

BOOK 320
PAGE 140

800

DEED

Deed Tax 12.50
Rec. Fee 12.00

THIS DEED OF CONVEYANCE, made and entered into this 31st day of Aug. 1999,
by and between **WILLIAM PAUL HINES and IDA ARNELL HINES**, his wife, 724 S. Main
Street, Beaver Dam, Kentucky 42320, **GRANTORS**; and **CARROLL W. RALPH and LESA**
GALE RALPH, his wife, 1805 Vine Hill Road, Beaver Dam, Kentucky 42320, **GRANTEES**,

WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of **TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500.00)**, all of which has been previously paid under the terms of an unrecorded Contract for Deed dated April 28, 1997, the receipt of which is hereby acknowledged by Grantors, the said Grantors have bargained and sold and do by these presents transfer, alien, grant, sell and convey unto the said Grantees, for and during their joint lives with the remainder in fee simple to the survivor of them, his or her heirs and assigns forever, the following real estate, situate and lying in Ohio County, Kentucky, and more particularly described as follows, to-wit:

A certain tract of land in Ohio County, Kentucky, on Hartford and Leitchfield Road bounded as follows:

BEGINNING at a stone on south side of Leitchfield Road running thence with F. Mitchell N. 10 E. 49 poles to a dead white oak; thence N. 29 E. 81 poles N. W. 21 poles to a dead chestnut, thence S. 54 E. 29 poles to an ash or elm not fenced; thence S. 10 W. 75 poles to a black oak on side of road; thence with road as it meanders 70 poles to Leitchfield Road; thence with Leitchfield Road 4 poles to the beginning, supposed to contain 25 acres, more or less.

BEING the same property conveyed to Alfred Ray Bundy, et al, by deed from Blanche Boling Grove, et vir, dated May 22, 1992, by deed of record in Deed Book 281, page 596; and see also that deed from Alfred Ray Bundy, et ux, to William Paul Hines, et ux, dated the 28th day of April, 1997, and recorded in Deed Book 307, page 196, in the office of the Ohio County Clerk.

TO HAVE AND TO HOLD the above described property together with all the appurtenances and privileges thereunto belonging unto the Grantees, for and during their joint lives with the remainder in fee simple to the survivor of them, his or her heirs and assigns forever, with Covenant of **GENERAL WARRANTY OF TITLE**.

By their signatures hereon, the Grantors and Grantees hereby certify the consideration reflected in this deed is the full consideration paid for the real property herein described. The

LESSIE R. JOHNSON
CLERK
Ohio County, Kentucky

SEP 07 1999

LODGED FOR
RECORD
M 10:40
PM

Grantees sign this deed solely to comply with the consideration certification required by KRS Chapter 382 and for no other purpose.

IN TESTIMONY WHEREOF, witness the signatures of the Grantors, and the Grantees, this the day and year first above written.

GRANTORS:

William Paul Hines
WILLIAM PAUL HINES

Ida Arnell Hines
IDA ARNELL HINES

GRANTEES:

Carroll W. Ralph
CARROLL W. RALPH

Lesa Gale Ralph
LESA GALE RALPH

STATE OF KENTUCKY
COUNTY OF OHIO

Acknowledged and sworn to before me this 31st day of August, 1999, by **William Paul Hines and Ida Arnell Hines, his wife.**

John R. Renda
NOTARY PUBLIC

My commission expires: 08/18/03

STATE OF KENTUCKY
COUNTY OF OHIO

Acknowledged and sworn to before me this 31st day of August, 1999, by **Carroll W. Ralph and Lesa Gale Ralph, his wife.**

John R. Renda
NOTARY PUBLIC

My commission expires: 08/18/03

I certify this instrument was prepared by E. GLENN MILLER, Attorney at Law, 124 E. Washington Street, Suite #1, Hartford, Kentucky 42347.

E. Glenn Miller
E. GLENN MILLER

C:\DEEDS\ralph.carroll.wpd

FILED FOR RECORD
This 7 day of Sept 1999 at
10:40 O'Clock A M. and recorded in Deed
Book No. 320 at page 140-141
Attest Les R. Johnson, Clerk
By: St. Beatty D.C.

