

**HARDIN COUNTY FISCAL COURT  
COMMONWEALTH OF KENTUCKY**

**RESOLUTION NO. 2004-085**

This Resolution made and entered into this 19th day of October, 2004, by the Hardin County Fiscal Court, Hardin County, Commonwealth of Kentucky.

**WHEREAS**, Hardin County derived title to certain real property from the Hardin County Board of Education by virtue of a Deed dated January 5, 1957 and of record in Deed Book 152, Page 106 of the Hardin County Court Clerk's Office and by virtue of a Deed dated February 7, 1944 and of record in Deed Book 112, Page 450 of the aforesaid Clerk's Office transferring fee simple title to Hardin County for the purpose of public financing of certain school facilities; and

**WHEREAS**, the Hardin County Board of Education now desires to sell a portion of the property contained in the above described deeds to a third party on real property which is generally known as Lynnvale School property.

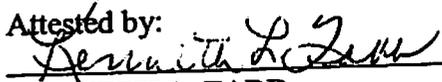
**NOW, THEREFORE BE IT RESOLVED**, by the Hardin County Fiscal Court, County of Hardin, Commonwealth of Kentucky, as follows:

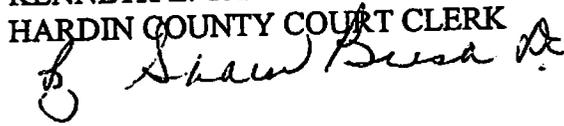
1. Hardin County Judge/Executive Harry L. Berry or his designee is hereby authorized and directed to execute a general warranty deed transferring the fee simple title of a portion of the property known as Lynnvale School from Hardin County to the Hardin County Board of Education for no consideration for the purpose of reconveying said property to the Hardin County Board of Education in order to facilitate the sale of said property to a third party by the Hardin County Board of Education which is the real party in interest to the subject real property.
2. Hardin County Judge/Executive Harry L. Berry or his designee, Hardin County Attorney Ken M. Howard or his designee and any other officer or agent of Hardin County is hereby authorized and directed to perform any other act, which shall specifically include the execution of any documents, reasonably necessary to effectuate the purpose and intent of this Resolution.

Adopted by the Hardin County Fiscal Court on the date hereinabove stated.

  
HARRY L. BERRY  
HARDIN COUNTY JUDGE/EXECUTIVE

Attested by:

  
KENNETH L. TABB  
HARDIN COUNTY COURT CLERK



10/20/04  
Original to: Suzanne @ JFE office

R D

GRANTORS: COUNTY OF HARDIN  
GRANTEES: HARDIN COUNTY BOARD OF EDUCATION  
LEGAL DESCRIPTION: Metes and Bounds

DEED

THIS DEED, made and entered into this 11<sup>th</sup> day of Nov., 2004, by and between COUNTY OF HARDIN, OF 100 Public Square, Elizabethtown, KY 42701, herein referred to as First Party; and HARDIN COUNTY BOARD OF EDUCATION, OF 65 W.A. Jenkins Road, ~~Rineyville~~, Elizabethtown KY ~~40162~~, herein referred to as Second Party;  
42701

WITNESSETH:

THAT for and in consideration of the obligation First Party has to reconvey the hereinafter described property as set out in Deeds of record in Deed Book 112, Page 450, and Deed Book 152, Page 106, in the Office of the Hardin County Court Clerk and no monetary consideration, the receipt of which is hereby acknowledged, First Party has bargained and sold and does hereby GRANT and CONVEY unto Second Party, in fee simple, its successors and assigns forever, the following described property located in Hardin County, Kentucky, to-wit:

Parcel I: Tract No. 7: The following described tract or parcel of land located in or near the town of White Mills, Hardin County, Kentucky, and bounded as follows: Beginning at a stone on the bank of the Nolin River; thence W 18 poles and 22 links to a stone; thence S 18 poles and 3 links to a stone; thence E 24 poles and 12 links to a stone in the Morrison and Hasting line; thence North with Morrison and Hasting line 7 poles and 6 links to a chinkquepin tree on the bank of Nolin River; thence with the river 10 poles and 22 links to the beginning, containing 2 1/2 acres, more or less.

Tract No. 8: The following described tract or parcel of land located in or near the town of White Mills, Hardin County, Kentucky, and bounded as follows: Beginning at a stake in the northwest corner of the present school lot (See Deed Book 76, Page 303, Hardin County Court Clerk's Office); thence W 3 poles 18 links; thence S 21 poles and 9 links to a stone; thence E 28 poles and 5 links to Morrison and Hastings line; thence N 3 poles and 6 links to the southeast corner of the present school lot; thence W 24 poles and 12 links to the southwest corner of the present school lot; thence N 18 poles and 3 links to the beginning, containing one acre, more or less.

