

**DEED OF CONVEYANCE AND GRANT OF PERMANENT AND TEMPORARY
CONSTRUCTION EASEMENT**

This **DEED OF CONVEYANCE AND GRANT OF PERMANENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 12 day of August, 2020, by and between **AVENTICS CORPORATION**, a Delaware corporation (formerly **BOSCH REXROTH PNEUMATICS CORPORATION**, a Delaware corporation), 1953 Mercer Road, Lexington, Kentucky 40511, which is the in-care of tax mailing address for the current year ("Grantor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, ("Grantee").

WITNESSETH:

That for and in consideration of the sum of **SEVENTY-TWO THOUSAND SIX HUNDRED SIXTY-FIVE DOLLARS AND 00/100 (\$72,665.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, in fee simple, the following described property, located in Fayette County, Kentucky:

FEE SIMPLE
(a portion of 1953 Mercer Road)
Mercer Road Improvements at
Greendale Project
Tract A

Being a tract of land lying in Fayette County along Mercer Road at the intersection of Mercer Road and Greendale Road, and more particularly described as follows:

Return to:
Charles E. Edwards III
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

Beginning at a point in the existing right-of-way line 30.60 feet left of Mercer Road at Station 50+18.68; thence with the existing right-of-way line, North 24 Degrees 27 Minutes 25 Seconds East, a distance of 38.43 feet to a point in the proposed right-of-way line 69.04 feet left of Mercer Road at Station 50+18.80; thence with the proposed right-of-way line, South 40 Degrees 23 Minutes 38 Seconds East, a distance of 23.45 feet to a point 59.00 feet left of Mercer Road at Station 50+40.00; thence with the proposed right-of-way line, South 65 Degrees 43 Minutes 48 Seconds East, a distance of 286.40 feet to a point 59.00 feet left of Mercer Road at Station 53+26.40; thence with the proposed right-of-way line, South 56 Degrees 38 Minutes 23 Seconds East, a distance of 151.91 feet to a point 35.00 feet left of Mercer Road at Station 54+76.40; thence with the proposed right-of-way line, South 65 Degrees 43 Minutes 48 Seconds East, a distance of 269.60 feet to a point 35.00 feet left of Mercer Road at Station 57+46.00; thence with the proposed right-of-way line, South 24 Degrees 16 Minutes 12 Seconds West, a distance of 6.96 feet to a point in the existing right-of-way line 28.04 feet left of Mercer Road at Station 57+46.00; thence with the existing right-of-way line, North 65 Degrees 31 Minutes 42 Seconds West, a distance of 727.33 feet to a point 30.60 feet left of Mercer Road at Station 50+18.68 and the **POINT OF BEGINNING**; and,

The above described parcel contains 0.308 Acres (13,420 square feet) of fee simple; and,

Being a portion of the same property conveyed to Aventics Corporation, a Delaware corporation (formerly Bosch Rexroth Pneumatics Corporation, a Delaware corporation) shown by a Certificate of Amendment of Certificate of Incorporation, filed on March 5, 2014, in the Secretary of State's Office, in the State of Delaware, attached and incorporated as Exhibit "A", and further by Articles of Merger, filed on January 22, 2018, of record in Corporate Records Book 404, Page 007, in the Fayette County Clerk's Office and by Deed dated May 31, 2013, of record in Deed Book 3156, Page 85, in the Fayette County Clerk's Office.

FURTHER, for and in consideration of the sum hereinbefore mentioned, the receipt and sufficiency of which is hereby acknowledged, said Grantor has

BARGAINED and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, a permanent right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of roadway improvements and including construction and maintenance for a drainage ditch through and across the following tract of land located within the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows, to-wit:

Permanent Easement
(a portion of 1953 Mercer Road)
Mercer Road Improvements at
Greendale Project
Tract B

Being a tract of land lying in Fayette County, Kentucky along Mercer Road at the intersection of Mercer Road and Greendale Road, and more particularly described as follows:

Beginning at a point in the existing right-of-way line 69.04 feet left of Mercer Road at Station 50+18.80; thence with the existing right-of-way line, North 24 Degrees 27 Minutes 25 Seconds East, a distance of 17.96 feet to a point in the proposed permanent easement line 87.00 feet left of Mercer Road at Station 50+18.86; thence with the proposed permanent easement line, South 34 Degrees 08 Minutes 13 Seconds East, a distance of 24.81 feet to a point 74.00 feet left of Mercer Road at Station 50+40.00; thence with the proposed permanent easement line, South 65 Degrees 43 Minutes 48 Seconds East, a distance of 310.00 feet to a point 74.00 feet left of Mercer Road at Station 53+50.00; thence with the proposed permanent easement line, South 56 Degrees 00 Minutes 09 Seconds East, a distance of 142.04 feet to a point 50.00 feet left of Mercer Road at Station 54+90.00; thence with the proposed permanent easement line, South 65 Degrees 43 Minutes 48 Seconds East, a distance of 225.00 feet to a point 50.00 feet left of Mercer Road at Station 57+15.00; thence with the proposed permanent easement line, South 24 Degrees 16 Minutes 12 Seconds West, a distance of 15.00 feet to a point in the proposed right-of-way line 35.00 feet left of Mercer Road at Station 57+15.00; thence with the proposed right-of-way line, North 65 Degrees 43 Minutes 48 Seconds West, a distance of

238.60 feet to a point 35.00 feet left of Mercer Road at Station 54+76.40; thence with the proposed right-of-way line, North 56 Degrees 38 Minutes 23 Seconds West, a distance of 151.91 feet to a point 59.00 feet left of Mercer Road at Station 53+26.40; thence with the proposed right-of-way line, North 65 Degrees 43 Minutes 48 Seconds West, a distance of 286.40 feet to a point 59.00 feet left of Mercer Road at Station 50+40.00; thence with the proposed right-of-way line, North 40 Degrees 23 Minutes 38 Seconds West, a distance of 23.45 feet to a point 69.04 feet left of Mercer Road at Station 50+18.80 and the **POINT OF BEGINNING**; and,

The above described parcel contains 0.251 Acres (10,921 square feet) of permanent easement; and,

Being a portion of the same property conveyed to Aventics Corporation, a Delaware corporation (formerly Bosch Rexroth Pneumatics Corporation, a Delaware corporation) shown by a Certificate of Amendment of Certificate of Incorporation, filed on March 5, 2014, in the Secretary of State's Office, in the State of Delaware, attached and incorporated as Exhibit "A", and further by Articles of Merger, filed on January 22, 2018, of record in Corporate Records Book 404, Page 007, in the Fayette County Clerk's Office and by Deed dated May 31, 2013, of record in Deed Book 3156, Page 85, in the Fayette County Clerk's Office.

FURTHER, for and in consideration of the sum hereinbefore mentioned, the receipt and sufficiency of which is hereby acknowledged, Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, a temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of roadway improvements through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, and more particularly described as follows, to wit:

Temporary Construction Easement
(a portion of 1953 Mercer Road)
Mercer Road Improvements at
Greendale Project
Tract C

Being a tract of land lying in Fayette County, Kentucky along Mercer Road at the intersection of Mercer Road and Greendale Road, and more particularly described as follows:

Beginning at a point in the existing right-of-way line 87.00 feet left of Mercer Road at Station 50+18.86; thence with the existing right-of-way line, North 24 Degrees 27 Minutes 25 Seconds East, a distance of 8.00 feet to a point in the proposed temporary easement line 95.00 feet left of Mercer Road at Station 50+18.89; thence with the proposed temporary easement line, South 65 Degrees 43 Minutes 48 Seconds East, a distance of 181.11 feet to a point 95.00 feet left of Mercer Road at Station 52+00.00; thence with the proposed temporary easement line, South 60 Degrees 01 Minutes 10 Seconds East, a distance of 150.75 feet to a point 80.00 feet left of Mercer Road at Station 53+50.00; thence with the proposed temporary easement line, South 56 Degrees 16 Minutes 04 Seconds East, a distance of 152.07 feet to a point 55.00 feet left of Mercer Road at Station 55+00.00; thence with the proposed temporary easement line, South 65 Degrees 43 Minutes 48 Seconds East, a distance of 100.00 feet to a point 55.00 feet left of Mercer Road at Station 56+00.00; thence with the proposed temporary easement line, South 71 Degrees 26 Minutes 26 Seconds East, a distance of 70.35 feet to a point 62.00 feet left of Mercer Road at Station 56+70.00; thence with the proposed temporary easement line, South 65 Degrees 43 Minutes 48 Seconds East, a distance of 30.00 feet to a point 62.00 feet left of Mercer Road at Station 57+00.00; thence with the proposed temporary easement line, South 57 Degrees 04 Minutes 39 Seconds East, a distance of 46.53 feet to a point 55.00 feet left of Mercer Road at Station 57+46.00; thence with the proposed temporary easement line, South 24 Degrees 16 Minutes 12 Seconds West, a distance of 20.00 feet to a point in the proposed right-of-way line 35.00 feet left of Mercer Road at Station 57+46.00; thence with the proposed right-of-way line, North 65 Degrees 43 Minutes 48 Seconds West, a distance of 31.00 feet to a point in the proposed permanent easement line 35.00 feet left of Mercer Road at Station 57+15.00; thence with the proposed permanent easement line, North 24 Degrees 16 Minutes 12 Seconds East, a distance of 15.00 feet to a point 50.00 feet left of Mercer Road at Station 57+15.00; thence with the proposed permanent easement line, North 65 Degrees 43 Minutes 48 Seconds West, a distance of 225.00