BOOK 351
PAGE 484

NOV 03 2004

LESSIE R. JOHNSON
CLERK
Ohio County, Kentucky

THIS EASEMENT, made and entered into this 10th day of September, 2004, by and between the Shirlye J. Price Living Trust, acting through its trustees, Shirlye J. Price and Charles L. Price, of 3141 State Route 69 North, Hartford, Kentucky 42347, parties of the first part, GRANTORS; and Carroll W. Ralph and Lesa Gale Ralph, husband and wife, and to the survivor of them, of 1805 Vine Hill Road, Beaver Dam, Kentucky 42320, parties of the second part, GRANTEES.

W I T N E S S E T H :

WHEREAS, the GRANTEES herein are the owners of a certain 25 acre tract or parcel of land conveyed to them by William Paul Hines, et ux, on August 31, 1999, by deed of record in Deed Book 320, page 140; and

WHEREAS, the second parties have caused a survey of that tract conveyed to them to be made, and a reduced copy of the plat of said survey is appended hereto and marked for identification as Exhibit "A"; and

WHEREAS, the first party trust is the owner of property lying adjacent to the second parties' property, and across the portion thereof which lies easterly from the second parties' property the second parties caused to be constructed a roadway which services the residence located upon the second parties' property; and

WHEREAS, through error, inadvertence and oversight, the driveway which services the property of the second party was constructed by them upon property owned by the first party trust; and

WHEREAS, the parties hereto desire by this instrument to resolve any differences which might otherwise exist between them as a result of the foregoing;

NOW THEREFORE, in consideration of the premises, and in consideration of the mutual desire of the parties to resolve any differences which might exist between them as a result of the

matters set out in the premises hereof, the first parties do hereby give and grant unto the second parties, a non-exclusive easement over the driveway lying upon the property owned by the first party, and co-extensive therewith as it presently exists, for ingress and egress by the second parties to that property owned by them which is first herein referred to, and the driveway referred to is generally depicted on the plat appended hereto. The second parties, by the execution hereof, hereby acknowledge that the driveway above referred to lies upon property owned by the first party trust, and the property across which the easement here granted is given is a part of Tract III to the first party trust by Charles L. Price and wife on September 9, 1998, by deed of record in Deed Book 314, page 346, in the Office of the Ohio County Clerk.

There has previously been filed In the Office of the Clerk of Ohio County, Kentucky, in Miscellaneous Book 47, page 75, an affidavit concerning the powers granted to the trustees herein, and said trustees, having been duly sworn, state that no change has been made which limits the powers set out therein.

TO HAVE AND TO HOLD the easement here granted, together with all privileges and appurtenances thereunto belonging, unto the parties of the second part, and to the survivor of them, their heirs and assigns forever, with no warranty of title, express or implied.

The parties hereto, having been duly sworn, state that no monetary consideration was given for the easement here granted, it being in consideration of the desire of the parties as set out herein; and the parties do further affirm that the estimated value of the easement here granted is of a sum of less than \$100.00.

The GRANTEES, in consideration of the grant this day made to them, on their behalf, and on behalf of their heirs, successors and assigns, hereby agree that in making use of the easement here granted, they will hold the first party, and its successors and assigns, harmless from any injury which might occur unto the first party, its successors, or any party making use of said driveway hereunder, as a result of the use thereof.

IN TESTIMONY WHEREOF, witness the signatures of the parties hereto on the date first hereinabove written.

SHIRLYE J. PRICE LIVING TRUST

BY: Shirlye J. Price
Shirlye J. Price, Trustee

Carroll W. Ralph
Carroll W. Ralph

BY: Charles L. Price
Charles L. Price, Trustee

Lesa Gale Ralph
Lesa Gale Ralph

COMMONWEALTH OF KENTUCKY

COUNTY OF OHIO

Acknowledged, subscribed and sworn to before me by Shirlye J. Price and Charles L. Price, Trustees of the Shirlye J. Price Living Trust, on behalf of said trust, this 10th day of September, 2004.

Sherry Johnson Nemith
Notary Public

My Commission Expires: 8-19-06

COMMONWEALTH OF KENTUCKY

COUNTY OF OHIO

Acknowledged, subscribed and sworn to before me by Carroll W. Ralph and Lesa Gale Ralph, husband and wife, this 3rd day of November, 2004.

Sherry Johnson Nemith
Notary Public

My Commission Expires: 8-19-06

This Instrument Prepared By:
HAGAN & BOLT
Attorneys at Law
117 East Center Street
Hartford, KY 42347

[Signature]
Charles A. Hagan