

QUITCLAIM DEED OF CONVEYANCE

THIS DEED made and entered into this the 23rd day of February, 2021, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, whose address is 200 East Main Street, Lexington, Kentucky 40507 (hereinafter "Grantor"); and **COMMUNITY VENTURES PROPERTIES, LLC**, a Kentucky limited liability company, whose address is 1450 North Broadway, Lexington, Kentucky 40505, which is the in-care-of tax mailing address for the current tax year (hereinafter "Grantee"),

WITNESSETH:

WHEREAS, by Ordinance No. 119-2020 adopted by the Council of the Lexington-Fayette Urban County Government on the 3rd day of December, 2020, an undeveloped public way, Powell Street, was closed. Pursuant to KRS 82.405, said Ordinance was duly recorded in **Deed Book 3817, Page 186**, in the Fayette County Clerk's Office; and

WHEREAS, Ordinance No. 119-2020 further authorized and directed the Mayor to execute a quitclaim deed transferring the former right-of-way to the abutting property owner;

NOW, THEREFORE, for and in consideration of the sum of **ONE AND 00/100 DOLLARS (\$1.00)**, and for other good and valuable consideration, the receipt of which is hereby acknowledged by Grantor, said Grantor does hereby **REMISE, RELEASE** and forever **QUITCLAIM** unto the Grantee, their successors and assigns forever, all of its

RETURN TO PREPARER (a)

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right, title and interest in the following described real property situated in the City of Lexington, County of Fayette, Kentucky, as described on Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the same unto the Grantee, their successors and assigns, forever, subject to all easements and encumbrances of record and to any and all rights of others recognized and/or permitted by the Grantor for the presence of utilities in or upon the property, and in respect to such utility rights, where no easement exists. This instrument is exempt from the requirements for a Consideration Certificate by KRS 382.135(2)(c). This transaction is exempt from the real estate transfer tax under KRS 142.050.

IN WITNESS WHEREOF, Grantor causes this instrument to be executed by its duly authorized officer on this the day and year first above written, pursuant to Ordinance No. 119-2020 of the Lexington-Fayette Urban County Government.

LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT


LINDA GORTON
MAYOR

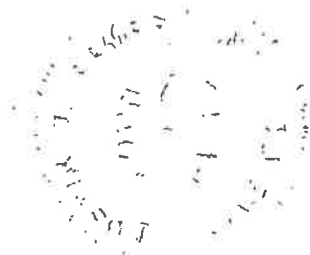
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing deed was subscribed, sworn to, and acknowledged before me by Linda Gorton, in her capacity as Mayor of the Lexington-Fayette Urban County Government, on this the 23rd day of February, 2021.

 #634750

Notary Public, Kentucky, State at Large

My Commission Expires: 11 / 29 / 2023



**Proposed Closure of
Powell Street
Lexington, Fayette County, Kentucky**

Being all of the public right-of-way of Powell Street in Lexington, Fayette County, Kentucky and being located approximately 103 feet northwest from the intersection of the northwesterly right-of-way line of Warnock Street and the northeasterly line of Goodloe Street, and being more particularly described as follows:

BEGINNING at a 5/8" diameter rebar with plastic surveyor's cap (found, PLS 3350) on the northeasterly right-of-way line of said Goodloe Street, set point being the southwest corner of Community Ventures Properties, LLC (Deed Book 3683, Page 490; Lot 3 of Plat Cabinet "S", Slide 89), said point being the intersection of the northeasterly right-of-way line of said Goodloe Street and the northwesterly right-of-way line of said Powell Street, and said point having Kentucky State Plane Coordinates of N(Y) = 197,935.42 feet, E(X) = 1,572,374.01 feet (NAD 83, KY North Zone, US survey feet); thence with the Community Ventures Properties, LLC (Deed Book 3683, Page 490; Lot 3 of Plat Cabinet "S", Slide 89), for two (2) calls:

North 48°32'28" East a distance of 110.00 feet to a 5/8" diameter rebar with plastic surveyor's cap (found, PLS 3350); thence

North 48°15'36" East a distance of 154.73 feet to a 5/8" diameter rebar with plastic surveyor's cap (found, PLS 3350) on the southwesterly line of Community Ventures Properties, LLC (Deed Book 3683, Page 490; 252 Holbrook Court), said point being at the northeasterly terminal end of said Powell Street; thence with the southwesterly line of said Community Ventures Properties, LLC (Deed Book 3683, Page 490; 252 Holbrook Court) and the end of said Powell Street,

South 42°06'55" East a distance of 14.80 feet to a point on the northwesterly line of Community Ventures Properties, LLC (Deed Book 3683, Page 490; 257 Warnock Street); thence with the northwesterly line of Community Ventures Properties, LLC (Deed Book 3683, Page 490; 257 Warnock Street), and then Community Ventures Properties, LLC (Deed Book 3683, Page 490; 255, 251, 249, 245, 243 Warnock Street),

South 48°28'10" West a distance of 127.22 feet to a 5/8" diameter rebar with plastic surveyor's cap (found, PLS 3350), said point being the northeast corner of Community Ventures Corporation (Deed Book 2706, Page 88 & Deed Book 3339, Page 678; Lot 2 of Plat Cabinet "R", Slide 870); thence with the northwesterly line of said Community Ventures Corporation (Deed Book 2706, Page 88 & Deed Book 3339, Page 678; Lot 2 of Plat Cabinet "R", Slide 870),

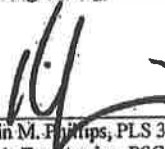
South 48°28'10" West a distance of 137.97 feet to a point on the northeasterly right-of-way line of the aforementioned Goodloe Street, said point being witnessed by a 5/8" diameter rebar with plastic surveyor's cap (PLS 3350), found at North 48°28'10" East 2.00 feet from the corner, and by another 5/8" diameter rebar with plastic surveyor's cap (PLS 3350), found at South 40°18'28" East 2.00 feet from the corner; thence with the northeasterly right-of-way line of said Goodloe Street,

North 40°18'28" West a distance of 14.37 feet to a 5/8" diameter rebar with plastic surveyor's cap (found, PLS 3350); which is the Point of Beginning, having an area of 3,822.1 square feet or 0.0877 acre.

