



CITY OF BEREA

STEVEN CONNELLY  
MAYOR

PAUL S SCHRADER, PLS  
LAND SURVEYOR-GIS COORDINATOR

GIS – SURVEY DEPARTMENT  
212 CHESTNUT STREET BEREA, KENTUCKY 40403  
(859) 986-8528 FAX (859) 986-7657  
T.D.D.# 1-800-648-6057  
November 8, 2006

Secretary of State Land Office  
Room T40, Capital Annex  
700 Capital Avenue  
Frankfort, KY 40601  
Attn: Ms. Kandie Adkinson

RECEIVED AND FILED  
DATE November 10, 2006

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandie Adkinson

Re: Annexation Ordinance 21-05

Kandie,

Please accept our apologies for the absence of Exhibit A in the first copy of this ordinance packet.

Please find enclosed a certified copy of Ordinance No. 21-05 (complete with its exhibit A which includes my legal description ), enacted October 04, 2005, annexing real property into the corporate limits of the City of Berea.

I have enclosed the two copies the annexation maps with my certification now dated.

Also, a copy of this ordinance including its exhibit A is being forwarded to the Governor's Office for Local Development.

Please feel free to contact me if you should have any questions or concerns.

Sincerely,

Paul S. Schrader, PLS  
City Land Surveyor

cc: Governor's Office for Local Development



CITY OF BEREA

CITY ADMINISTRATORS OFFICE

STEVEN CONNELLY  
MAYOR

212 CHESTNUT STREET • BEREA, KENTUCKY 40403  
(859) 986-8528 • FAX (859) 986-7657  
T.D.D.# 1-800-648-6057

RANDY STONE  
CITY ADMINISTRATOR

**PROOF OF MUNICIPAL LEGISLATION**

**I, Randy Stone, City Clerk of the City of Berea, Kentucky, hereby certify that the attached is a true and accurate copy of Ordinance #21-05 adopted by the Berea City Council on October 4, 2005, and I am the custodian of the original, which is maintained at the City Clerk's Office, Berea City Hall, Berea, Kentucky.**

10/24/06  
Date

Randy Stone  
Randy Stone, City Clerk

RECEIVED AND FILED  
DATE November 10, 2006

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandice Adkins

**ORDINANCE NO. 21 - 05**

AN ORDINANCE OF THE CITY OF BEREА, KENTUCKY, ANNEXING CERTAIN REAL PROPERTY LOCATED NEAR BEREА, MADISON COUNTY KENTUCKY.

**WHEREAS**, in Ordinance No. 04-05, the City Council declared its intent to annex certain real property owned by the Nancy Deatherage Estate (Deatherage), Evelyn Hilton Trust (Hilton), Edsel and Lois Arnett (Arnett), and Jeffrey Cornelison (Cornelison), located to the north of the current corporate limits; and

**WHEREAS**, as directed in Ordinance No. 04-05, the Planning Commission held a public hearing on June 28, 2005, and has recommended that the Hilton property annexed be assigned a zoning classification of B-2 (Commercial); and the Deatherage, Arnett, and Cornelison properties annexed be assigned a zoning classification of A-1 (Agriculture); and

**WHEREAS**, the City Council has determined that the tracts of land to be annexed are adjacent and contiguous to the current corporate limits and which by reason of population density, use of the land, including subdivision of land, both existing and expected, the land to be annexed is suitable for development for urban purposes, so that the corporate boundaries of the City should be extended to include this area; and

**WHEREAS**, the City wishes to be able to be in the position to extend certain municipal services to this area; and

**WHEREAS**, the tracts described herein is not already incorporated; and

**WHEREAS**, the owners of the property agree to the annexation;

**NOW, THEREFORE**, the City Council of the City of Bereа, Kentucky, does ordain as follows:

**SECTION I**

That the City of Berea, Kentucky, pursuant to KRS 81A.420 and KRS 81A.412, hereby annexes and makes a part of the corporate area certain tracts of property described as follows:  
Attached as Exhibit A.

## **SECTION II**

Upon the enactment of this ordinance, the territory described in Section I is part of the City of Berea for all purposes.

## **SECTION III**

Pursuant to the recommendation of the Planning Commission at its January 25, 2005, regular meeting, and KRS 81A.420, KRS 81A.412, and KRS 100.209, the properties annexed herein and described on Exhibit A are hereby assigned the following zoning classifications:

### **1) B-2 (Commercial):**

Evelyn Hilton Trust, Berea, KY 40403, Deed Book 462, page 283

### **2) A-1 (Agriculture):**

Jeffrey Cornelison, Berea, KY 40403, Deed Book 406, page 577

Nancy Deatherage Estate (now Blythe Estates, LLC), Richmond, KY 40475, Deed Book 249, page 376

Edsel & Lois Arnett, Berea, KY 40403, Deed Book 309, page 33

## **SECTION IV**

The City Clerk or any other officer having custody of official maps or records of the City is hereby directed to amend such maps or records to reflect the annexation and zoning classification provided for and assigned herein.

SECTION V

All ordinance or parts of ordinances in conflict with this ordinance are hereby repealed.

FIRST READING: September 20, 2005.

