

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, made and entered into this 14th day of September 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,

Fayette County Clerk Recording
Related Documents

From 81
To 82

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 for appraised value in fee simple for the same to be utilized for a public purpose; 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 23-020 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, 0.549 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.

Being all of the same property conveyed to the Commonwealth of Kentucky, by Deed dated April 29, 1991, of record in Deed Book 1584, Page 83 and a portion of the same property conveyed to the Commonwealth of Kentucky, by Deed dated January 4, 1991, of record in Deed Book 1572, Page 251, both referenced in the Fayette County Clerk's Office. Said property is further shown by Consolidation Minor Subdivision Plat (119, 139, 141-143, 145-149 E. Main Street), Commonwealth of Kentucky, (D.B. 1572, PG. 251, D.B. 1584, PG 83, & D.B.

2528, PG 624), Lexington, Fayette County Kentucky, of record in Plat Cabinet S, Slide 338, in the Fayette County Clerk's Office.

The Property, which is being conveyed by this instrument, is a portion of the same property as included in a Lease dated January 22, 1997 between the Commonwealth of Kentucky and the Lexington Fayette Urban County Government which was recorded in Deed Book 1893, Page 629.

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 pursuant to KRS 382.135 that the consideration stated herein is the full actual consideration paid for the property transferred herein and that the estimated fair cash value of the property conveyed is \$98,300.00. Grantee joins in this Deed for the sole purpose of certifying the consideration, as authorized by Resolution No. 372-2022 passed by the Lexington-Fayette Urban County Council on July 7, 2022.

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 14 day of September 2022.

**GRANTOR:
COMMONWEALTH OF KENTUCKY**

By:


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

EXAMINED:




Counsel for the Governor

APPROVED:



ANDY BESHEAR, GOVERNOR,
COMMONWEALTH OF KENTUCKY

This Instrument Prepared By:



Patrick McGee, Assistant General Counsel
Finance and Administration Cabinet
Office of General Counsel
200 Mero Street, 5th Floor
Frankfort, Kentucky 40601
(502) 564-6660

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

--EXHIBIT A--

LEGAL DESCRIPTION
TO BE TRANSFERRED TO LFUCG AND RELEASED FROM LEASE
Revised 5-25-22

Beginning at an iron pin set, stamped PLS 3843, set in the South Right-of-Way East Short Street, at the common corner with with 154 East Short Street (Curless Family LTD PART. – DB 2186 PG 362 - Plat Cab. H Sld. 775) and 145-149 East Main Street (Comm. of KY – DB 2528 PG 654 – Source Deed DB 1584 PG 83). Said point also being 27.50 feet right of Station 4+53.56 of the centerline of Public Acquisition project for East Short Street Right-of-Way, recorded in Plat Cab. K Sld. 938. **THENCE**, with the common line of Curless Family LTD PART and Comm. of KY, S 48°19'19" W, a distance of 243.82' to a point in the North Right-of-Way of East Main Street, at the corner of an existing building, situated on 145-149 East Main Street. **THENCE**, along the North Right-of Way East Main Street, and face of said building, N 40°59'03" W a distance of 39.21', to a point along the exterior wall of an existing building situated on 141-143 East Main Street (Comm. of KY – DB 2528 PG 654 – Source Deed DB 1572 PG 251 "Parcel 1, Tract 1"). **THENCE**, along the common line with 145-149 East Main Street and 141-143 East Main Street, S 48°14'18" W a distance of 0.98', to the corner of said existing building situated on 141-143 Est Main Street. **THENCE**, with the Right of Way of East Main Street, N 41°02'17" W a distance of 34.78' to the corner of said building. **THENCE**, N 48°24'12" E a distance of 0.93' to point in the exterior wall of an existing building situated on 139 East Main Street (Comm. of KY – DB 2528 PG 654 – Source Deed DB 1572 PG 251 "Parcel 1, Tract 2"). **THENCE**, along the Right of Way of East Main Street, N 41°04'31" W a distance of 19.79', to a common corner with 137 East Main Street (Dale Lee Ferguson – DB 1398 PG 323). **THENCE**, along the common line with Comm. of KY and Ferguson, said line running between abutting exterior walls of the existing buildings, N 48°37'37" E a distance of 114.35' to a point in the rear exterior wall of the Ferguson building (137 East Main Street). **THENCE**, along said rear exterior wall, N 42°13'53" W a distance of 19.13' to a new corner with Comm. of KY. **THENCE**, along said line with the the Comm. of Ky, N 48°30'53" E a distance of 112.60', to an iron pin set, stamped PLS 3843, set in the South Right-of-Way East Short Street. **THENCE**, along said Right of Way, S 41°42'37" E a distance of 10.91' to a point. **THENCE**, continuing with said Right of Way, with a curve turning to the left with an arc length of 102.67', with a radius of 326.93', with a chord bearing of S 50°41'47" E, with a chord length of 102.25', to the point of beginning. Having an area of 23903.8 square feet, 0.549 acres

