

GENERAL WARRANTY DEED

DB 07775PG0339

11/20/01

THIS DEED is made as of November 27, 2001, between

**Terry N. and Rebecca M. Thrasher,  
husband and wife**  
12300 Dixie Highway  
Louisville, Kentucky 40272

(the "Grantor")

and

**Thieneman Real Estate Partnership  
a Kentucky general partnership**  
4901 Fern Valley Road  
Louisville, Kentucky 40219

(the "Grantee")

WITNESSETH:

For good and valuable consideration, the receipt of which is hereby acknowledged by Grantor, Grantor hereby grants and conveys unto Grantee in fee simple and with covenant of General Warranty the real property located in Jefferson County, Kentucky and more fully described as follows (the "Property"):

Being Lots 2 and 3 (14.3675 acres) as shown on the Minor Subdivision Plat approved by the Louisville and Jefferson County Planning Commission on November 20, 2001, Docket No. 243-01, and the original of such plat is attached hereto as Exhibit A and made a part hereof.

Being a part of the same property acquired by Terry N. and Rebecca M. Thrasher, by deed dated August 11, 1992 of record in Deed Book 6212, Page 560, in the Office of the Clerk of Jefferson County, Kentucky.

Grantor covenants lawful seisin of the estate hereby conveyed, full right and power to convey same and that said estate is free of encumbrances except liens for real property taxes and assessments due and payable in 2001, and thereafter, which Grantee assumes and agrees to pay; however, this conveyance is made subject to easements, restrictions and stipulations of record and governmental laws and regulations affecting the Property herein conveyed.

To have and to hold the Property together with all of the rights, privileges, appurtenances and improvements thereunto belonging unto the Grantee, and its successors and assigns forever, with covenant of general warranty of title.

**GRANTOR:**

Terry N. Thrasher  
Terry N. Thrasher, by Rebecca Thrasher as  
Power of Attorney for Terry N. Thrasher

Rebecca M. Thrasher  
Rebecca M. Thrasher

Date: November 27, 2001

**Consideration Certificate**

Pursuant to KRS Chapter 382, we the undersigned hereby state that the Property herein conveyed is transferred for the full, accurate and true consideration of Three Hundred Thirty Seven Thousand Five Hundred Seventy Dollars (\$337,570.00)

**GRANTOR:**

**GRANTEE:**

Terry N. Thrasher  
Terry N. Thrasher, by Rebecca Thrasher  
as Power of Attorney for Terry Thrasher

Thieneman Real Estate Partnership

Rebecca M. Thrasher  
Rebecca M. Thrasher

By: Tom Thieneman  
Title: General Partner

Date: November 27, 2001

Date: November 27, 2001

COMMONWEALTH OF KENTUCKY )  
) SS:  
COUNTY OF JEFFERSON )

The foregoing instrument and consideration statement were acknowledged before me this 27<sup>th</sup> day of November, 2001, by Terry N. Thrasher, by Rebecca Thrasher, as Power of Attorney for Terry N. Thrasher, to be her free act and voluntary deed.

My commission expires: 10-4-02

Ch M Gen  
NOTARY PUBLIC

COMMONWEALTH OF KENTUCKY )  
 ) SS:  
COUNTY OF JEFFERSON )

The foregoing instrument and consideration statement were acknowledged before me this 27<sup>th</sup> day of November, 2001, by Rebecca M. Thrasher, individually, to be her free act and voluntary deed.

My commission expires: 10-4-02

  
\_\_\_\_\_  
NOTARY PUBLIC


COMMONWEALTH OF KENTUCKY )  
 ) SS:  
COUNTY OF JEFFERSON )

The foregoing consideration statement was acknowledged before me this 27<sup>th</sup> day of November, 2001, by Tom Thieneman as General Partner of Thieneman Real Estate Partnership, to be his free act and voluntary deed, on behalf of said partnership.