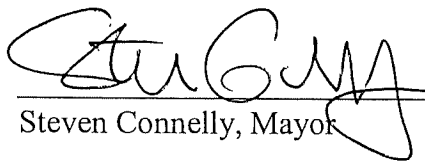
SECOND READING & ENACTMENT October 4, 2005.

CITY OF BERA, KENTUCKY

ATTEST:

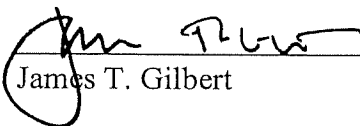
  
\_\_\_\_\_  
Clerk of the City Council

APPROVED:

  
\_\_\_\_\_  
Steven Connelly, Mayor

PREPARED BY:

COY, GILBERT & GILBERT  
212 North Second Street  
Richmond, Kentucky 40475  
(859) 623-3877

  
\_\_\_\_\_  
James T. Gilbert

CITY OF BEREA, KENTUCKY  
PLANNING COMMISSION

In Re: Annexation Zone Classification Recommendation for  
Deatherage Estate, Hilton Trust, Arnett, and Cornelison  
US 25 North/Menelaus Pike  
Berea, Kentucky 40403

**RECOMMENDATION OF ZONING CLASSIFICATION FOR ANNEXED PROPERTY**

This matter having been heard on June 28, 2005, at a public hearing before the Berea Planning Commission, for the purpose of recommending the zoning classification to be assigned to the property to be annexed, and the Planning Commission having considered the fact that the City Council adopted Ordinance No. 04-05, declaring its intention to annex certain property located on US 25, owned by the Nancy Deatherage Estate (now Blythe Estates, LLC) (Deatherage), the Evelyn Hilton Trust (Hilton), Edsel and Lois Arnett (Arnett), and Jeffrey Cornelison (Cornelison), and the Commission considering the records of the City of Berea, including the Comprehensive Plan, the requests of the owner that the property be assigned a classification of B-2 (Commercial) for the property owned by Hilton; the Planning Commission makes the following Recommendation:

1. That because of the Hilton tract's location on a major arterial route (U.S. 25), and adjacent to property with an existing commercial zoning classification, and because the owner requested a commercial classification, the most appropriate classification for the Hilton tract to be annexed is B-2 (Commercial), and the Planning Commission therefore recommends that the Hilton tract to be annexed be assigned the zoning classification of B-2 (Commercial).

2. That because the property owners of the Deatherage, Arnett, and Cornelison tracts did not make a request for specific classification, the Commission believes that the most appropriate classification for these tracts is the existing classification of A-1 (Agriculture), the Planning Commission therefore recommends that the Deatherage, Arnett, and Cornelison tracts to be annexed

be assigned the zoning classification of A-1 (Agriculture).

Dated: 9-13-05

By: Lia Neuman  
Chairman, City Planning  
Commission

Prepared by:

Jim Rine  
James T. Gilbert  
Corporation Counsel

**Ordinance 21-05 Legal Description**

**A certain tract or parcel of land lying contiguous to the City of Berea, Madison County, Kentucky; more particularly bounded and described as follows:**

**Beginning at a point where the current City of Berea corporate boundary intersects with the westerly right of way of Richmond Road (US Highway 25); said point being at the approximate NAD 1983 Kentucky South State Plane coordinates of North 2,105,802 by East 2,065,316; thence with new lines extending the corporate limits of the City of Berea as follows:**

**with said westerly right of way and current corporate limits S00°38'14"W, 50.00 feet; thence leaving said right of way and following current corporate limits for eight (8) calls:**

**N89°21'46"W, 250.00 feet; S60°38'14"W, 750.27 feet; S25°21'46"E, 147.00 feet; N67°11'38"E, 123.65 feet; S14°21'46"E, 91.00 feet; S31°21'46"E, 145.25 feet; N65°27'38"E, 249.00 feet; N68°08'14"E, 434.00 feet to a point in the westerly right of way of said Richmond Road; thence crossing said right of way and continuing along current corporate limits for two(2) calls: S89°21'46"E, 120.00 feet; N66°53'35"E, 173.54 feet; thence leaving said corporate limits and continuing along lines of parcel #2 for ten(10) calls:**

**S18°32'29"E, 144.66 feet; S14°44'03"E, 204.46 feet; S13°22'53"E, 301.31 feet; S13°19'11"E, 179.70 feet; S13°35'44"E, 426.83 feet; S87°48'14"W, 22.62 feet; S84°44'21"W, 62.53 feet; N89°36'47"W, 424.61 feet; N89°52'49"W, 24.22 feet to a point in the easterly right of way of said Richmond Road; with said easterly right of way S01°29'44"W, 199.67 feet to a point in the current corporate limits; thence with said current corporate limits crossing the right of way of Richmond Road and continuing in a westerly direction for twenty-two(22) calls:**

**N88°03'26"W, 146.85 feet to a point in the westerly right of way of Richmond Road; N01°29'44"E, 195.00 feet with said westerly right of way; S85°45'23"W, 197.00 feet; S36°20'23"W, 138.00 feet; S84°34'23"W, 116.00 feet; S23°39'23"W, 91.00 feet; S02°16'37"E, 126.00 feet; S58°20'37"E, 75.00 feet; S01°36'23"W, 83.00 feet; S59°00'23"W, 414.00 feet; S68°22'23"W, 150.00 feet; S72°39'23"W, 110.00 feet; S80°24'23"W, 116.00 feet; S46°58'37"E, 133.00 feet; S72°49'23"W, 700.88 feet; N03°05'28"E, 146.27 feet; S63°42'06"W, 313.32; S31°20'24"W, 219.20 feet; N88°54'34"W, 242.78 feet; N84°52'36"W, 204.55 feet; N77°04'21"W, 94.55 feet; N83°39'59"W, 67.57 feet; thence leaving said corporate boundary and following the lines of parcel #1 for twelve(12) calls:**