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: HALLIE WOOSLEY ,dc

202210210081

October 21, 2022 10:40:17 AM

Fees	\$53.00	Tax	\$.00
------	---------	-----	--------

Total Paid	\$53.00
------------	---------

THIS IS THE LAST PAGE OF THE DOCUMENT

7 Pages

629 - 635

**PARTIAL RELEASE OF LEASE AGREEMENT
BETWEEN
the
COMMONWEALTH OF KENTUCKY
FINANCE AND ADMINISTRATION CABINET on behalf of
THE ECONOMIC DEVELOPMENT CABINET
AND
LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT**

14th THIS PARTIAL RELEASE OF LEASE AGREEMENT, made and entered into this day of September 2022, by and between the COMMONWEALTH OF KENTUCKY, Finance and Administration Cabinet on behalf of the Economic Development Cabinet, by and through Holly M. Johnson, Secretary, Finance and Administration Cabinet, 200 Mero Street, 5th Floor Frankfort, Kentucky 40601 hereinafter referred to as "Commonwealth", and the Lexington Fayette Urban County Government, a political subdivision of the Commonwealth of Kentucky, 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 the "LFUCG".

WITNESSETH:

WHEREAS, the Commonwealth 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 Commonwealth and LFUCG entered into Lease Agreement dated January 22, 1997 with an effective date of July 1, 1996 and recorded in Deed Book 1893, Page 629 of the Fayette County Clerk's Office (hereinafter "Lease Agreement"); and,

WHEREAS, Article 10 of the Lease Agreement granted LFUCG the right to purchase the Property; and,

WHEREAS, pursuant to Article 10 of the Lease Agreement, the LFUCG has requested to purchase 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

Fayette County Clerk Recording
Related Documents
From 81
82

Mail to: L.F.U.C.G.
Dept. of Law
200 E. Main St.
Lex, KY 40507

--EXHIBIT A--

LEGAL DESCRIPTION
TO BE TRANSFERRED TO LFUCG AND RELEASED FROM LEASE
Revised 5-25-22

Beginning at an iron pin set, stamped PLS 3843, set in the South Right-of-Way East Short Street, at the common corner with with 154 East Short Street (Curless Family LTD PART. – DB 2186 PG 362 - Plat Cab. H Sld. 775) and 145-149 East Main Street (Comm. of KY – DB 2528 PG 654 – Source Deed DB 1584 PG 83). Said point also being 27.50 feet right of Station 4+53.56 of the centerline of Public Acquisition project for East Short Street Right-of-Way, recorded in Plat Cab. K Sld. 938. **THENCE**, with the common line of Curless Family LTD PART and Comm. of KY, S 48°19'19" W, a distance of 243.82' to a point in the North Right-of-Way of East Main Street, at the corner of an existing building, situated on 145-149 East Main Street. **THENCE**, along the North Right-of Way East Main Street, and face of said building, N 40°59'03" W a distance of 39.21', to a point along the exterior wall of an existing building situated on 141-143 East Main Street (Comm. of KY – DB 2528 PG 654 – Source Deed DB 1572 PG 251 “Parcel 1, Tract 1”). **THENCE**, along the common line with 145-149 East Main Street and 141-143 East Main Street, S 48°14'18" W a distance of 0.98', to the corner of said existing building situated on 141-143 Est Main Street. **THENCE**, with the Right of Way of East Main Street, N 41°02'17" W a distance of 34.78' to the corner of said building. **THENCE**, N 48°24'12" E a distance of 0.93' to point in the exterior wall of an existing building situated on 139 East Main Street (Comm. of KY – DB 2528 PG 654 – Source Deed DB 1572 PG 251 “Parcel 1, Tract 2”). **THENCE**, along the Right of Way of East Main Street, N 41°04'31" W a distance of 19.79', to a common corner with 137 East Main Street (Dale Lee Ferguson – DB 1398 PG 323). **THENCE**, along the common line with Comm. of KY and Ferguson, said line running between abutting exterior walls of the existing buildings, N 48°37'37" E a distance of 114.35' to a point in the rear exterior wall of the Ferguson building (137 East Main Street). **THENCE**, along said rear exterior wall, N 42°13'53" W a distance of 19.13' to a new corner with Comm. of KY. **THENCE**, along said line with the the Comm. of Ky, N 48°30'53" E a distance of 112.60', to an iron pin set, stamped PLS 3843, set in the South Right-of-Way East Short Street. **THENCE**, along said Right of Way, S 41°42'37" E a distance of 10.91' to a point. **THENCE**, continuing with said Right of Way, with a curve turning to the left with an arc length of 102.67', with a radius of 326.93', with a chord bearing of S 50°41'47" E, with a chord length of 102.25', to the point of beginning. Having an area of 23903.8 square feet, 0.549 acres

Please also see Consolidation Minor Subdivision Plat (119, 139, 141-143, 145-149 E. Main Street), Commonwealth of Kentucky, (D.B. 1572, PG. 251, D.B. 1584, PG 83, & D.B. 2528, PG 624), Lexington, Fayette County Kentucky, of record in Plat Cabinet S, Slide 338, in the Fayette County Clerk's Office.

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: HALLIE WOOSLEY ,dc

202210210082

October 21, 2022 10:41:14 AM

Fees	\$46.00	Tax	\$.00
------	---------	-----	--------

Total Paid	\$46.00
------------	---------

THIS IS THE LAST PAGE OF THE DOCUMENT

5 Pages

636 - 640