feet to a point 50.00 feet left of Mercer Road at Station 54+90.00; thence with the proposed permanent easement line, North 56 Degrees 00 Minutes 09 Seconds West, a distance of 142.04 feet to a point 74.00 feet left of Mercer Road at Station 53+50.00; thence with the proposed permanent easement line, North 65 Degrees 43 Minutes 48 Seconds West, a distance of 310.00 feet to a point 74.00 feet left of Mercer Road at Station 50+40.00; thence with the proposed permanent easement line, North 34 Degrees 08 Minutes 13 Seconds West, a distance of 24.81 feet to a point 87.00 feet left of Mercer Road at Station 50+18.86 and the **POINT OF BEGINNING**; and,

The above described parcel contains 0.205 Acres (8,947 square feet) of temporary construction easement; and,

Being a portion of the same property conveyed to Aventics Corporation, a Delaware corporation (formerly Bosch Rexroth Pneumatics Corporation, a Delaware corporation) shown by Articles of Merger, filed on January 22, 2018, of record in Corporate Records Book 404, Page 007, in the Fayette County Clerk's Office and by Deed dated May 31, 2013, of record in Deed Book 3156, Page 85, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described interests together with all rights, appurtenances, and improvements thereunto belonging unto said Grantee, its successors and assigns, for the purposes and uses herein designated.

The above-described temporary construction easement runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantor. The above-described permanent easement runs with the land in perpetuity and is binding upon the successors and assigns of the Grantor. The temporary construction easement shall take effect upon the commencement of the construction of the project and will expire upon completion of the project.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of its right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and does hereby covenant to and with the Grantee, its successors and assigns forever, that it is lawfully seized in fee simple of it will **WARRANT GENERALLY** said title.

The parties do hereby certify pursuant to KRS 382.135 that the consideration stated herein is the full actual consideration paid for the property transferred herein, and the estimated fair cash value of the property conveyed is \$72,665.00. Grantee joins this Deed for the sole purpose of certifying the consideration, as authorized by Resolution No. 719-2019, passed by the Lexington-Fayette Urban County Council on December 5, 2019. This conveyance is exempt from real estate transfer tax pursuant to KRS 142.050.

IN TESTIMONY WHEREOF, the Grantor has signed this Deed of Conveyance and Grant of Permanent and Temporary Construction Easement, this the day and year first above written.

GRANTOR:

AVENTICS CORPORATION, a Delaware Corporation (formerly
BOSCH REXROTH PNEUMATICS CORPORATION, a
Delaware Corporation)

BY:



JAMES JR. RODGERS,
DIRECTOR OF FINANCE

GRANTEE:

LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

BY: Linda Gorton
LINDA GORTON, MAYOR

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This Instrument and consideration certificate was acknowledged, subscribed and sworn to before me by James Jr. Rodgers, as Director of Finance, for and on behalf of Aventics Corporation, a Delaware corporation (formerly Bosch Rexroth Pneumatics Corporation, a Delaware corporation), on this the 12 day of AUGUST, 2020.

Paul Willard
Notary Public, Kentucky, State-at-Large
My Commission Expires: 7 / 29 / 2021
Notary ID # 583153

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

This Certificate of Consideration certificate was acknowledged, subscribed and sworn to before me by Linda Gorton, as Mayor, for and on behalf of the Lexington-Fayette Urban County Government, on this the 12th day of August, 2020.