My commission expires: 9-01-04

  
\_\_\_\_\_  
NOTARY PUBLIC

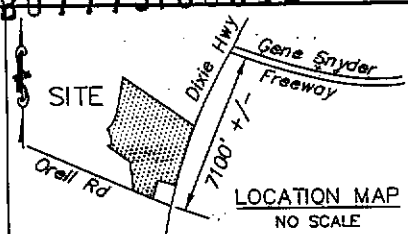
This instrument prepared by:

  
\_\_\_\_\_  
Robert W. Adams III, Esq.  
Zoppoth Valenti & Hanley, PLLC  
2121 Citizens Plaza  
500 West Jefferson Street  
Louisville, Kentucky 40202  
(502) 568-2100

**BEARING DATUM**

The horizontal datum for this plat, bearing N12°27'34"E, is based on the centerline of Dixie Highway as shown on KDOT highway plans.

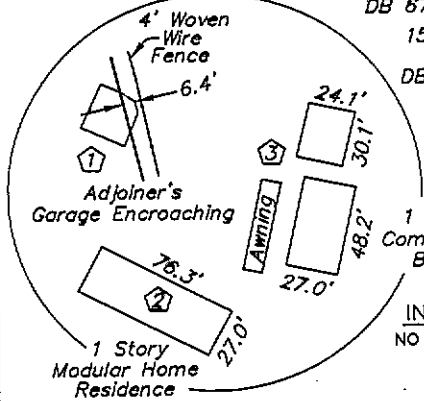
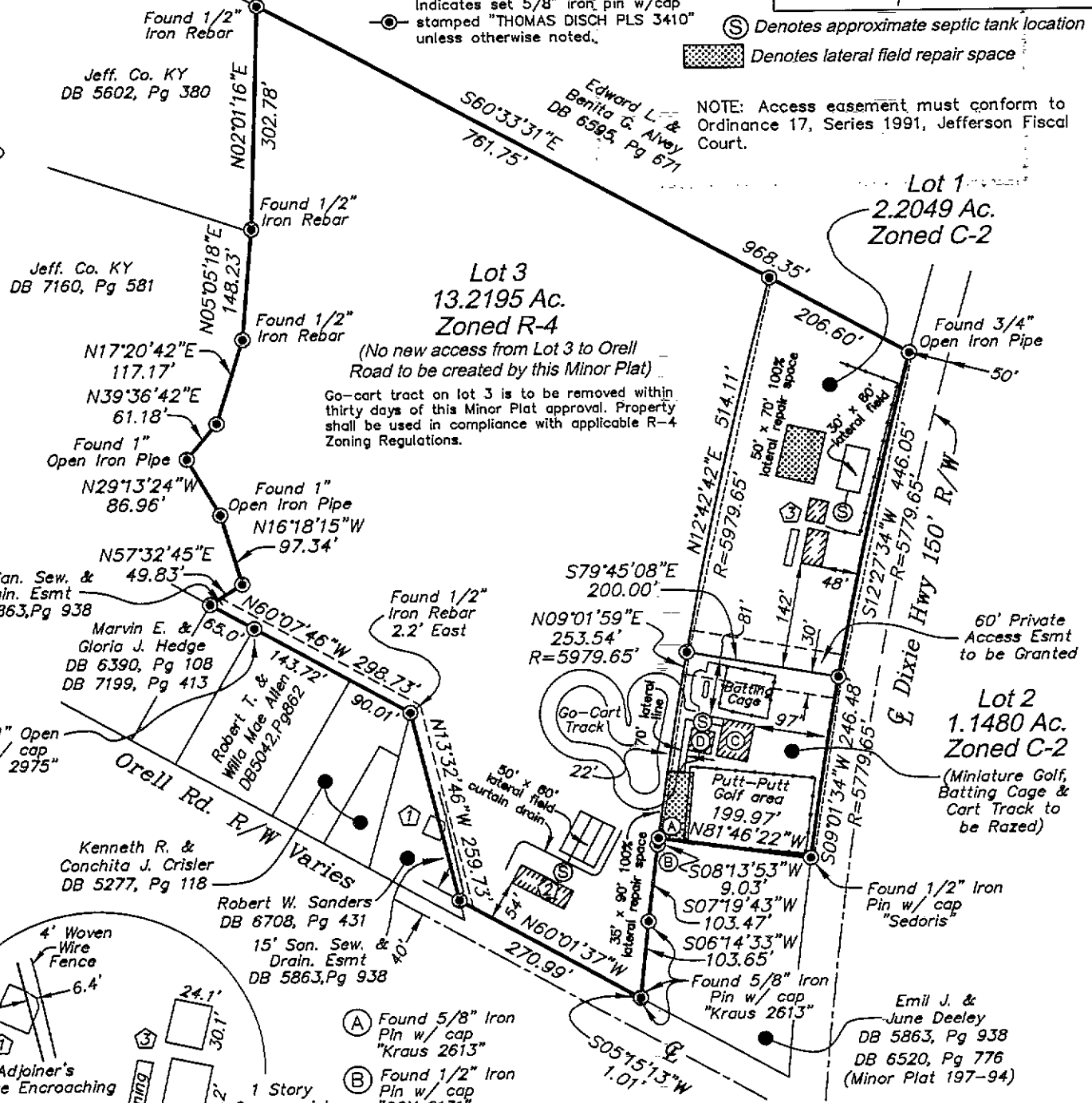
Except as specifically stated or shown, on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate; easements, other than possible easements that were visible at the time of making this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land use regulations, and any other facts that an accurate and current title search may disclose.



