

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, made and entered into this _____ day of _____, 2022, by and between the **COMMONWEALTH OF KENTUCKY**, by and through Holly M. Johnson, Secretary of the Finance and Administration Cabinet, pursuant to KRS Chapters 45A and 56, 200 Mero Street, 5th Floor, Frankfort, Kentucky 40601, hereinafter referred to as the “Grantor”, and the **LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT**, an agency of the Lexington-Fayette Urban County Government, created pursuant to the provisions of K.R.S. Chapter 67A, with a mailing address and “in care of” address of 200 East Main Street, Lexington, Kentucky 40507, hereinafter referred to as “Grantee.”

WITNESSETH:

WHEREAS, the Commonwealth of Kentucky owns certain property in downtown Lexington, which is recorded in Deed Book 2528, Page 654 by deed dated February 1, 2005 as transferred by an Interagency Deed of Conveyance from the Commonwealth of Kentucky by and through the Finance and Administration Cabinet for the behalf of the Economic Development Cabinet as Grantor to the Commonwealth of Kentucky for the use and benefit of the Finance and Administration Cabinet; and,

WHEREAS, Deed Book 2528, Page 654 was inadvertently recorded without Exhibit A but included the source deed information for multiple tracts including but not limited to the property originally transferred to the Commonwealth of Kentucky by Deed Book 1572 Page 251 dated January 4, 1991 from Southcreek Lexington Properties, Inc as Grantor to the Commonwealth of Kentucky by and through the Finance and Administration Cabinet for the use and benefit of the Economic Development Cabinet as Grantee and

WHEREAS, Deed Book 2528, Page 654 also included property which was originally transferred to the Commonwealth of Kentucky by Deed Book 1584, Page 83 dated April 29, 1991 from Dan Landry, Administrator of the Succession of John Sheldon Toomer, c/o M. Gayle Marshall as Grantor to the Commonwealth of Kentucky for the use and benefit of the Economic Development Cabinet as Grantee; and,

WHEREAS, the Lexington-Fayette Urban County Government has requested all of the property in Deed Book 1584, Page 83 (also previously referred to as 145-149 East Main Street) and a portion of Deed Book 1572, Page 251 which is all of Parcel One, Tract One (also previously referred to as 141-143 East Main Street), all of Parcel One, Tract Two (also previously referred to as 139 East Main Street), and a portion of Parcel Five, Tract One (also previously referred to as 119 East Main Street) hereinafter referred to as the Property be conveyed in fee simple for its use with the condition that same be utilized for a public purpose in perpetuity; and,

WHEREAS, KRS 45A.045(4) grants authority to the Secretary of the Finance and Administration Cabinet to determine that state property is more suitable to the public's interest if utilized in another manner and the property may be sold, traded or otherwise disposed of for not less than its appraised value; and,

WHEREAS, by virtue of Official Order ____ the Secretary of the Finance and Administration Cabinet has declared the Property as surplus, and directed disposition in favor of the Grantee; and,

NOW, THEREFORE, for and in consideration of the foregoing and the sum of **NINETY EIGHT THOUSAND THREE HUNDRED AND 00/100 DOLLARS (\$98,300.00)**, cash in hand paid, the receipt and sufficiency of such consideration being hereby acknowledged by the Grantor, the Grantor hereby grants, transfers and conveys unto the Grantee, its successors and assigns, the following described property, 0.525 acre of land in downtown Lexington, Kentucky being more particularly described as follows:

For a description of the property conveyed herein, please see the property description attached hereto as Exhibit "A" and incorporated herein by reference.

The Property, which is being conveyed by this instrument, BEING (all or OR) part of the same property as that conveyed to the Commonwealth of Kentucky by _____, by deed dated _____, which is recorded in Deed Book _____,

The Property, which is being conveyed by this instrument, is a portion of the same property as included in a Lease dated _____ between the Commonwealth of Kentucky and the Lexington Fayette Urban County Government which was originally recorded in Book _____, Page _____. An amended lease removing the Property in this conveyance dated _____ is recorded in Book _____, Page _____.

The Property is further described in the survey plat of record as recorded in Plat Book _____, Page _____ in the Fayette County Clerk's office.

All references herein are to the records of the Fayette County Clerk.

TO HAVE AND TO HOLD, the above-described property with any and all appurtenances thereunto belonging, unto the Grantee, its successors and assigns forever, with covenant of Special Warranty, with title to the property described herein being transferred and conveyed to the Grantee provided that the above-described real property is conveyed subject to all valid and existing

conditions, restrictions, covenants, easements, and reservations as may be found in the record chain of title.

Pursuant to KRS 142.050(7)(b), this transfer is not subject to Kentucky real estate transfer tax.

CONSIDERATION CERTIFICATE

The Grantor and Grantee hereby certify that the consideration stated herein is the full and actual consideration being paid for the property transferred hereby. The Grantee joins this deed for the purpose of certifying the consideration paid.

IN TESTIMONY WHEREOF, Holly M. Johnson, Secretary of the Finance and Administration Cabinet, acting for and on behalf of the Commonwealth of Kentucky, and the Lexington Fayette Urban County Government, Grantee, have executed this Deed of Conveyance, including the Consideration Certificate of Grantor and Grantee, as of this ____ day of _____, 2022.

**GRANTOR:
COMMONWEALTH OF KENTUCKY**

By: _____
Holly M. Johnson, Secretary
Finance and Administration Cabinet
Pursuant to KRS Chapters 45A and 56

**GRANTEE:
Lexington Fayette Urban County Government**

By: _____

Notary No. _____

EXAMINED:

APPROVED:

Counsel for the Governor

ANDY BESHEAR, GOVERNOR,
COMMONWEALTH OF KENTUCKY

This Instrument Prepared By:

Patrick McGee, Assistant General Counsel
Finance and Administration Cabinet
Office of General Counsel
702 Capitol Ave
Room 392, Capital Annex
Frankfort, Kentucky 40601
(502) 564-6660

EXEMPT FROM TRANSFER TAX
PURSUANT TO KRS 142.050(7)(b)