Title to the above described property is derived by Deed dated February 7, 1944, of record in Deed Book 112, Page 450, in the Office of the Hardin County Court Clerk.

Parcel II: Tract III: Part of White Mills School Site (other parts heretofore conveyed) A certain tract of land at White Mills, Kentucky, adjacent to the present Lynnvale School lot, and described as follows: Beginning at the present southeast corner of the Hardin County Board of Education and of C.E. Hart and Cora Belle Hart; thence 73' 6" in a southerly direction to the center of a large White Oak tree; thence in a westerly direction 438' to a stake in the line of C.M. Hill and E.E. Hart and Cora Bell Hart; thence following this line in a northerly direction 73' 6" to a corner in the original line of the Hardin County Board of Education and C.E. Hart and Cora Belle Hart; thence in an easterly direction to beginning 438', containing 3/4 acres, more or less.

BAC

Conveyed subject to agreements, easements, and rights of way, set forth in a Deed dated October 25, 1956, recorded in Deed Book 151, Page 199; and in a Deed dated April 25, 1938, recorded in Deed Book 99, Page 145, both in the Office of the Hardin County Court Clerk.

Title to the above described property is derived by Deed dated January 5, 1957, of record in Deed Book 152, Page 106, in the Office of the Hardin County Court Clerk.

TO HAVE AND TO HOLD said property unto Second Party, in fee simple, its successors and assigns forever.

And First Party hereby releases and relinquishes unto Second Party, its successors and assigns forever, all of its right, title, and interest in and to said property with good and perfect right to sell and convey the same as herein done and that the title to said property is perfect, clear and unencumbered except for the 2004 property taxes which are exempt, and with said exception First Party will WARRANT GENERALLY, the said title thereto.

PROVIDED, HOWEVER, that this conveyance is made subject to all restrictions, conditions and easements of record in said Clerk's Office. This conveyance is subject to all applicable zoning and subdivision regulations.

Pursuant to KRS Chapter 382, the First Party and Second Party, hereto certify that the consideration reflected in this deed is the true, correct, and full consideration paid for the property herein conveyed. The fair market value of said property is \$ 1,330,000.00.

IN TESTIMONY WHEREOF, witness the signatures of the Parties, pursuant to resolutions herein adopted, this 4th day of Nov., 2004.

COUNTY OF HARDIN

HARDIN COUNTY BOARD OF EDUCATION

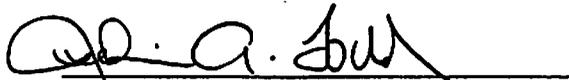
  
BY: HARRY L. BERRY  
TITLE: JUDGE/EXECUTIVE

  
BY:  
TITLE:

STATE OF KENTUCKY:  
COUNTY OF HARDIN:

4th The foregoing instrument was executed, acknowledged, subscribed and sworn to before me this day of Nov., 2004, by HARRY L. BERRY as JUDGE/EXECUTIVE of the COUNTY OF HARDIN, pursuant to Hardin County Fiscal Court Resolution No. 2004-085 dated October 19, 2004.

My Commission Expires: 2/16/2008

  
Notary Public

STATE OF KENTUCKY:  
COUNTY OF HARDIN:

The foregoing instrument was executed, acknowledged, subscribed and sworn to before me this 10th day of Nov., 2004, by Byron L. Nelson as Chairman of the HARDIN COUNTY BOARD OF EDUCATION.

My Commission Expires: 3/17/07

*Kathy A. Wendell*  
Notary Public

Prepared without the benefit of a title opinion by:

*Donald Skeeters*  
Skeeters, Bennett, & Wilson  
Attorneys at Law  
550 W. Lincoln Trail Blvd.  
Radcliff, KY 40160

HARDIN COUNTY CLERK  
BY *Donna Peltz* D.C.

2004 NOV 10 P 3:31

RECORDED

3.00  
9.00

STATE OF KENTUCKY  
COUNTY OF HARDIN SCT  
I, KENNETH L. TABB, CLERK OF SAID  
COUNTY COURT, HEREBY CERTIFY  
THAT THE FOREGOING INSTRUMENT  
HAS BEEN DULY RECORDED IN  
BOOK 1134 PAGE 413 IN MY  
SAID OFFICE.  
BY *Kenneth L. Tabb* KENNETH L. TABB, CLERK  
D.C.