

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, including, but not limited to the construction of improvements to the local sanitary sewer system, paid to THREE STAR PROPERTIES, INC., hereinafter referred to as "GRANTOR", by the City of New Haven, Kentucky, hereinafter referred to as "GRANTEE", the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, transfer and convey unto the Grantee, its successors and assigns, a perpetual easement with the right of ingress and egress over, across, and through the land of the Grantor situated in Nelson County, State of Kentucky, said land being a part of the property conveyed to Grantor hereby by deed dated May 11th, 2001, of record in Deed Book 377, page 419 in the Clerk's Office of the Nelson County Court, which easement is more particularly described as follows:

BEGINNING at an existing iron pin in the east property line of Boone, said pin being the south east corner of the existing 10' access easement granted to the City of New Haven in Deed Book 352, Page 657; thence, with the south line of the existing easement and that line extended, N 62 deg. 39' 39" W - 20.07 ft. to a point in the proposed Dollar Store parking lot; thence thru the parking lot, N 27 deg. 20' 21" E - 86.21 ft. to a point, N 12 deg. 20' 21" E - 23.25 ft. to a point, N 02 deg. 39' 39" W - 27.83 ft. to a point and N 27 deg. 20' 21" E - 64.84 ft. to a point in the south right of way line of KY 52' thence, with the south line of the road S 66 deg. 48' 09" E - 10.03 ft. to a point at the east edge of pavement of the proposed Dollar General Store parking lot; thence, with the east edge of the parking lot, S 27 deg. 20' 21" W - 62.88 ft. to a point, S 02 deg. 39' 39" E - 26-47 ft. to a point, S 12 deg. 20' 21" W - 25.88 ft. to a point in the edge of the parking lot, said point also lying in the west line of the existing access easement; thence, continuing with the edge of the parking lot and the existing easement line, S 27 deg. 20' 21" W - 77.53 ft. to a point; thence, across the existing easement, S 62 deg. 39' 39" E 10.07 ft. to a point in the east property line; thence, with the east property line, S 27 deg. 20' 21" W - 10.00 ft. to the point of beginning.

The easement conveyed herein shall supersede and replace that certain right-of-way easement dated the 4 day of December, 1998 and of record in Deed Book 352, Page 657 in the Clerk's Office of the Nelson County Court.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the Grantor, their successors and assigns, by reason of the installation, operation and maintenance of the structure or improvements referred to herein. The Grantee covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the Grantor, their successors and assigns.

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The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 11th day of May, 2001.

THREE STAR PROPERTIES, LLC

By: Joseph W. Boone
Joseph W. Boone - Member

By: Joseph A. Boone
Joseph A. Boone - Member

CITY OF NEW HAVEN, KENTUCKY

By: Tessie R. Cecil, Mayor
Tessie R. Cecil - Mayor

COMMONWEALTH OF KENTUCKY
COUNTY OF NELSON

Subscribed and acknowledged in my presence by Joseph W. Boone and Joseph A. Boone, Members of Three Star Properties, LLC - Grantor, on this the 11th day of May, 2001.

John M. Sandusky
Notary Public - KY State at Large
My Commission expires: 5-24-03

COMMONWEALTH OF KENTUCKY
COUNTY OF NELSON

Subscribed and acknowledged in my presence by Tessie R. Cecil, Mayor, of City of New Haven, Kentucky, on this the 23rd day of May, 2001.

Eric Math
Notary Public - KY State at Large
My Commission expires: 09/25/2003

This instrument prepared by:
McCoy & Sparks
Attorneys-at-Law
113 W. Stephen Foster Ave.
Bardstown, Ky. 40004

By: Michelle Sparks
ThreeStar.easement