Cynthia A. Cannon-Ferguson
Notary Public, Kentucky, State-at-Large

My Commission Expires: 2/26/2021

Notary ID # 573812



PREPARED BY:

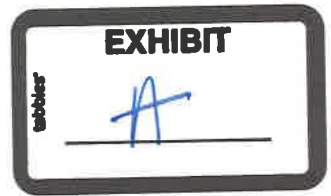
Charles E. Edwards, III

Charles E. Edwards, III,
Attorney
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500

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Delaware

PAGE 1



The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "REXROTH PNEUMATICS CORPORATION", CHANGING ITS NAME FROM "REXROTH PNEUMATICS CORPORATION" TO "AVENTICS CORPORATION", FILED IN THIS OFFICE ON THE THIRD DAY OF MARCH, A.D. 2014, AT 12 O'CLOCK P.M.


A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

5209398 8100

140277121



You may verify this certificate online
at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 1180934

DATE: 03-05-14

STATE OF DELAWARE
CERTIFICATE OF AMENDMENT
OF CERTIFICATE OF INCORPORATION

The corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware does hereby certify:

FIRST: That at a meeting of the Board of Directors of
Rexroth Pneumatics Corporation

resolutions were duly adopted setting forth a proposed amendment of the Certificate of Incorporation of said corporation, declaring said amendment to be advisable and calling a meeting of the stockholders of said corporation for consideration thereof. The resolution setting forth the proposed amendment is as follows:

RESOLVED, that the Certificate of Incorporation of this corporation be amended by changing the Article thereof numbered " First _____ " so that, as amended, said Article shall be and read as follows:

"First: The name of this Corporation is Aventics Corporation"

SECOND: That thereafter, pursuant to resolution of its Board of Directors, a special meeting of the stockholders of said corporation was duly called and held upon notice in accordance with Section 222 of the General Corporation Law of the State of Delaware at which meeting the necessary number of shares as required by statute were voted in favor of the amendment.

THIRD: That said amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, said corporation has caused this certificate to be signed this 21 day of February, 2014.

By: P. J. Donovan
Authorized Officer
Title: President
Name: Phillip J. DONOVAN
Print or Type

State of Delaware
Secretary of State
Division of Corporations
Delivered 07:53 AM 03/04/2014
FILED 12:00 PM 03/03/2014
SRV 140277121 - 5209398 FILE

STATE OF DELAWARE

**WAIVER OF REQUIREMENT
FOR AFFIDAVIT OF EXTRAORDINARY CONDITION**

It appears to the Secretary of State that an earlier effort to deliver this instrument and tender such taxes and fees was made in good faith on the file date stamped hereto. The Secretary of State has determined that an extraordinary condition (as reflected in the records of the Secretary of State) existed at such date and time and that such earlier effort was unsuccessful as a result of the existence of such extraordinary condition, and that such actual delivery and tender were made within a reasonable period (not to exceed two business days) after the cessation of such extraordinary condition and establishes such date and time as the filing date of such instrument.

Jeffrey W. Bullock
Jeffrey W. Bullock
Secretary of State

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: PATTY DAVIS ,dc

202008200139

August 20, 2020 9:46:29 AM

Fees	\$71.00	Tax	\$73.00
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Total Paid	\$144.00
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THIS IS THE LAST PAGE OF THE DOCUMENT

13 Pages

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MAYOR LINDA GORTON



LEXINGTON

SUSAN B. SPECKERT
COMMISSIONER
DEPARTMENT OF LAW

To: Abigail Allan, Council Clerk
Council Clerk's Office

From: Department of Law

Date: August 27, 2020

Re: Deed of Conveyance and Grant of
Permanent and Temporary Construction
Easement
1953 Mercer Road

Our File No. 19-RE0544
Mercer Road Improvements at
Greendale Project

Enclosed is the original recorded Deed of Conveyance and Grant of Permanent and Temporary Construction Easement for the above-referenced property to the Urban County Government for the Mercer Road Improvements at Greendale Project. Please file the easement with the authorizing legislation, Resolution No. 719-2019.

Please note that the attached asset acquisition form is for the fee simple portion and permanent easement only.

If you have any questions, please let me know.

Sincerely,

Keith Horn
Managing Attorney

Enclosure

X:\Cases\jWATER-AIR\19-RE0544\MEMO\00693639.DOC

