

# MURPHY & CLENDENEN, PLLC

ATTORNEYS AT LAW

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RICHARD V. MURPHY  
CHRISTOPHER M. CLENDENEN

November 30, 2015

Keith Horn, Esq.  
Law Department  
Lexington-Fayette Urban County Government  
200 East Main Street  
Lexington, KY 40507

Re: Remnant Parcel of Gribbin Drive

Dear Keith:

I represent Richard Conrad, who is the owner of a tract of land at 2875 Gribbin Drive. This is behind the old Conrad (and later Thoroughbred) Chevrolet dealership at 2800 Richmond Road. We are requesting that the city transfer to Mr. Conrad a small parcel of adjacent land which was dedicated, but never used, for a street.

Mr. Conrad is attempting to transfer the property at 2875 Gribbin Drive to C & R Asphalt Land Acquisition Co., LLC. C & R Asphalt has also recently acquired the property at 2800 Richmond Road. If this closing is completed, C & R Asphalt will own the tracts on both sides of this abandoned right-of-way. However, due to notes on the plat, (Plat Cabinet J, Slide 636, a reduced-sized copy of which is attached) the tract will first need to be conveyed to Richard M. Conrad, Sr., who will in turn convey it to C & R Asphalt.

The legal description of this tract is as follows:

Being all of Parcel 2 (containing 7,712 square feet) as shown on plat of record in Plat Cabinet J, Slide 636 in the office of the Fayette County Clerk, to which plat reference is hereby made for a more particular description thereof.

Parcel 2 was originally dedicated as right-of-way for Bonham Road (now Gribbin Drive) on the plat recorded in Plat Cabinet A, Slide 296, a copy of which is attached. That plat was approved in 1971. However, the location of Gribbin Drive was changed on the plat recorded in Cabinet J, Slide 636 so that it curved away from this section. The Planning Commission actually approved the consolidation plat which consolidates Parcel 2 to the Conrad property in 1995. (Both plats are attached). We can find no record of a transfer from the city, however.

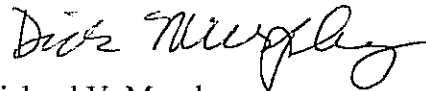
Parcel 2 has never been used for roadway purposes, although it has been offered for dedication in the plat mentioned above. Please let me know if you feel that a rejection of dedication with quitclaim deed or a street closing with a deed is the proper way to go.

As mentioned above, after all transactions are completed, C & R Asphalt will own the old right-of-way (Parcel 2) and the tracts on either side (Parcel 1 and the tract at 2800 Richmond Road).

Could you please initiate the proceedings to deed this to my client, Richard M. Conrad, Sr., so that he can in turn deed it to C & R Asphalt?