Indicates set 5/8" iron pin w/cap stamped "THOMAS DISCH PLS 3410" unless otherwise noted.

⊙ Denotes approximate septic tank location  
▨ Denotes lateral field repair space

NOTE: Access easement must conform to Ordinance 17, Series 1991, Jefferson Fiscal Court.



- (A) Found 5/8" Iron Pin w/cap "Kraus 2613"
- (B) Found 1/2" Iron Pin w/cap "COX 2131"
- (C) 1 Story Commercial Building (50'x40')
- (D) 1 Story Commercial Building (30'x30')

**GRAPHIC SCALE IN FEET**



Scale: 1 inch = 200 feet

- This survey was conducted by the method of random traverse and has not been adjusted for closure. Unadjusted closure for this tract equals 1 part in 56,227.
- This survey subject to conditions of Docket No. \_\_\_\_\_ on file in the office of the Jefferson Co. Planning Commission.
- The word "certify" or "certification" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.

**CERTIFICATE OF APPROVAL**

Approved this 20 day of Nov, 2001  
Invalid if not recorded before this date: 11/20/01

By: [Signature]  
Louisville and Jefferson County Planning Commission.

Approval subject to attached certificates.  
Special requirement(s): N/A  
Docket No. 243-01

**Minor Subdivision Plat**  
(to create 3 lots)

Owner: Terry N. & Rebecca M. Thrasher  
12300 Dixie Hwy, Louisville, KY 40272  
Reference: Deed Book 6212, Page 560  
Site Address: 12300 Dixie Highway PVA Block 1052, Lot 443

**Disch Surveying, Inc.**  
P.O. Box 667  
Shelbyville, Kentucky 40066-0667  
Tel: 502-647-4614 Fax: 502-633-9410

Plat Date: September 4, 2001 Ref.: D:\SC14\WORK\2001-058  
Survey Date: August 6, 2001 Sheet 1 of 6

STATE OF KENTUCKY  
THOMAS M. DISCH  
3410  
LICENSED PROFESSIONAL LAND SURVEYOR  
[Signature]  
Thomas M. Disch PLS 3410

Land Surveyor's Certificate  
I hereby certify that this plat and survey were made under my supervision and that the angular and linear measurements as witnessed by monuments shown hereon, are true and correct to the best of my knowledge and belief. The survey as shown hereon is a class "A" survey and the accuracy and precision of said survey meets all specifications of this class as stated in KAR 201 18:150.

11-6-2001  
Date

ENVIRONMENTAL HEALTH & PROTECTION  
JEFFERSON COUNTY HEALTH DEPARTMENT

DB07775PG0343

THIS APPROVAL IS FOR LAND CONFIGURATION ONLY.  
IT DOES NOT CONSTITUTE APPROVAL FOR SEWER  
CONNECTION OR ON-SITE SEWAGE SYSTEM.

