valuable considerations, the receipt of all which is hereby acknowledged, the OWNER does hereby grant, and convey to the CITY, its agents, contractors, successors and assigns, the right, power and privilege to construct, inspect, maintain, operate, rebuild and repair a sewer line, constituting a part of the CITY'S sewer system, across and under the hereinafter described land, together with the right of ingress and egress over the lands of OWNER to and from said sewer line in the exercise of the rights and privileges herein granted and the further right to remove any and all trees or other obstacles along the line of said easement or which interfere with the construction, operation, maintenance and repair of said sewer line.

The land belonging to OWNER over which this easement is granted is situated near the City of Bardstown, Nelson County, Kentucky along Bloomfield Road and specific land herein conveyed for the purpose aforesaid is described as follows:

A permanent easement 30 feet in width and lying along and parallel with the north right-of-way line of Bloomfield Road (US 62), 30 feet right of the following described centerline; beginning at a point common to the Grantor's east property line and the right-of-way of Bloomfield Road (US 62), thence in a southwesterly direction approximately 1,793 feet to a point; said point common to the Grantor's west property line and the right-of-way of Bloomfield Road (US 62); as shown on the attached easement Exhibit. Said permanent easement containing approximately 53,934 square feet or 1.238 acres, more or less.

A temporary construction easement 20 feet in width on the north side of the permanent easement with centerline described above, running parallel and adjacent to the permanent easement, as shown on the attached easement Exhibit. Said temporary construction easement containing an additional 35,860 square feet or 0.823 acres, more or less.

Being the same property to which Nelson County Board of Education acquired title from Bernard Keene and wife Dorothy Keene dated July 21, 1967, of record in Deed Book 159, Page 124, in the Office of the Clerk of Nelson County, Kentucky. The property tax bill in care of address is Nelson County High School at 288 Wildcat Lane, Bardstown, Ky. 40004.

In further consideration of the granting of this easement by the OWNER the CITY does hereby agree with the OWNER that at the conclusion of its work or the work of its contractor or agents in the construction of said sewer line and at the conclusion of any repairs hereafter made to said sewer line that it will cause to be removed from OWNER'S property hereinabove described all surplus dirt, debris or other material placed thereon by the CITY, its contractors, agents, servants or employees, will repair any fence which it was necessary to remove in the construction of the facilities aforesaid and that in case the construction of said sewer line interferes with any existing underground utilities said CITY shall repair any damage done to said utilities in the construction, repair or maintenance or said sewer line.

It is agreed between the parties hereto that this easement shall be perpetual.

IN WITNESS WHEREOF, the OWNER has hereunto subscribed his name this day and year first above written.

BY: _____
ADAM WHEATLEY, CHAIRMAN
NELSON COUNTY BOARD OF EDUCATION

BY: _____
ANTHONY ORR, SECRETARY
NELSON COUNTY BOARD OF EDUCATION

STATE OF KENTUCKY
COUNTY OF NELSON

I, the undersigned, Notary Public in and for the county and state do hereby certify that the foregoing easement was this day produced to me in my said county and state and acknowledged before me by _____ party grantor, to be his/her free voluntary act and deed.

Given under my hand and seal of office this ____ day of _____, 20____. My commission expires _____.

_____
Notary Public, Nelson County, Kentucky

STATE OF KENTUCKY
COUNTY OF NELSON

I, the undersigned, Notary Public in and for the county and state do hereby certify that the foregoing easement was this day produced to me in my said county and state and acknowledged before me by _____ party grantor, to be his/her free voluntary act and deed.

Given under my hand and seal of office this ____ day of _____, 20____. My commission expires _____.

_____
Notary Public, Nelson County, Kentucky

The foregoing instrument was prepared by Thomas A. Donan, 205 E. Stephen Foster Ave., Bardstown, Kentucky 40004.

_____
City Attorney