**N07°25'20"E, 126.13 feet; N42°07'12"E, 880.78 feet; N24°44'06"W, 1274.68 feet; N40°32'54"E, 309.86 feet; N50°20'07"E, 305.34 feet; N47°11'50"E, 679.34 feet; N81°16'42"E, 552.52 feet; S29°29'23"E, 377.89 feet; N60°38'14"E, 703.43 feet; S29°21'46"E, 151.70 feet; N60°38'14"E, 48.80 feet; S89°21'50"E, 263.40 to the point of beginning and containing approximately 132 acres.**

**And being all of parcel #1 (Deed Book 249, Page 376), parcel #2 (Deed Book 462, Page 283), parcel #3 (Deed Book 309, Page 033), parcel #4 (Deed Book 406, Page 577), and a portion of the right of way of Richmond Road.**

*Day S. Salas PL5*



4-23-90  
mailed to  
Jeffrey Cornelison  
116 Adams St.  
Berea, Ky.  
By: mmy

EXHIBIT  
A

DEED

This deed of conveyance, by and between URANIUS HERD, a single person, of Berea, Madison County, Kentucky, hereinafter known as GRANTOR, and JEFFREY LEE CORNELISON, a single person, of Berea, Madison County, Kentucky, hereinafter known as GRANTEE:

WITNESSETH: That the GRANTOR, for and in consideration of one dollar, (\$1.00), and love and affection, the receipt of which is hereby acknowledged, do hereby BARGAIN, GRANT, SELL, and CONVEY unto the GRANTEE, in fee simple, the following described property, to-wit:

A certain parcel of land located on Richmond road, U.S. 25 North, Madison County, Kentucky, and being designated as Tract 3A, as platted on a plat entitled "Minor Plat, Division of Tract No. 3, Lucy Cornelison Herd Heirs Subdivision", by Alvin Martin, Jr., Registered Land Surveyor 1254, and recorded in Plat Book 9 at page 157, located in the Madison County Court Clerk's Office in Richmond, Kentucky.

And being a part of the property conveyed to Uranius Herd by deed from China Mae Walker, et. al., dated September 15, 1949, and recorded in Deed Book 144, at page 600, in the office of the Madison County Court Clerk.

TO HAVE AND TO HOLD same with all appurtenances thereto belonging to the GRANTEE, in fee simple, with covenant of GENERAL WARRANTY.

Provided, however, that this conveyance is made subject to all easements, conditions and restrictions of record, and all governmental regulations.

RECEIVED  
MARK JANE GINTER  
MADISON COUNTY CLERK  
KENTUCKY  
Apr 20 10 34 AM '90

STATE TAX \$ 10.00  
PAID 4-20-90  
MARK JANE GINTER, CLERK  
BY Carol Grant D.C.

BOOK 406 PAGE 577

IN TESTIMONY WHEREOF, witness the signature of the GRANTOR on this the 18 day of April, 1990.

Uranius Herd  
URANIUS HERD

STATE OF KENTUCKY  
COUNTY OF MADISON

I, a Notary Public in and for the State and County aforesaid, do hereby certify that the foregoing Deed was this day produced before me and signed and acknowledged by Uranius Herd, a single person to be his free act and deed in due form of law.

Given under my hand and seal of office, on this the 18 day of April, 1990.

Jerome S. Fish II  
NOTARY PUBLIC

My Commission Expires:  
12/10/91

PREPARED BY:

Jerome S. Fish II  
Jerome S. Fish, II  
Attorney at Law  
327 Chestnut Street  
Berea, KY 40403

Recorded this the 20 day of April, 1990.  
Madison County Clerk MARY JANE GINTER  
By: Carol Shant D.C.

BOOK 406 PAGE 578

3/8/78  
Delivered to  
Guy K. Swanson Jr.  
By Judy Perkins

DEED

RECEIVED  
C. S. WAGERS, CLERK  
MAR 11 1 54 PM '78  
MADISON COUNTY COURT  
KENTUCKY

THIS DEED OF CONVEYANCE by and between Earl Dalton, a widower, of Route 1, Berea, Madison County, Kentucky, party of the first part, and Edsel G. Arnett and his wife, Lois Arnett, of Norwood Acres, Berea, Madison County, Kentucky, parties of the second part,

WITNESSETH: That the first party, for and in consideration of the sum of Four Thousand Dollars (\$4,000.00), cash in hand paid, the receipt of which is hereby acknowledged, does hereby sell, grant and convey unto the parties of the second part, for their joint lives with remainder in fee simple to the survivor thereof, his or her heirs and assigns, the following described property, to-wit:

A certain tract of land lying in Madison County, Kentucky, lying north and northwest of Norwood Acres and the present City Limits line of Berea, Kentucky, as shown on a plat titled, "PROPERTY SURVEY FOR, EDSSEL G. & LOIS LEE ARNETT," surveyed by Alvin E. Martin, Jr., Registered Land Surveyor 1254, dated July 5, 1974, recorded in Plat Book 5 at page 314 in Madison County Clerk's office, reference to which is hereby made, said tract being more particularly described as follows:

STATE TAX \$ 2/1/78  
PAID 4.00  
C. S. WAGERS, CLERK  
BY Judy Perkins

BEGINNING at an existing iron pipe, the original northwest corner of Lot No. 17 of Norwood Acres Subdivision, a point in the present city limits line; thence with said line and the north line of Lot No. 20 of Norwood Acres S 76° 37' 30" W 440.30 feet to an existing iron pin projecting about one inch above the ground, witnessed by a six foot reinforcing rod in the fence, in the line of L. M. Oliver; thence with the fence and the line of Oliver N 08° 05' E, passing an iron witness pin at 147.95 feet on the bank of creek, in all a distance of 152.95 feet to a point in the center of the creek, a corner to L. M. Oliver; thence with the line of Oliver in the center of the creek as it meanders, four (4) calls, S 79° 00' W 48.48 feet to a P.K. nail driven in a crack in a rock near the north bank; thence S 39° 04' W 80.12 feet to an "X" cut on a rock in the center of the creek; thence S 64° 53' W 77.49 feet to

ERSON & GILBERT  
TORNEYS AT LAW  
WOODFORD AVENUE  
BEREA, KENTUCKY  
PHONES 886-3411  
886-3407

an iron pipe driven in a crack in rock bed of creek; thence S 76° 01' W 99.25 feet to an iron pin in the line of Oliver in the center of the creek, a corner common to the John Parks Heirs; thence leaving the creek with the Parks line and fence N 28° 27' W, passing a set stone at 262.40 feet, in all a distance of 546.20 feet to an iron pipe set at the southwest corner of a stone northeast of a fence post, a corner common to Parks in the line of the Thomas Dalton Heirs; thence with their line N 45° 36' 30" E 214.52 feet to an iron pipe at the southeast side of a corner post, a corner common to the Dalton Heirs in the line of Charles Blythe Heirs (now Nancy B. Deatherage); thence with the fence and the Blythe line S 21° 46' E 304.79 feet to an iron pin set on the south side of a corner post; thence with said line and partially with the fence S 83° 44' E 819.03 feet to an iron pin set on the north side of a nine (9) inch Ash on the north bank of the aforesaid creek; thence crossing the creek S 35° 34' 30" E 17.14 feet to an existing iron pipe at the south side of a twelve (12) inch Walnut a corner common to the Blythe Heirs property (now Deatherage), and Dwight Blackburn; thence with the line of Blackburn recrossing the creek S 70° 10' W 57.20 feet to an existing reinforcing rod an existing corner to Blackburn and Arnett; thence with the existing line of Arnett S 74° 08' W 124.02 feet to an iron pin set on the north bank of the creek; thence crossing the creek S 07° 00' E, passing an existing rebar on top of the bluff at 68.80 feet, in all a distance of 108.06 feet to the point of beginning, containing 6.065 acres, more or less.

And being all of Tract I and a part of Tract II of the land conveyed to Earl Dalton by deed from William Dalton dated November 2, 1965, and recorded in Deed Book 219 at page 137 in the Madison County Clerk's office, at Richmond, Kentucky. Reference is also made to Civil Action File No. 568-76, styled Earl Dalton, plaintiff, vs. Joseph F. Powell, et al., defendants, in the Madison Circuit Court, wherein the title of Earl Dalton was quieted, established and confirmed by judgment of the court with respect to defects in the execution of a deed in the chain of title to William Dalton, which deed is recorded in Madison County Clerk's office in Deed Book 184 at page 551; also see quit claim deed from William Surface, et ux., recorded in Madison County Clerk's office in Deed Book 296 at page

420.

HERSON & GILBERT  
ATTORNEYS AT LAW  
8 WOODFORD AVENUE  
BEREA, KENTUCKY  
PHONES 960-3411  
908-3407

BOOK 309 PAGE 34

Mailed to Grantee  
10-27-81  
Cyrilla Casley W.C.

260

DEED

THIS DEED OF CONVEYANCE by and between AGNES PARKS, a widow, of Route 1, Berea, Madison County, Kentucky, party of the first part, and EDESEL G. ARNETT and his wife, LOIS L. ARNETT, of Norwood Acres, Berea, Madison County, Kentucky, parties of the second part,

WITNESSETH: That the first party, for and in consideration of the sum of ELEVEN THOUSAND DOLLARS (\$11,000.00), cash in hand paid, the receipt of which is hereby acknowledged, does hereby sell, grant and convey unto the parties of the second part, for their joint lives with remainder in fee simple to the survivor thereof, his or her heirs and assigns, the following described property, to-wit:

A certain tract or parcel of land located east of and near the Berea-Menelaus Pike, near Middletown, in Madison County, Kentucky, and more particularly bounded and described as follows:

Beginning at a corner common to L. M. Oliver and Agnes Parks; thence with the line of Oliver, S 79° 00' E, 262.0 feet; thence S 86° 30' E 167.7 feet; thence S 88° 00' E 119.0 feet; thence N 16° 00' E, 15.0 feet; thence N 31° 30' E 150.5 feet; thence N 55° 30' E 71.6 feet to a corner common with the Tom Dalton heirs; thence with the line of the Dalton heirs, N 28° 00' W 527.6 feet; thence S 47° 00' W 672.7 feet to the corner common with Agnes Parks; thence with the line of Agnes Parks, S 22° 30' E 133.6 feet to the point of beginning, and containing 6.198 acres, as shown by survey of Charles Mullins, Registered Land Surveyor 775, dated November, 1974.