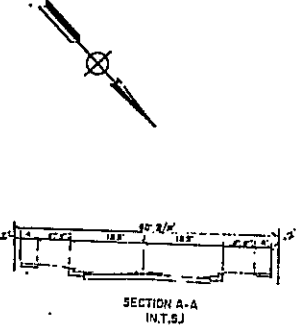
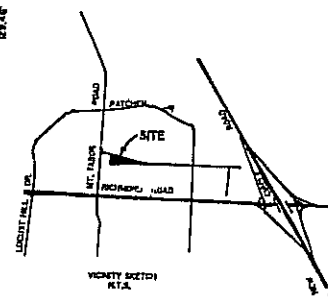
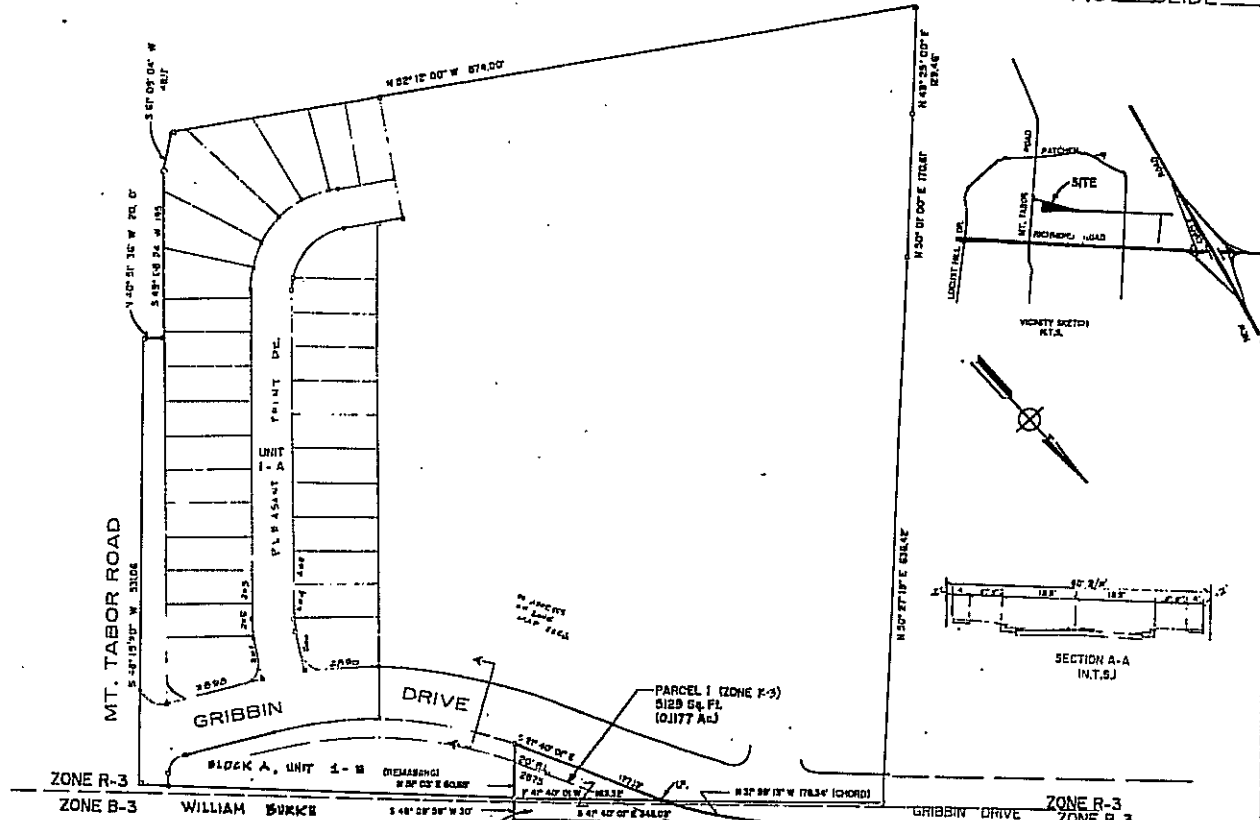
Thank you.

Sincerely,



Richard V. Murphy

RVM/prb  
Enclosures  
Letter to Keith Horn 11-30-15.docx



**OWNER'S CERTIFICATION**  
 The undersigned hereby certifies that PLEASANT POINTE  
 RECREALS, INC. is the only owner of Parcel 1 platted herein, said property  
 being recorded in Deed Bookings, Page 476 in the Fayette County Clerk's  
 Office and does hereby adopt this as its record plat for this property.

PLEASANT POINTE PROPERTIES, INC. OWNERS  
 Signed By: William E. Spangler  
 Date: January 6, 1994  
 Address: 108 BRITAIN RD., LEX., KY. 40501  
 Witness: Allen Dent  
 Date: 1-6-94  
 Address: 444 South Ash Road

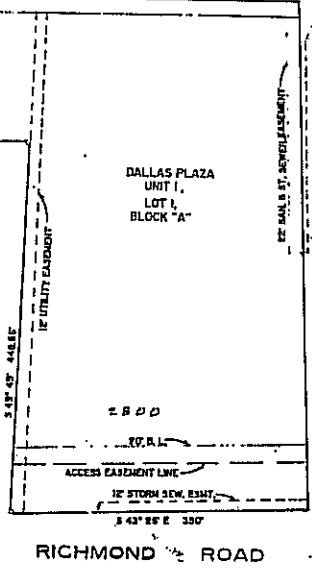
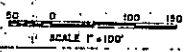
**LAND SURVEYORS CERTIFICATION**  
 I, DO HEREBY CERTIFY THAT THIS RECORD PLAT WAS PREPARED UNDER  
 MY DIRECTION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF,  
 THE BOUNDARIES OF THE PROPERTY BEING TRANSFERRED ARE TRUE  
 AND ACCURATE.

Frank Mitchell 12 Dec 93  
 SURVEYOR DATE  
157 Thompson Place Tr. 4, 40509  
 ADDRESS

**COMMISSIONER'S CERTIFICATION**  
 I, DO HEREBY CERTIFY THAT THIS RECORD PLAT HAS MET THE  
 REQUIREMENTS OF THE FAYETTE COUNTY PLANNING COMMISSION, AND IS  
 NOW ELIGIBLE FOR RECORDING.