11/7/01

DATE

BY: Traci M. Powell

COMMENTS: no sewer or mail  
lots - 1 on-site  
system

MINOR PLAT  
APPROVAL

JEFFERSON COUNTY  
DEPT. OF PUBLIC WORKS

BY: [Signature]

DATE: 11/7/01

METROPOLITAN SEWER DISTRICT REVIEW

This plat has been reviewed for storm drainage and sanitary sewer related considerations and Metropolitan Sewer District has no objection to this plat. However, this review does not constitute any form of construction approval for work on this site

[Signature] 11/7/01  
Storm Drainage Review Date

EX. MSD SEW. AVAIL. BY L.E.           
Sanitary Sewer Review Date

PLAT APPROVAL

No present objections as submitted. Subject to construction review and approval. Submit plans prior to beginning construction.

DATE: 11-9-2001

BY: Steve Burton Chief

FIRE DISTRICT: South District

COMMENTS:

ENVIRONMENTAL HEALTH & PROTECTION  
JEFFERSON COUNTY HEALTH DEPARTMENT

THIS APPROVAL IS FOR PLAN AND CONFIGURATION ONLY.  
IT DOES NOT CONSTITUTE APPROVAL FOR SEWER  
CONNECTION OR ON-SITE SEWAGE SYSTEM.

11/7/01  
DATE

BY: Traci M. Powell

COMMENTS: no sewers avail  
date 9-1 on-site  
system

MUNICIPAL PLAT  
APPROVAL

JEFFERSON COUNTY  
DEPT. OF PUBLIC WORKS

BY: [Signature]

DATE: 11/7/01

**METROPOLITAN SEWER DISTRICT REVIEW**

This plat has been reviewed for storm drainage and sanitary sewer related considerations and Metropolitan Sewer District has no objection to this plat. However, this review does not constitute any form of construction approval for work on this site.

[Signature] 11/7/01  
Storm Drainage Review Date

EX. MSO SEW. AVAIL. BY L.E.  
[Signature] Date  
Sanitary Sewer Review

PLAT APPROVAL

No present objections as submitted. Subject to construction review and approval. Submit plans prior to beginning construction.

DATE: 11-9-2001

BY: Steve Bunton, Chief

FIRE DISTRICT: South Dixie Fire

COMMENTS:

DB07775PG0345

**STANDARD CERTIFICATE FORM**

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

This is to certify that the undersigned is the owner of the land shown on this plat and hereby acknowledges the same to be the plat of **Terry and Rebecca Thrasher, Deed Book 6212, pg. 560** and does hereby dedicate to public use N/A shown thereon.

  
Owners Signature

12300 Dixie Hwy, Louisville, KY 40272  
Address

Owner  
Title

**ZONING CERTIFICATE**

I/We hereby certify all of the lots of this minor subdivision and any existing buildings and improvements thereon and/or any buildings and improvements included in a building permit either applied for or approved thereon are in compliance with all the provisions of the Zoning District Regulations. Any such buildings or improvements not in compliance with the Zoning District Regulations have been granted all necessary variances by the Board of Zoning Adjustment as described in Docket No. N/A or documentation of the existence of the buildings or improvements prior to the adoption of the Zoning District Regulations has been accepted by the Planning Commission staff as valid evidence of their non-conforming status.

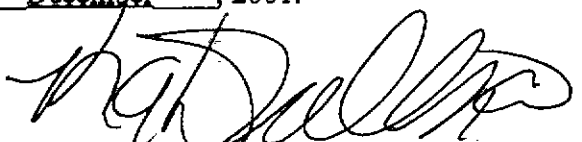
  
Owner(s) Signature

**CERTIFICATE OF ACKNOWLEDGEMENT**

State of Kentucky  
County of Jefferson

I, Karen D. Willman, a Notary Public in and for the County aforesaid do hereby certify that the forgoing plat of **Terry and Rebecca Thrasher, Deed Book 6212, pg. 560** was this day presented to me by **Terry or Rebecca Thrasher**, known to me, who executed Certificates in my presence and acknowledges it to be their free act and deed.

Witness my hand and seal this 17<sup>th</sup> day of November, 2001.  
My Commission expires: 10<sup>th</sup> day of December, 2001.