This property is land-locked and there is no passway or right of way to a public road.

The tobacco base is reserved by the first party and not conveyed herewith.

AND BEING a part of the same property conveyed to John Parks and his wife, Agnes Parks, jointly with right of survivorship, by deed dated February 17, 1953, from L. C. Williams and his wife, Lyda Williams, which deed is recorded in Madison County Clerk's office, Richmond, Kentucky, in Deed Book 163 at page 485; John Parks having predeceased Agnes Parks on October 3, 1962.

DUERSON & DUERSON  
ATTORNEYS AT LAW  
108 WOODFORD AVENUE  
BEREA, KENTUCKY  
PHONE 906-3411  
906-3407

RECEIVED  
C. S. WAGERS, CLERK  
OCT 17 11 54 AM '81  
MADISON COUNTY COURT  
KENTUCKY  
STATE TAX \$ 11.00  
PAID 10-17-81  
C. S. WAGERS, CLERK  
BY *Cyrilla Casley W.C.*

1-23-96  
Emma  
By B.L.

20.00

DEED

RECEIVED  
MARY JANE GINTER  
JAN 22 1996  
MADISON COUNTY CLERK

THIS DEED made and entered into this 29<sup>th</sup> day of November 1995, by and between **EVELYN B. HILTON**, single, 668 Richmond Road Berea, Kentucky, PARTY OF THE FIRST PART, and **EVELYN B. HILTON**, Trustee of the Evelyn B. Hilton Trust under agreement dated November 21, 1995, 668 Richmond Road, Berea, Kentucky, PARTY OF THE SECOND PART.

W I T N E S S E T H:

For purposes of funding the Evelyn B. Hilton Trust, the party of the first part does hereby grant and convey unto Evelyn B. Hilton, Trustee of the Evelyn B. Hilton Trust, in fee simple, her successors and assigns forever, the following described property situated in Madison County, Kentucky, to-wit:

PARCEL A

A certain tract of land located in Madison County, Kentucky, and being on Rose Street, in the James Clark Addition to the Clarksville Subdivision, a plat of which addition is recorded in Plat Book Number 1 at page 165, in the Office of the Clerk of the Madison County Court.

BEING LOT NUMBER TWENTY-THREE (23) IN BLOCK "A" of the said James Clark Addition to the Clarksville Subdivision, to which plat aforesaid reference is hereby made for a more particular description, and being known and designated as 146 Rose Lawn, Berea, Kentucky.

Being the same property conveyed to James G. Hilton and Evelyn Hilton, husband and wife, by Emma Powell and Lloyd Powell, her husband, by deed dated March 15, 1955, and recorded in Deed Book 160, at page 539, in the Madison County Court Clerk's Office.

PARCEL B

A one-half undivided interest in certain lots or parcels of land located in Madison County, Kentucky, and being Lots Numbered 19, 20, 21 and 22 in Block D of the Hurley Addition to Clarksville No. 2; a plat of which Hurley Addition to Clarksville No. 2 is recorded in Plat Book 2 at page 93, and known and designated as 110 Short Line,

Berea, Kentucky.

Being the same property conveyed to James G. Hilton and Evelyn B. Hilton, his wife, by Joyce Louise Sulfridge and her husband, Homer P. Sulfridge, by deed dated September 15, 1979, and recorded in Deed Book 323, at page 642, in the Madison County Court Clerk's Office.

PARCEL C

A one-half undivided interest in Lot No. Twenty-eight (28) of the Executive Park Subdivision, a plat of which is recorded in Plat Book 4 at page 33, Madison County Court Clerk's Office, to which reference is hereby made for a more particular description and for reference to easements as shown thereon, and known and designated as 119 Salter Drive, Berea, Kentucky.

Being the same property in which a one-half undivided interest was conveyed to Evelyn B. Hilton by William Carl Jones and Patricia Jones, husband and wife, by deed dated July 2, 1993, and recorded in Deed Book 435, at page 439, in the Madison County Court Clerk's Office.

PARCEL D

Being Lot 19B of the Executive Park Subdivision an amended plat of which is recorded in Plat Book 5 at page 130, Madison County Court Clerk's office, to which reference is hereby made for a more particular description and for reference to easements as shown thereof, and known and designated as 214 Salter Street, Berea, Kentucky.