Frank Mitchell 4/3/95  
 PLANNING COMMISSION SECRETARY DATE

- NOTE:**
1. THE PURPOSE OF THIS PLAT IS TO CONSOLIDATE PARCEL 1 WITH PARCEL 2.
  2. PARCEL 1 SHALL BE SOLD OR TRANSFERRED ONLY TO PARCEL 2 FOR CONSOLIDATION PURPOSES.
  3. PARCEL 2 HAS BEEN PREVIOUSLY DEDICATED AS PUBLIC RIGHT-OF-WAY.
  4. THERE SHALL BE 2 UNITS MAXIMUM FOR 2675 GRIBBIN DRIVE.



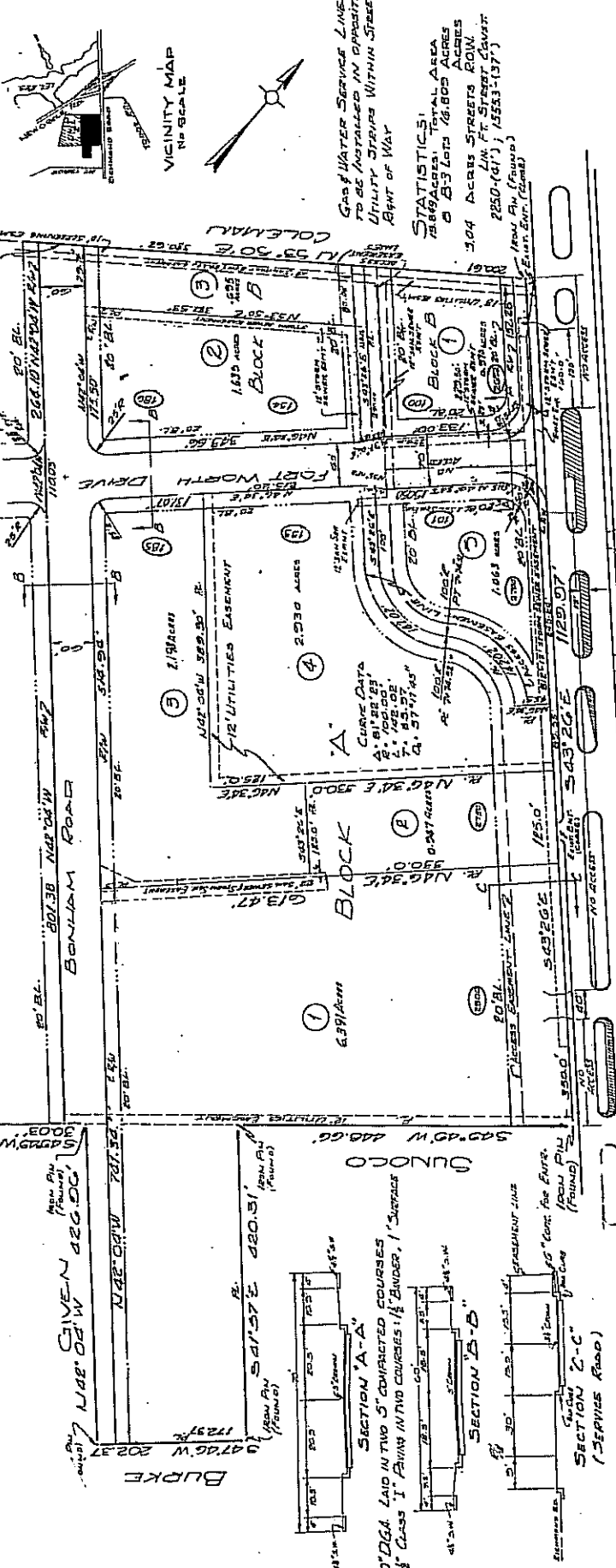
MINOR CONSOLIDATION PLAT #5  
 NANCY JOHNSON PROPERTY UNIT I-E  
 and  
 DALLAS PLAZA UNIT I, LOT I, BLOCK "A"  
 LEXINGTON, FAYETTE COUNTY, KENTUCKY

199504030381

2650  
 4180 P.  
 95  
 B. Kelly  
 12/10/93

**MITCHELL ENGINEERS**  
 167 PROSPEROUS PLACE SUITE 1C  
 LEXINGTON, KENTUCKY 40509 (606)253-3100  
 LAND SURVEYORS/CONSULTING CIVIL ENGINEERS/URBAN PLANNERS

PLAT CASE "J" 21-620



**STATISTICS:**  
 TOTAL AREA 18.063 ACRES  
 8.53 LOTS 18.063 ACRES  
 3.04 ACRES STREETS, POIN  
 2250-4(1) ; 15533-1(7)  
 (From Plat Found)  
 (From Plat Found)