  
Notary Public

DB 07775PG0346

**DEDICATION OF PUBLIC UTILITY, SEWER, DRAINAGE AND PRIVATE ACCESS EASEMENTS**

THIS INSTRUMENT made and entered into on this 17<sup>th</sup> day of November, 2001, by the undersigned Owners, Terry and Rebecca Thrasher per Deed Book 6212, Page 560 confers the rights and obligations regarding certain real property as follows:

This is to certify that the undersigned GRANTOR is the owner of the land shown on the plat attached hereto and made a part hereof and that a perpetual easement for roadway, courts, drives, public utilities, including, but not limited to, water, electric, gas, telephone, cable, sewers and drains are hereby dedicated and reserved on, over and under the strips of land and spaces so designated on the attached plat as "Public Utility, Sewer, Drainage and Private Access Easements", together with the right of ingress and egress over GRANTORS property to and from easements for construction, operation, maintenance, and reconstruction of the aforesaid public utilities, sewers and drains.

No permanent structure of any kind shall be places on, over or under the land within the perpetual easements. The perpetual easements shall run with the land and shall be for the benefit and use of the GRANTORS property and all lands abutting the aforesaid easements.

Access easements, to the extent they are not occupied by a public utility, shall be maintained by the GRANTOR, his heirs, executors, administrators, assigns, or the owners of the underlying fee simple title until said easements are accepted for maintenance by the public utilities.

11-17-2001  
Date

Terry Thrasher Rebecca Thrasher  
Owners Signature

State of Kentucky  
County of Jefferson

The foregoing Dedication of Public Utility, Sewer, Drainage and Private Access Easements was signed and acknowledged before me by Terry and Rebecca Thrasher GRANTOR, this 17<sup>th</sup> day of November, 2001.

Thomas M. Disch  
Notary Public, Kentucky State-At-Large

My Commission expires: 12/10/01

This Instrument prepared by:  
Thomas M. Disch (Signature)

Name Thomas M. Disch

Address P. O. Box 667 Shelbyville, KY 40066



**EASEMENT, RESTRICTIONS AND MAINTENANCE  
REQUIREMENTS FOR THREE OR MORE LOTS ON A  
MINOR PLAT**

THIS INSTRUMENT made and entered into on this 17<sup>th</sup> day of November, 2001 by the undersigned Owners, Terry and Rebecca Thrasher, per Deed Book 6212, Page 560 confers the rights and obligations regarding certain real property as follows:

1. The owner(s) or occupants of tracts 1, 2, and 3 are hereby granted the easement shown on the attached plat for ingress and egress across the property designated 60' private access. Said easement shall be for the benefit of said owners or occupants, their guests and invitees.
2. The rights conveyed by said easement are limited to such as is customarily incidental to single family residential and multi-family/commercial usage of the lot.
3. All costs or expenses incidental to the maintenance, repair or rebuilding of said road so as to keep it in a good and passable condition as an access road shall be divided equally between Lots 1, 2, and 3

The lot of any owner who fails to pay the assessment promptly upon demand by the person who has borne said cost or expense shall be subject to a lien upon filing of an appropriate notice in the County Clerk's Office. The lien of such assessments may be enforced against the property in the same manner as mortgages are foreclosed upon real property.

4. The owners of said lot shall have the power to make all decisions relating to the implementation of the purposes and provisions hereof and such decisions shall be made by a majority vote of those persons representing the owners of said lots who are present and voting at a regularly called meeting at which a quorum is present. The representatives shall have one vote for each lot represented.
5. A meeting may be called at any time by any owner of said lots by giving at least 21 days written notice to all other owners of said lots of the time, place and purpose thereof. Such meeting shall be held on the lot of the person calling the meeting, or other location just as convenient to said owners, and notice thereof shall be sent by first class mail to the last known address of the intended recipient. Notice to one owner of a given lot shall be considered notice to all owners of that lot.
6. Without limiting the generality of Paragraph 4, as such meeting decisions made may relate to any of the following matters:
  - a. The manner and extent of maintenance, repair or rebuilding desired for said road.
  - b. Delegation of authority to one or more persons relating to such matters as may be desirable, included but not limited to signing contracts, collecting funds, selecting a depository, signing checks, keeping records, or any other matter desired to carry out the purposes or provisions of this instrument.
  - c. Whether contracts relating to the maintenance, repair or rebuilding should be taken on bids or otherwise.
  - d. Whether litigation should be commenced for the purpose of enforcing the provisions hereof to be paid for from assessments collected or a fund maintained for the purposes of this instrument.
  - e. Whether any person delegated authority to carry out the provisions of this instrument shall be compensated or required to be bonded.
  - f. Any rules or regulations relating to the manner of the use of the road including but not limited to, speed limits, parking restrictions, weight limits, or other use of the paved or unpaved portion of the right-of-way including establishment of easements for water, gas, electricity, sewers and drainage.
  - g. Whether payments determined in accordance with Paragraph 3 should be made only as needed, or on a regular periodic basis (monthly, annual, etc.) in regular amounts, the time such payments are due, and the amount of any penalties required for delinquent or violation of any rules or regulations relating to the use of said road.