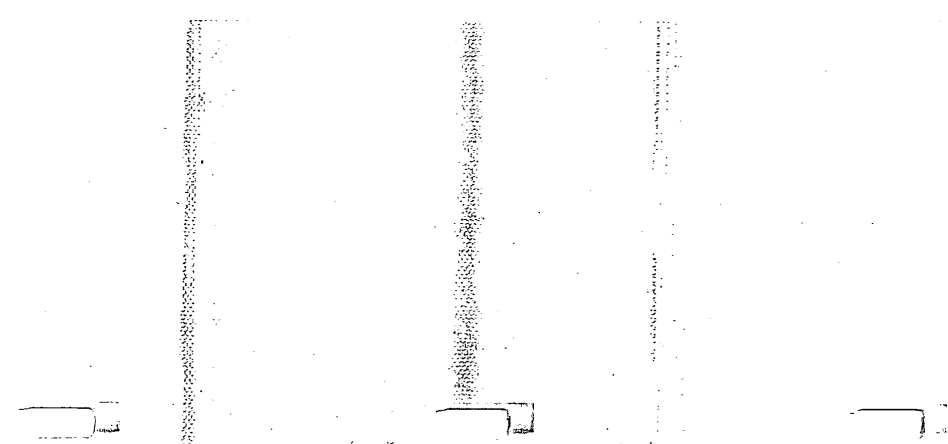
Being the same property conveyed to James G. Hilton and Evelyn B. Hilton, by Charles Pennington, Jr., United States Marshal for the Eastern District of Kentucky by virtue of his office, by deed dated July 2, 1985, and recorded in Deed Book 370, at page 218, in the Madison County Court Clerk's Office.

PARCEL E

A certain tract or parcel of land situated in Berea, Madison County, Kentucky, and more particularly described as follows:

Being in Lot No. 8, Block I, in the Roselawn Subdivision, Section 3, as shown by plat of same dated August, 1977, and recorded in Plat Book 6, Page 82, in the Madison County Court Clerk's Office at Richmond, Kentucky, referenced to which is hereby made, being known and

462 PAGE 28



designated as 302 Otis Street, Berea, Kentucky.

Being the same property conveyed to Evelyn Hilton by United States of America, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, by deed dated November 20, 1989, and recorded in Deed Book 404, at page 191, in the Madison County Court Clerk's Office.

PARCEL F

Being all of Lot Four (4) in Block "H" of the Roselawn Subdivision, Section III, addition to the City of Berea, Kentucky, as shown by plat prepared by Cummin Engineering & Surveying Company, dated August, 1977, which is recorded in the Madison County Clerk's Office, Richmond, Kentucky, in Plat Book 6, Page 82, reference to which is hereby made, and known as 901 Kenway, Berea, Kentucky.

Being the same property conveyed to James G. Hilton and Evelyn Hilton, husband and wife, by deed dated August 16, 1991, and recorded in Deed Book 417, at page 712, in the Madison County Court Clerk's Office.

PARCEL G

Lot No. Thirty-three (33) of the Executive Park Subdivision, a plat of which is recorded in Plat Book 4, at page 33, Madison County Clerk's Office to which reference is hereby made for a more particular description and for reference to easements as shown thereon, and known as 109 Salter Drive, Berea, Kentucky.

Being the same property conveyed to James G. Hilton and Evelyn Hilton, husband and wife, by deed dated February 29, 1988, and recorded in Deed Book 390, at page 345, in the Madison County Court Clerk's Office.

Title to the above PARCELS which were held in survivorship with James G. Hilton vested in Evelyn B. Hilton at the death of James G. Hilton on February 27, 1992.

PARCEL H

A certain tract or parcel of land situated in Madison County, Kentucky, said tract being designated as TRACT NO. 53, as shown on a plat titled, "Survey of Tracts 4 & 5, LUCY CORNELISON HERD HEIRS SUBDIVISION, For EDGAR A. GILBERT", prepared by Alvin E. Martin, Jr. Registered Land Surveyor 1254, dated November 11, 1983, a copy of which is recorded in



Plat book 7 at page 96 in the Madison County Clerk's Office, and said plat is made a part of this conveyance the same as if it were hereto attached, also see the original plat of said subdivision which is unrecorded but is on file in Roger M. Oliver's Law Office, Berea, Kentucky, said TRACT NO. 5B being more particularly described as follows:

Beginning at a point in the center of Silver Creek, said point bears S 65° 50' 12" W 447.06 feet from a point in the west right of way line of U.S. Highway No. 25, opposite centerline Station 475+56, said beginning point being a corner common to James G. Hilton; thence leaving the creek with the line of Hilton S 18° 12' 29" E, passing a railroad tie post on the bank of the creek at 33.00 feet, in all a distance of 100.85 feet to a fence post at a slight bend in the fence; (for S 12° E 111 ft.); thence S 28° 50' 00" E 98.54 feet to a post at a slight bend in the fence, (for S 31° E 90 ft.); thence S 32° 11' 06" E 100.10 feet to the center of twin 21 inch Box Elders from a common base in the fence, (for S 28° E 118 ft.); thence S 15° 20' 35" E 47.96 feet to a railroad tie post; thence S 05° 28' 18" E 23.39 feet to a post; thence S 09° 50' 43" W 15.50 feet to a railroad tie post, (for S 09° E 81 ft.); thence continuing with the fence S 45° 12' 14" W 17.88 feet to a railroad tie post; thence S 55° 08' 22" W passing through Twin 30 inch Sycamores at 75.63 feet, in all a distance of 87.63 feet to a point in the center of a branch and a corner to Hilton in the line Charles Blythe Heirs; thence with the line of Blythe and the center of said branch, when reduced to a straight line bears N 59° 15' 25" W 141.67 feet set a 1/2 inch rebar and cap set in the centerline of said branch at the mouth of another branch; thence continuing down stream with the center of said branch, when reduced to a straight line bears N 24° 53' 43" W 289.31 feet to a point in the center of Silver Creek; a point in the line of Charles Blythe Heirs and a new corner to TRACT. NOS. 5A & 5B; thence upstream with the center of Silver Creek, when reduced to a straight line bears, N 66° 35' 00" E 200.00 feet to the point of beginning, containing 1.6842 acres be the same, more or less.

