

**DEED OF CONVEYANCE**

**THIS DEED** made and entered into this the 5<sup>th</sup> day of February, 2016, by and between **STANLEY M. STOCKTON** and **KIMBERLY STOCKTON**, husband and wife, whose address is 771 Hildean Drive, Lexington, Kentucky 40502 (hereinafter Grantors) and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government of the Commonwealth of Kentucky pursuant to Chapter 67A of the Kentucky Revised Statutes, whose mailing address is 200 East Main Street, Lexington, Kentucky 40507 (hereinafter Grantee); the Grantee's address is the in-care-of tax mailing address for the current tax year.

**WITNESSETH:**

That for and in consideration of the sum of **ONE-HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$150,000.00)**, cash in hand, the receipt of which is hereby acknowledged, the Grantors have **BARGAINED** and **SOLD** and do hereby **GRANT** and **CONVEY** unto the Grantee, its heirs and assigns forever, the following described real property, to-wit:

**1665 Gayle Drive**

Being all of Lot 15, Block T, of the Eastland Park Subdivision, Lexington, Fayette County, Kentucky, as shown by plat thereof of record in Plat Cabinet B, Slide 3 in the Fayette County Court Clerk's Office, said property being also known as 1665 Gayle Drive; and

Being the same property conveyed to Stanley M. Stockton and Kimberly Stockton by deed dated April 27, 1998, from Secretary of Veterans Affairs of record in Deed Book 1976, Page 583, in the Office of the Fayette County Court Clerk.

**TO HAVE AND TO HOLD** the property together with all rights, privileges, appurtenances and improvements thereunto belonging unto the Grantee, in fee simple, its successors and assigns forever.

**AND** the Grantors do hereby release and relinquish unto the Grantee, its successors and assigns all of the right, title and interest in the above-described property including all exemptions allowed by law, and does hereby covenant to and with said Grantee, their successors and assigns, that it is lawfully seized in fee simple of said property and has good right to sell and convey the same as herein done; that the title to said property is clear, perfect, and unencumbered.

**PROVIDED, HOWEVER,** this conveyance is made subject to any and all restrictions and/or conditions that may appear of record affecting said property hereinabove described, and from here forth the following conditions and restrictions shall apply in perpetuity to the property, concerning the acquisition of property for open space:

- a) Compatible uses. The Property shall be dedicated and maintained in perpetuity as open space for the conservation of natural floodplain functions. Such uses may include: parks for outdoor recreational activities; wetlands management; nature reserves; cultivation; grazing; camping (except where adequate warning time is not available to allow evacuation); unimproved, unpaved parking lots; buffer zones; and other uses consistent with open space uses. Only three or four plank type fences may be erected. **No privacy, shadow box, picket, or chain link fences shall be erected.**
- b) Structures. No new structures or improvements shall be erected on the Property other than:
  - i. A facility that is open on all sides and functionally related to a designated open space or recreational use; should be bolted to a slab, have posts concreted into the ground or otherwise affixed so it won't float away and obstruct downstream culverts, etc.
  - ii. A structure that is compatible with open space and conserves the natural function of the floodplain, including the uses described in Paragraph a. above.

- iii. Any improvements on the Property shall be in accordance with proper floodplain management policies and practices. Structures built on the Property according to paragraph b. of this section shall be floodproofed or elevated to at least the base flood level plus 2 foot of freeboard, or greater, if required by FEMA, or if required by any State, Tribal or local ordinance.
- c) Fill. No dirt, rock, or other fill material may be placed on the property to elevate the ground above the elevation at the time of this transfer.
- d) Transfer. Conveyance of any property interest must reference and incorporate the original deed restrictions providing notice of the conditions in this section.

### CONSIDERATION CERTIFICATE

The undersigned Grantors and Grantee hereby certify, swear, and affirm that the consideration herein is the full and actual consideration paid for the property transferred herein, with the property having a fair market value of One-Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00). The Grantee signs this deed for the sole purpose of certifying the consideration paid, as authorized by Resolution No. 664-2015, passed by the Lexington-Fayette Urban County Council on the 5<sup>th</sup> day of November, 2015.


**IN TESTIMONY WHEREOF**, Grantors and Grantee have hereunto set their hands on this the day and year first above written.

GRANTORS:

GRANTEE:

  
STANLEY M. STOCKTON

LEXINGTON-FAYETTE URBAN  
COUNTY GOVERNMENT

BY:   
JIM GRAY  
MAYOR

  
KIMBERLY STOCKTON

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

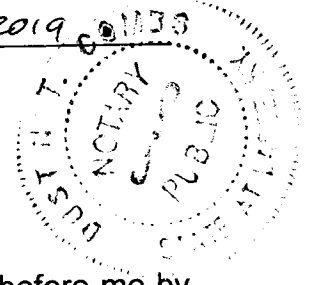
The foregoing deed was subscribed, sworn to, and acknowledged before me by Stanley M. Stockton and Kimberly Stockton, husband and wife, on this the 5<sup>th</sup> day of February, 2016.

*Justin J. Combs*

Notary Public, Kentucky, State at Large

My Commission Expires: 11 / 29 / 2019 COMES

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

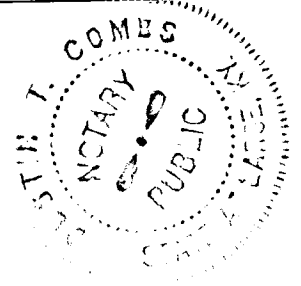


The foregoing deed was subscribed, sworn to, and acknowledged before me by Jim Gray, in his capacity as Mayor of the Lexington-Fayette Urban County Government, an urban county government of the Commonwealth of Kentucky, on this the 5<sup>th</sup> day of February, 2016.

*Justin J. Combs*

Notary Public, Kentucky, State at Large

My Commission Expires: 11 / 29 / 2019




PREPARED BY:

*Charles E. Edwards, III*

CHARLES E. EDWARDS, III  
Attorney  
Lexington-Fayette Urban County Government  
Department of Law  
200 East Main Street, 11<sup>th</sup> Floor  
Lexington, Kentucky 40507  
(859) 258-3500

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.



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By: SHEA BROWN ,dc

201602050051

February 5, 2016                      11:38:45    AM

Fees	\$20.00	Tax	\$150.00
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Total Paid	\$170.00
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