The bearings and coordinates used in the description above are based on Kentucky State Plane Grid North, Kentucky State Plane North Zone, North American Datum of 1983 (NAD 83). Particularly, the bearings and coordinates are based on a GPS survey utilizing Continuous Operating Reference Station (CORS) "KYTG", having Geographic Coordinates of N 38° 04' 31.96484", W 084° 29' 31.91127" and Kentucky State Plane Coordinates (North Zone, NAD 83) of N(Y)=209,682.94', E(X)=1,570,696.89'.

The description above being based on a ground survey conducted under the direct supervision of Kevin Phillips (PLS 3350), of Endris Engineering, 771 Enterprise Drive, Lexington, Kentucky concluding on September 24, 2020.




Kevin M. Phillips, PLS 3350
Endris Engineering, PSC
771 Enterprise Drive
Lexington, KY 40510
Phone: 859-253-1425
Email: kevin@endris.com

10-20-2018
Date



DEED BOOK 3821 PAGE 703

**I, Donald W Blevins Jr, County Court Clerk
of Fayette County, Kentucky, hereby
certify that the foregoing instrument
has been duly recorded in my office.**



By: SHEA BROWN ,dc

202103010168

March 1, 2021 13:28:15 PM

Fees	\$50.00	Tax	\$.00
	Total Paid		\$50.00

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CERTIFICATION

I, Abigail Allan, Clerk of the Urban County Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 119-2020, which was passed at a meeting of the Lexington-Fayette Urban County Council held on December 3, 2020.

Given under my hand and Seal of the Lexington-Fayette Urban County Government this 22nd day of January, 2021.



Clerk of the Urban County Council

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ORDINANCE NO. 119 -2020

AN ORDINANCE CLOSING POWELL STREET; DETERMINING THAT THE PROPERTY OWNER ABUTTING POWELL STREET HAS BEEN IDENTIFIED, PROVIDED WITH WRITTEN NOTICE OF THE PROPOSED CLOSING, AND CONSENTED THERETO IN WRITING; AND AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE A QUITCLAIM DEED AND ANY OTHER DOCUMENTS NECESSARY TO TRANSFER THE FORMER RIGHT-OF-WAY TO THE ABUTTING OWNER, SUBJECT TO THE RESERVATION OF EASEMENTS AND RESTRICTIONS.

WHEREAS, the Urban County Government has the exclusive authority, pursuant to Chapter 67A and Section 82.405 of the Kentucky Revised Statutes, to close a public way or any part thereof within its jurisdiction; and

WHEREAS, the Urban County Government Divisions of Police, Fire & Emergency Services, Waste Management, Water Quality, Streets & Roads, Engineering, Traffic Engineering, and Planning, and affected public utilities, have reviewed the proposed closing of Powell Street; and

WHEREAS, the abutting property owner has received written notice of the proposed closing and has given written, notarized consent thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That, pursuant to KRS 82.405(2), this Council finds that the property owner of all of the properties abutting Powell Street has been provided written notice of the proposed closing and has given its written, notarized consent to the closing, which consent certificate is attached hereto as Exhibit A and incorporated herein by reference.

Section 2 – That, pursuant to the powers granted to the Lexington-Fayette Urban County Government under Chapter 67A and Section 82.405 of the Kentucky Revised Statutes, Powell Street be and hereby is closed as a public way of the Lexington-Fayette Urban County Government.

Section 3 – That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized to execute a quitclaim deed and any other documents necessary to transfer the former right-of-way to the abutting owner,* subject to the reservation of easements and restrictions.

* Community Ventures Properties, LLC

Return to:
Michael S. Craven's
LFUCG
Dept of Law (11th Floor)
200 East Main Street
Lexington, Kentucky 40507

Section 4 – That this Ordinance shall become effective on the date of its passage and shall be recorded in the Office of the Fayette County Clerk pursuant to KRS 82.405(2).

PASSED URBAN COUNTY COUNCIL: December 3, 2020

Linda Horton

MAYOR

ATTEST:

[Signature]
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: December 10, 2020-1t

1189-20:MSC:X:\Cases\WORKS\20-LE0002\LEG\00713866.DOCX

Prepared By:

Michael S. Cravens

HON. MICHAEL S. CRAVENS
Attorney Senior
Lexington-Fayette Urban County
Government
Department of Law
200 East Main Street, 11th Floor
Lexington, KY 40507
(859)-258-3500

DEED BOOK 3817 PAGE 190

**I, Donald W Blevins Jr, County Court Clerk
of Fayette County, Kentucky, hereby
certify that the foregoing instrument
has been duly recorded in my office.**



By: SHEA BROWN ,dc

202102020143

February 2, 2021 10:04:23 AM

Fees	\$46.00	Tax	\$.00
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Total Paid	\$46.00
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