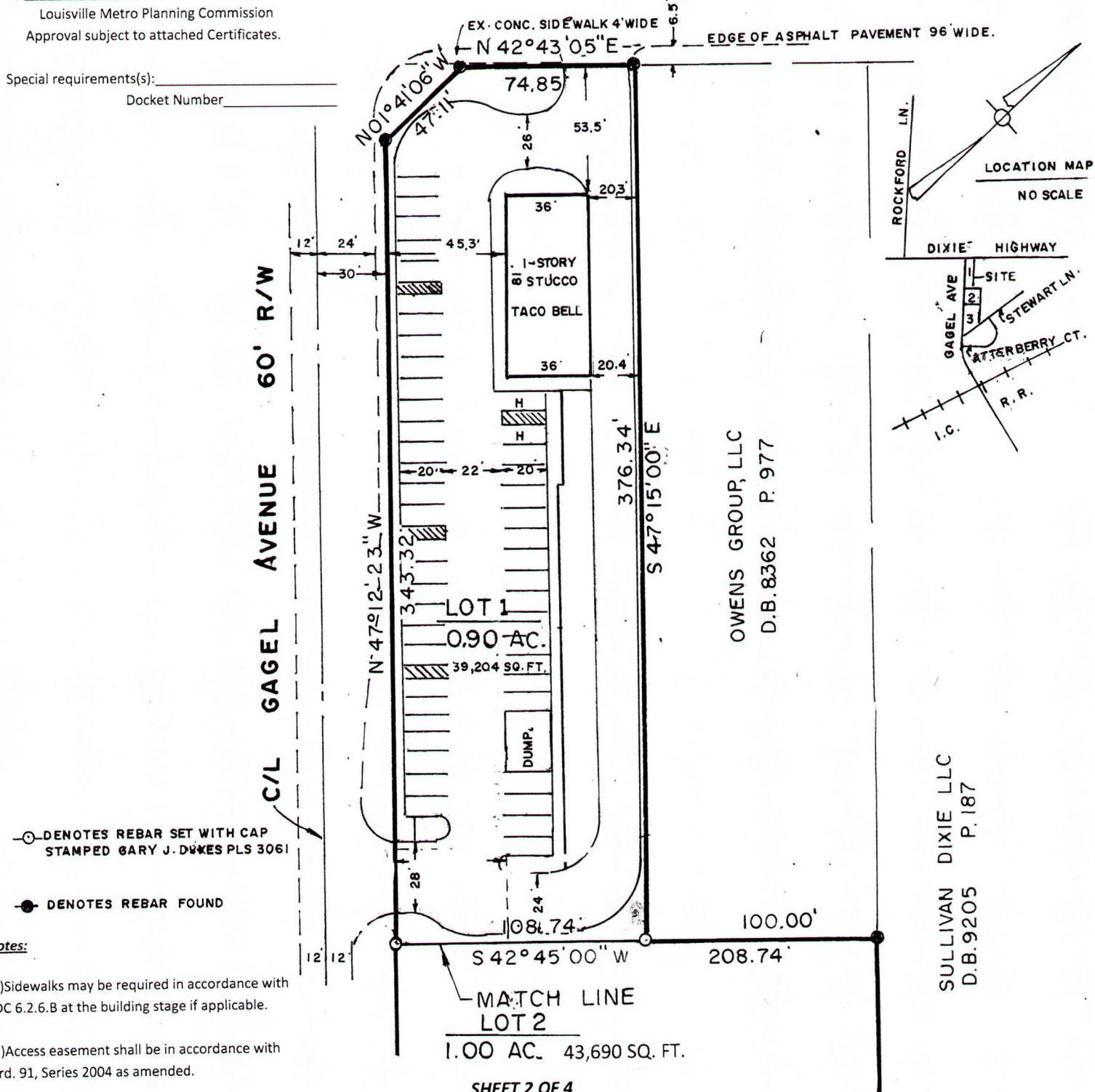


Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
Invalid if not recorded before this date: \_\_\_\_\_  
By: \_\_\_\_\_

Louisville Metro Planning Commission  
Approval subject to attached Certificates.

Special requirements(s): \_\_\_\_\_  
Docket Number \_\_\_\_\_

# DIXIE HIGHWAY R/W VARIES



○ DENOTES REBAR SET WITH CAP  
STAMPED GARY J. DUKES PLS 3061

● DENOTES REBAR FOUND

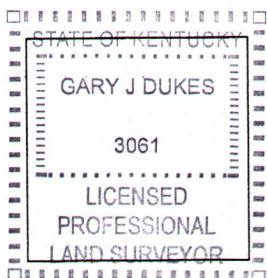
## Notes:

(1) Sidewalks may be required in accordance with  
LDC 6.2.6.B at the building stage if applicable.

