

THIS DEED OF CONVEYANCE, made and entered into on this the 9th day of April, 1990, by and between BARRETT PROPERTIES, INC., of 21001 W. Coffee Road, New Berlin, WI 53151, Grantor, and WILLIAM RUDGE, of 1700 Palm City Road, Stuart, Florida 34994, Grantee,

WITNESSETH:

That for a valuable consideration, the receipt whereof is hereby acknowledged, and the sufficiency confessed, the Grantor has bargained and sold and does now by these presents sell, transfer, alien, grant and convey unto the Grantee, his heirs and assigns, a certain tract or parcel of real estate lying, being and situate in the Frogue Community, in Cumberland County, Commonwealth of Kentucky, bound and described as follows, to-wit:

" Beginning on a concrete marker (#0-742-1), a corner to the lands of the United States of America, and also a corner to the lands of Cross (formerly Marvin Smith, Deed Book 53, page 381); thence leaving the lands of Cross with the line of the United States of America as follows: S 23° 00' 17" E 295.21' to an iron pin; S 29° 30' 05" W 148.39' to a steel fence post set in the line of the United States of America; thence leaving the United States of America S 84° 00' 00" W 929.58' to a steel fence post set in the line of Barrett Properties, Inc.; thence severing the lands of Barrett Properties, Inc. as follows: N 24° 38' 54" E 544.97' to a steel fence post; N 43° 30' 00" W 900.00' to a steel fence post set in the line of Robert Anderson, Deed Book 76, Page 408; thence leaving Barrett Properties, Inc. with the line of

Anderson, N 05°00' 00" E 1600.00' to steel fence post; thence, S 87° 00' 00" E 330.00' to a steel fence post, a corner to the lands of Cross; thence with the line of Cross as follows: S 25° 00' 00" E 346.50' to a steel fence post in the hollow; S 02°30' 00" E 330.00' to a steel fence post at a 6" ash on a point above a large fall in the branch; S 08° 00' 00" W 907.50' to a steel fence post on the west side of the ridge road; S 43° 30' 00" E 660.00' to a steel fence post; S 57° 00' 00" E 377.50' to the beginning and containing 35.014 acres by survey. (Actual field survey performed by J.A. Staton, R.L.S. #2603, on the 30th day of March, 1990),

Being a portion of the property acquired by Grantor by General Warranty Deed of Conveyance dated February 8, 1990 from Thelma F. Theobald, unmarried widow, as Grantor, recorded in Deed Book No. 93 at Page 681 therein, office of the Cumberland County Clerk.

As a vital part of the consideration stated herein, there is RESERVED unto Brian T. Barrett-Weber the exclusive right, and first right of refusal, to purchase the premises conveyed herein at a fair market price to be determined by the average of two real estate appraisals to be conducted by qualified real estate agents in the local area of Cumberland County, Kentucky. This first right of refusal shall be binding upon the Grantee, his heirs and assigns, for a period of twenty years following the death of the Grantee.

Grantor RESERVES all mineral rights, including oil and gas, with rights of ingress, egress and appurtenant rights to develop

and extract all minerals and oil and gas for itself, its successors and assigns.

Grantor reserves all standing timber and timber rights for the life of Brian T. Barrett-Weber, and twenty years thereafter. This reservation of timber rights and standing timber shall inure to the benefit of the Grantor, its successors and assigns.

TO HAVE AND TO HOLD with all the appurtenances thereunto belonging, unto the Grantee, his heirs and assigns, FOREVER, with covenants of General Warranty, and the Grantor warrants that it has good right and title to sell and convey the same and that it is free and clear of encumbrances of any kind, save and except the lien of taxes and assessments for the calendar year 1990, and all subsequent taxes, which the Grantee assumes and agrees to pay.

The above described property is conveyed subject to all valid and existing conditions, restrictions, covenants, easements and reservations as may be found in the record chain of title.

Possession of the property conveyed herein shall be delivered to the Grantee simultaneously with the execution and delivery of this Deed of Conveyance.

In compliance with the provision of Section 142.050, Kentucky Revised Statutes, the Grantor certifies by the execution of this instrument, and the Grantee confirms said certification by his acceptance of this instrument, that there is no cash consideration involved in the sale and conveyance of this property, but that the estimated fair market value of subject was and is the sum of \$21,000.00.

IN TESTIMONY WHEREOF, witness the signature of the Grantor



hereto, as of the day and year first hereinabove written.

BARRETT PROPERTIES, INC.

BY:

THOMAS M. BARRETT, President

ATTEST

Peter D. Lentz  
Secretary

*Prepared by Bryan T. Barnett-Weber*

STATE OF WISCONSIN  
COUNTY OF MILWAUKEE

I, SHARON A. LISOCKI, a Notary Public in and for the State and County aforesaid, do hereby certify that the foregoing Deed was on this date produced before me in said County and State by Thomas M. Barrett, President of Barrett Properties, Inc., and attested thereto by its Secretary, Peter D. Lentz, Grantor thereto, who executed and acknowledge the same to be the free and voluntary act and deed of said corporation for the purposes therein expressed.

In testimony whereof, witness my hand and seal of office, this ~~10th~~ 9th day of April, 1990.

*Sharon A. Lisocki*  
Notary Public  
My commission Expires:  
June 13, 1993

STATE OF KENTUCKY,  
COUNTY OF CUMBERLAND, SCT.,

I, Betty L. Hogan, Cumberland County Clerk, hereby certify that the foregoing instrument was filed for record on the 15th day of May, 1990, at 11:55 o'clock A.M. and duly recorded in DEED BOOK NO. 94 Pages 149-152 of the records of this office.

Given under my hand this 15th day of May, 1990.

*Lynn W. Cyphers*  
BETTY L. HOGAN, CLERK - LYNN W. CYPHERS, D.C.