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- 7. The road shall not be dedicated to or maintained by the public except by agreement of the owners of said lots and approval of the Louisville and Jefferson County Planning Commission after finding that it meets standards required for a newly created public road.
- 8. The provisions of this document may not be modified except by agreement of the owners of said lots and approval of the Louisville and Jefferson County Planning Commission.
- 9. The provision of this instrument shall be considered a covenant running with the land, shall be binding on the parties hereto and their respective successors, heirs and assigns, and may be enforced by any one or more owners of said lots in a civil action in law or equity.
- 10. The provisions hereof are severable, and if one or more of said provisions are held invalid, the remaining provisions shall remain in full force and effect.

In testimony whereof, witness the signatures of the owners of said lots as of the day and year set out above.

*Terry Thrasher and Rebecca Thrasher*  
Owners Signature

**Terry Thrasher and Rebecca Thrasher**  
Name Typed

State of Kentucky  
County of Jefferson

I, **Karen D. Willman**, a Notary Public in and for the County aforesaid do hereby certify that the forgoing plat of **Terry and Rebecca Thrasher** was this day presented to me by **Terry and Rebecca Thrasher**, known to me, who executed Certificates in my presence and acknowledges it to be their free act and deed.

Witness my hand and seal this 17<sup>th</sup> day of November, 2001.  
My Commission expires: 10<sup>th</sup> day of December, 2001.

*[Signature]*  
Notary Public

This Instrument prepared by:

*Thomas M. Disch* (Signature)

Name Thomas M. Disch

Address P. O. Box 667 Shelbyville, KY 40066

DB07775PG0349

**CERTIFICATE OF R-4 ZONING COMPLIANCE**

This is to certify that the undersigned is the owner(s) of the land shown on this plat and hereby acknowledges that this is being approved with the condition that the go-cart track on Lot # 3 is to be removed within 30 days of this minor plat approval. Lot # 3 shall be used only in compliance with applicable R-4 Zoning Regulations until said R-4 zoning is changed. If the use of the property is different than permitted uses in the R-4 Zoning District after 30 days of recording, that will be a Zoning violation and minor plat can be revoked.

Owner binds himself/herself personally, his/her partners, successors, executors, administrators and assigns to the Division of Planning and Development Services to this agreement in respect to all of the terms and conditions of this agreement.

Terry Thrasher  
Owner(s) Signature

Rebecca Thrasher  
Owner(s) Signature

3805 Iron Horse Way  
Address

Owners  
Title

State of Kentucky  
County of Jefferson

I, Karen D. Willman, a Notary Public in and for the County aforesaid do hereby certify that the forgoing plat of Terry and Rebecca Thrasher was this day presented to me by Terry and Rebecca Thrasher, known to me, who executed Certificates in my presence and acknowledges it to be their free act and deed.

Witness my hand and seal this 17th day of November, 2001.  
My Commission expires: 10th day of December, 2001.

Karen D. Willman  
Notary Public

Document No.: DN2001204425  
Lodged By: ADAMS  
Recorded On: 12/03/2001 12:47:04  
Total Fees: ~~25.00~~ 366.00  
Transfer Tax: 338.00  
County Clerk: Bobbie Holsclaw-JEFF CO KY  
Deputy Clerk: SHETUC

**END OF DOCUMENT**