(2) Access easement shall be in accordance with  
Ord. 91, Series 2004 as amended.

## LAND SURVEYOR'S CERTIFICATE

I hereby certify that this survey as depicted hereon  
was performed under my supervision and was  
conducted under the standards for survey defined  
under KAR 18:150. It is an "Urban Survey", with an  
unadjusted closure of 1 part in 10,000 and is witnessed by  
monuments as shown. The survey method used was that  
of random traverse and the bearings have been rotated  
and adjusted for closure using bearing of S 42-45-00  
This survey is subject to all road way, easements, and  
right of ways, if any whether shown hereon or not.  
The property is not located in a flood hazard area as  
shown by FEMA map No. 21111C0072E dated 12-5-06.



Gary J. Dukes PLS #3061

Dated: 1-27-17

## Minor Subdivision Plat

To shift a property line  
And create a building site

### Property Address

4643 Dixie Highway and  
1715 Gagel Avenue  
Louisville, Kentucky 40216

### Owner Information

Kupco LLC  
10501 Forest Garden Lane  
Louisville, Kentucky 40223  
D.B.9107 P. 16

Block 1029 Parcels 0016 and 0702

Zoning: C-2 Form District: Suburban Marketplace

### Gary J Dukes PLS

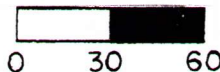
3602 Briarglen Lane  
Louisville, Kentucky 40220  
502-553-4912

garydukespls@gmail.com

Scale 1" = 60' Date: May 23, 2016

Revised August 8, 2016/ Revised January 27, 2017

### Graphic Scale



Sheet 1 of 4

16 MINORPLAT 1075



## Docket Number

S47°15'00"E

***"Granted" 50' X 140' ACCESS EASEMENT  
FOR CONNECTION WITH ADJACENT LOT 2  
(SEE SHEET 3 OF 4 FOR AGREEMENT)***

271.58'  
N 3° 22' 27" E  
STEWART LANE  
(UNMADE)

16 MINORPLAT 1075

A horizontal number line with arrows at both ends. It is marked with the numbers 0, 30, and 60. A point is marked with a dot at the number 30.



This **ACCESS EASEMENT AGREEMENT** is made and entered into as of this 27th day of January, 2016, by and between KUPCO, LLC, 10501 Forest Garden Lane, Louisville, Kentucky 40223 ("Party of the First Part"), and KUPCO, LLC, 10501 Forest Garden Lane, Louisville, Kentucky 40223 ("Party of the Second Part").

**WHEREAS**, Party of the First Part is the owner of property located at 1715 Gagel Avenue, Louisville, Kentucky 40216, and described as Lot 2 on the Minor Subdivision Plat (the "Minor Plat") attached hereto as Exhibit A ("Lot 2");

**WHEREAS**, Party of the Second Part is the owner of property located at 1715 Gagel Avenue, Louisville, Kentucky 40216, and described as Lot 3 on the Minor Subdivision Plat attached hereto as Exhibit A ("Lot 3");

**NOW, THEREFORE**, in consideration of the benefits each party will receive under and by virtue of this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Access Easements.**

(a) Party of the First Part hereby grants to Party of the Second Part, its members, managers, officers, directors, employees, customers, guests, agents, licensees, tenants, subtenants, and invitees, a non-exclusive easement, in common with others, for vehicular ingress and egress on and over the driveways, roadways, aisles, walkways, and sidewalks located on Lot 2, as shown in the area identified on the Minor Plat (the "Easement Area"), including the right to use all present and future curb cuts and driveways onto adjacent roadways.

(b) Party of the Second Part hereby grants to Party of the First Part, its members, managers, officers, directors, employees, customers, guests, agents, licensees, tenants, subtenants, and invitees, a non-exclusive easement, in common with others, for vehicular ingress and egress on and over the driveways, roadways, aisles, walkways, and sidewalks located on Lot 3, as shown in the area identified on the Minor Plat (the "Easement Area"), including the right to use all present and future curb cuts and driveways onto adjacent roadways.

2. **Maintenance.** Party of the First Part and Party of the Second Part shall be equally responsible for maintenance and repair of the Easement Area in a clean, safe, and functional condition, keeping the same reasonably free and clear of papers, debris, standing water, snow, ice, and obstructions that would prevent the reasonable exercise of the access granted in this Agreement. The costs incurred in connection with such maintenance and repair shall be borne equally by Party of the First Part and Party of the Second Part.