**GRAFF WATER SERVICE LINES**  
 TO BE INSTALLED IN OPPOSITE  
 UTILITY STRIPS WITHIN STREETS  
 RIGHT OF WAY

**VICINITY MAP**  
 NO SCALE

**OWNER'S CERTIFICATION**

We do hereby certify that we are the owners of record of the property platted herein, which is recorded in Deed Book Vol. 1029, pages 11, in the Fayette County Clerk's Office. On this property, we have already dedicated the streets and any other public use to the public and any other public use that the easements public utilities, and no structure, tree or other public utilities, or any kind that be created or possibly be created on or over any portion of said easements, and do hereby dedicate the sanitary sewer system to public use.

**CITY ENGINEERS' CERTIFICATION**

I do hereby certify that the improvement plans for the subdivision have been prepared by my office, are in accordance with the subdivision regulations, and that no fees or costs for such improvement or construction are provided by the Commission for purposes of certifying the amount of the performance bond.

**COMMISSIONER'S CERTIFICATION**

I do hereby certify that this record plat was approved by the City, County Board of Commissioners at its meeting of 12-31-71 and is now eligible for recording.

**OWNER'S CERTIFICATION**

I do hereby certify that this record plat was prepared by me or under my direction, that all monuments indicated herein do exist and their location, size, and materials are correctly shown; that, to the best of my knowledge and belief, the information shown herein is true and accurate.

**OWNER'S CERTIFICATION**

The owners of this property hereby agree to grant full right of access over the plat for governments, and utility agencies to perform their normal responsibilities.

**OWNER'S CERTIFICATION**

I do hereby certify that this record plat was prepared by me or under my direction, that all monuments indicated herein do exist and their location, size, and materials are correctly shown; that, to the best of my knowledge and belief, the information shown herein is true and accurate.

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**FINAL RECORD PLAT**  
**DALLAS PLAZA UNIT I**  
 RICHMOND ROAD  
 LEXINGTON, FAYETTE CO., KENTUCKY  
**B<sup>2</sup>M PROPERTIES**  
 LEXINGTON, KENTUCKY  
**C.J. FULLER CONSULTING ENGINEERS' INC.**  
 LEXINGTON, KENTUCKY

**CITY ENGINEERS' CERTIFICATION**  
 I do hereby certify that the improvement plans for the subdivision have been prepared by my office, are in accordance with the subdivision regulations, and that no fees or costs for such improvement or construction are provided by the Commission for purposes of certifying the amount of the performance bond.  
 Jack D. Edmunds  
 Dec. 16, 1971  
 CITY ENGINEER

**COMMISSIONER'S CERTIFICATION**  
 I do hereby certify that this record plat was approved by the City, County Board of Commissioners at its meeting of 12-31-71 and is now eligible for recording.  
 B.H. Qualls  
 12-31-71  
 COMMISSION SECRETARY

**OWNER'S CERTIFICATION**  
 I do hereby certify that this record plat was prepared by me or under my direction, that all monuments indicated herein do exist and their location, size, and materials are correctly shown; that, to the best of my knowledge and belief, the information shown herein is true and accurate.  
 Robert W. Seawick  
 24 Nov 1971  
 C.J. FULLER CONSULTING ENGINEERS INC. DATE  
 130 N. UPPER ST.

**OWNER'S CERTIFICATION**  
 I do hereby certify that this record plat was prepared by me or under my direction, that all monuments indicated herein do exist and their location, size, and materials are correctly shown; that, to the best of my knowledge and belief, the information shown herein is true and accurate.

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**NOTES**

- Sanitary Sewer Lines to be installed by developer. City of Lexington specifications and shall meet the approval of the City Engineer.
- Survey monuments shall contain identifiable or Final High, 2" O.C. with Red, White or Australian lines 2" diameter to be maintained by the owner in accordance with zoning ordinance requirements.
- The developer agrees to work with the Soil Conservation Service to provide temporary soil basins or other protective measures necessary in disturbed areas.
- The owners of the property hereby agree to assume full liability for all construction, to the extent of a cost, action or other construction, to the extent of a cost, as designated from any such responsibility. Furthermore, the owners in the future should request that the private body, the owners and their full expense of reconstruction or any other action necessary to make the plat conform to the requirements of the City and County, Kentucky, be dedicated to public use if, at some future date, a local governing body so requests.
- The owners of this property hereby agree to grant full right of access over the plat for governments, and utility agencies to perform their normal responsibilities.

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