Being the same property conveyed to James G. Hilton and Evelyn (Elevelyn) B. Hilton, husband and wife, by Edgar A. Gilbert and Ozella H. Gilbert, husband and wife, by deed dated December 1, 1983, and recorded in Deed Book 356, at page 624, in the Madison County Court Clerk's Office.

Title vested in Evelyn (Elevelyn) B. Hilton by above survivorship deed at the death of James G. Hilton on February 27, 1992.

PARCEL I

TRACT NO. II: A certain tract of land in Madison County, Kentucky, on the waters of Silver Creek and bounded as follows, viz: Beginning at an Elm Tree at the mouth of a branch, thence up said branch S 45 E 20 poles to a stake, thence S 21 W 19 poles to a stake a corner to 22 1/2 acres allotted to Elizabeth Jackson, thence with her line east 54 poles to a stake a corner to said Elizabeth Jackson and corner to Wm B. Jackson and Wyley Johnson, thence with a line of said Wyley Johnson N 13 W 74 poles to stake in Silver Creek and a walnut pointer on the south bank of said Creek, thence down the creek with the Several Meanders thereof S 38 W 6 poles S 88 W 11 poles S 58" 32 poles S 32 E 15 poles S 32 W 10 poles S 87 1/2 W 7 poles to the beginning containing eighteen and one half acres to be the same more or less.

TRACT NO. III: The following described tract or parcel of land, situated in Madison County, Kentucky, on the waters of Silver Creek and bounded and described as follows, to wit:

Beginning in the middle of said Silver Creek an Elm and stone, on the bank, pointers, thence in a southerly direction, a straight line 675 feet to a gate post in said Blythe's line on the East side of a dirt road leading from Simpson Gentry's to Arch Cornelisons, thence to the center of the Crook's Lick Branch at a point where same makes the bend near the said gate post. Thence in a northerly direction with the branch to the place of beginning. Supposed to contain one and one half acres, more or less.

There is excluded therefrom however, the following described property:

All that part of said tract or tracts which lies within a distance of 50 feet on each side of the Center Line of said Public road, between approximate Stations 475 x 20 and 486 x 72. Which was conveyed by Larue Elkin and Nannie Elkin to the Commonwealth of Kentucky for the use and benefit of the Department of Highways by a deed dated September 13, 1941, which is recorded in the Madison County Court Clerk's Office in Deed Book 126 at page 172.

There is also excluded therefrom the following described property conveyed to the Commonwealth of Highways by deed dated October 5, 1948, which is recorded in Deed Book 143, page 318, in the Madison County Court Clerk's Office:

Strips or parcels of land lying immediately adjacent to the

established right of way of S.P. 76-51x76-171 the Richmond, Mt. Vernon Road.

Said strips being on the side, to the width and extending between the stations shown below:

FROM STATION	TO STATION	ADDITIONAL WIDTH	SIDE
(A) 475x20 left	486x72	10'	Right and

BEING the same property conveyed to Evelyn Helton by J. A. White, single, by deed dated September 7, 1967, and recorded in Deed Book 230, at page 398, in the Madison County Court Clerk's Office.

The party of the first part warrants that Evelyn B. Hilton, and Evelyn (Elevelyn) B. Hilton and Evelyn Helton and Evelyn Hilton are one and the same person.

TO HAVE AND TO HOLD the above-described property, together with all the appurtenances and privileges thereunto belonging unto Evelyn B. Hilton, Trustee of the Evelyn B. Hilton Trust, in fee simple, her successors and assigns forever.

The party of the first part does hereby release and relinquish unto the said party of the second part, her successors and assigns forever, all of her right, title and interest in and to said property and does hereby covenant to and with the party of the second part, her successors and assigns forever, that she is lawfully seized in fee simple of the said property and has good and perfect right to sell and convey the same as herein done; that her title hereto is clear, perfect and unencumbered, except easements and restrictions of record; and that she will warrant generally the same.

Consideration Certificate: The parties hereto hereby certify that the property herein conveyed is transferred without consideration. We further certify that the full estimated fair cash value of the property herein conveyed is \$ 310,547.<sup>50</sup>.

IN WITNESS WHEREOF, the said parties have hereunto set their hands this the day and year first above written.