3. **Binding Effect.** This Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their respective successors and assigns. The terms, covenants and conditions herein shall be deemed to be covenants running with the land.

4. **Amendment.** This Agreement may be modified only by written instrument executed by both parties hereto, which instrument shall be recorded in the Office of the Clerk of Jefferson County, Kentucky.

5. **Severability.** If any part, term or provision of this Agreement is held by any Court to be invalid, illegal or in conflict with any applicable law, the validity of the remaining portions or provisions of this Agreement shall not be affected, and this Agreement shall be interpreted as if it did not contain the particular part, term, or provision held to be invalid, illegal, or in conflict with applicable law.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the day and year first above written.

**PARTY OF THE FIRST PART**

KUPCO, LLC

By: Don B. Kupper

Title: President

**PARTY OF THE SECOND PART**

KUPCO, LLC

By: Don B. Kupper

Title: President

COMMONWEALTH OF KENTUCKY )

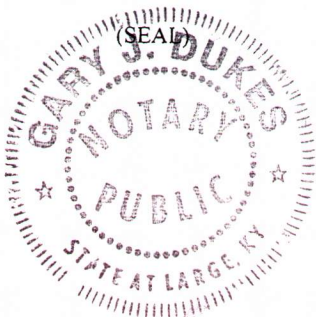
)SS

COUNTY OF JEFFERSON )

The foregoing Easement was acknowledged, subscribed, and sworn to before me this 27th day of January, 2016, by Donald B. Kupper, as a Member of KUPCO, LLC, a Kentucky limited liability company, to be his free act and voluntary deed in said capacity.

My Commission Expires: SEP 13, 2020

Notary Public [Signature]



THIS INSTRUMENT PREPARED BY:

Anthony L. Schnell, Esq.  
STOLL KEENON OGDEN PLLC  
2000 PNC Plaza  
500 W. Jefferson Street  
Louisville, Kentucky 40202  
Telephone: (502) 560-4219  
Facsimile: (502) 627-8719

Minor Subdivision Plat

Easement Page

Gary J Dukes PLS

3602 Briarglen Lane

Louisville, Kentucky 40220

502-553-4912

garydukespls@gmail.com

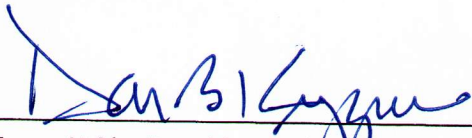
Date: May 23, 2016

Revised August 8, 2016/ Revised January 27, 2017

16 MINORPLAT 1075  
Sheet 3 of 4



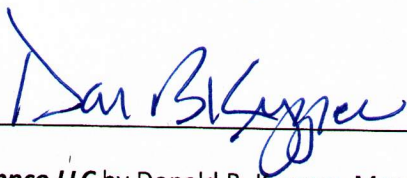
This is to certify that the undersigned is the owner of the land shown on this plat and hereby acknowledges the same to be the plat of D.B. 9107 P. 16 and hereby dedicates to public use the N/A as shown.



**Kupco LLC** by Donald B. Kupper, Member and President  
10501 Forest Garden Lane  
Louisville, Kentucky 40223

**Zoning Certificate**

With the exception of those existing encroachments which are not affected by the actions of this plat and are noted hereon, 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 Form District Regulations. With the exception of those encroachments noted on the face of the plat, any such buildings or improvements not in compliance with the Form District Regulations have been granted all necessary variances by the Board of Zoning Adjustment as described in the Docket No. N/A or documentation of the existence of the buildings or improvements prior to the adoption of the applicable regulations has been submitted to Planning Commission staff.



**Kupco LLC** by Donald B. Kupper, Member and President

**Certification of Acknowledgement**

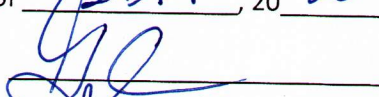
Commonwealth of Kentucky

County of Jefferson

I, Gary J. Dukes, a Notary Public in and for County aforesaid do hereby certify the fore going plat of D.B. 9107 P.16 was this day presented to me by Donald B. Kupper of Kupco LLC, known to me, who executed these Certificates in my presence and acknowledges it to by his free act and deed.

Witness my hand and seal this 27TH day of JAN, 20 17.

My Commission expires: 13TH day of SEPT, 20 20.

  
Notary Public

**Minor Subdivision Plat**

Ownership page

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**Gary J Dukes PLS**

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**garydukespls@gmail.com**

Date: May 23, 2016

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