PARTY OF THE FIRST PART:

  
EVELYN B. HILTON



10  
sheet

23

DEED

RECEIVED & Recorded  
C. S. WAGERS, CLERK  
Deed Bk 209 Page  
MAY 2 11 25 AM '70

THIS DEED OF CONVEYANCE, be and between <sup>MADISON COUNTY COURT, KENTUCKY</sup> a widow, of Berea, Kentucky, party of the first part, and Nancy B. Deatherage, of Madison County, Kentucky, party of the second part, *By Judy Perkins, D.C.*

WITNESSETH: For and in consideration of the sum of \$ 282.00 the receipt of which is hereby acknowledged, the first party hereby sells, grants, and conveys unto the party of the second part, her heirs and assigns all of the first party's undivided interest in and to the following described property:

Three certain tracts or parcels of land located in Madison County, Kentucky near the city of Berea, Kentucky and the Menelaus and Walnut Meadow Roads, and bounded and described as follows:

TRACT NO. 1: Beginning at a stake, corner to Paulina Mitchell, thence with same S 26 1/2 E 94 poles to a stake and corner to John Mitchell; thence his line S 87 1/2 E 57 poles to a small elm on the south side of Cook's Lick Branch, corner to Jonathan Ogg; thence down the branch, the meanders thereof, N 64 1/2 E 16 poles, N 58 E 23 poles N 9 E 4 poles, N 40 W 10 poles, N 46 E 22 poles, N 27 W 10 poles, N 59 1/4 E 13. 7 poles, N 38 1/4 W at 22 poles to the mouth of the branch, in all 49 poles to a stake in Silver Creek; thence N 22 W 9. 3 poles to a stake, corner to J. Stapp Galloway's lot; thence a new line S 84 1/4 W 109 1/2 poles to a stake on a ridge thence S 32 W 12. 7 poles to the beginning, containing 72 1/2 acres.

TRACT NO. 2: Beginning at a pin oak on bluff of the creek; thence S 24 1/2 E 44 1/2 poles to a stake on the bluff of the creek; thence S 86 W 82 poles to a stake on top of ridge; thence N 4 3/4 W 35 poles 3 links to a black oak; thence N 81 E 68 poles to the beginning, containing 18 acres, more or less.

TRACT NO. 3: Beginning at a stake in the line of Dempsey Smith, said stake being 500 feet east of the Menelaus and Berea Pike, a corner to Lot No. 4 in the division of the land of Charles Blythe; thence with the line of the said Smith; S 89 degrees - 51' E 918.4 feet to a stone, corner to Willard Moore; thence with said Moore S 1 degree - 08' W 316.3 feet to a stone in the line of Moore and a corner to B.H. Foley; thence with the line of said Foley, West 922.6 feet to a stake in the line of Foley and a corner to Lot no. 6 in the division of the Blythe

GUY K. DUERSON, JR.  
ATTORNEY AT LAW  
SHORT STREET  
BEREA, KENTUCKY

*Branch Lot. 50  
C. S. Wagers, Clerk  
By Judy Perkins, D.C.*

land, said stake being 500 feet east of the Menelaus and Berea pike; thence with the line of Lot no. 6 and Lot no. 4 of said division and crossing the eastern end of the 23 foot roadway leading from said pike into the land of the said Blythe, N 1 degree - 53' E 317.8 feet to the place of beginning, containing 6.70 acres, more or less, and designated as lot no. 7 on the plat and blue print of the survey made by T.G. Strunk on July 4, 1940, and filed in this action.

There is hereby excluded from Tract no. 3 above a certain tract of land heretofore conveyed to Charles E. Blythe by deed from Robert Blythe and wife, Lena Mae Blythe, and Nancy B. Deatherage and husband, Mitchell Deatherage, dated the 4th day of ~~October~~ <sup>November</sup>, 1966, which is recorded in Madison County Clerk's office in Deed Book 225 at page 27.

And being the undivided interest come to Lena Mae Blythe by Vivian B. Resin, and her husband Ben Resin by deed dated 5 day of January, 1970, and of record in the Madison County Court Clerk's Office in Deed Book 249, Page 372.

TO HAVE AND TO HOLD the same, with all appurtenances thereunto belonging unto the party of the second part, her heirs and assigns forever, with covenant of "General Warranty."

WITNESS the signatures of the first party, this 23rd day of April, 1970.

Lena Mae Blythe  
Lena Mae Blythe

STATE OF Kentucky

COUNTY OF MADISON

I, Guy K. Duerson, Jr., a Notary Public in and for the State and County aforesaid, do hereby certify that the foregoing Deed was this day produced before me and signed and acknowledged by Lena Mae Blythe, to be her act and deed in due form of law, and the same with this certificate is duly certified to the proper office for record.

Given under my hand this 23rd day of April, 1970.

GUY K. DUERSON, JR.  
ATTORNEY AT LAW  
SHORT STREET  
BEREA, KENTUCKY  
PHONE 986-3411

My Commission expires:

August 13, 1971.

Guy K. Duerson, Jr.  
Notary Public.

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I hereby certify that the foregoing instrument has been drafted by:  
Duerson & Lawrence  
108 Woodford Avenue  
Berea, Kentucky 40403 -

*Guy K. Duerson, Jr.*

STATE OF KENTUCKY }  
COUNTY OF MADISON } SCT.

I, C. S. Wagers, Clerk of the Madison County Court, do certify that the foregoing Deed to Nancy B. Deatherage was on the 2 day of May, 19 70 printed me in my office certified as above for record. Whereupon the same with foregoing and this certificate have been duly recorded in my office. Given under my hand, this 5 day of May, 19 70.

GUY K. DUERSON, JR.  
ATTORNEY AT LAW  
SHORT STREET  
BEREA, KENTUCKY

*C. S. Wagers*  
Clerk  
*Walter G. Olds*  
D.C.

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

To research the map, contact the  
Office of Secretary of State  
or the County Clerk.