•							
			Jacksonville, FL Date: <u>8.14-91</u> File: <u>97525</u>				
	<i>CORDINI</i> Division Manager Senior Project Engineer						
	Herewith distribution c <u>CARTES (OUNTY</u> ,	copies of $1 < \gamma$ .	document	disclai covering <del>disposi</del>	<del>tion</del> of land	d at ows:	
T. NO	NAME	DOCUMENT	DATE	VALUATION/MAP	PARCEL	ACRES	
1 `2 <sub>517</sub>	CARTE, COUNTY, Ky	Alsel AIMIN	7/,/1	V33/29 See ATTAched	see Attached		
Record	dation: Book Page Date	see at	Tacheol				
AFE:		-		nn Scheler { Real Property,	J915		
1	Ms. M. A. Musfeldt, J915 Mr. J. W. Booth, B7A Mr. R. A. Wiggs, J350 Mr. L. J. Borntraeger, J910						

Mr. L. J. Borntraege CSX RPI, J915

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Deed Copy CSD-2517 RE: 97525 jan natato antaton

## CARTER COUNTY, KENTUCKY

Parcels CSXT no longer has an interest in:

<u>Map No.</u>	<u>Parcel No.</u>
V33A-25	2
26	1,3,4
V33- 1	1
9	4
12	2
13	2,4
14	1,2,7,8,9
15	1,2
16	1
17	3,4
18	6,12
19	1
20	2,3
21	2,3
22	1,2
23	1,4,5
24	1
27	2,3
28	1

PLEASE REMOVE FROM ACCOUNTS AND DELETE FROM TAX ROLL.

020591-MAS

This instrument prepared by or under the direction of:

William C Bas

William C. Basney Senior Counsel Attorney for CSX Transportation, Inc. Business Address: 500 Water Street Jacksonville, Florida 32202

State of Kentucky ) ) SS.

County of Carter )

## DECLARATION OF ABANDONMENT

WHEREAS, CSXT desires to abandon its railroad line known as the Lexington Branch, located in Carter County, Kentucky;

NOW, THEREFORE, CSXT, by the execution of this instrument, declares that it has DISCLAIMED, REMISED, RELEASED and ABANDONED all of its interest in and to that portion of the Lexington Branch more particularly described as follows:

BEGINNING at the County Line between Boyd County and Carter County at approximate Mile Post 533.3 (Valuation Station 757+07), being more particularly shown on Exhibit A attached hereto, of the former C&O and extending in a generally southwesterly direction for approximately 28.6 miles to the County Line between Carter County and Rowan County at approximate Mile Post 569.10 (Valuation Station 1479+79.2), being more particularly shown on Exhibit B attached hereto, of the former C&O and being acquired in whole or in part by the following instruments (all recording data referring to the Public Records of Carter County):

<u>Grantor</u>	Date	<u>Book</u>	<u>Page</u>
James Stewart	approx.1880		
F. J. Stewart, et vir	05-18-1882		
Sebastian Eifont, et al	09-06-1871		
S. Phillips, et al	06-01-1880	I	16
Andrew Littleton	approx.1880		
J. M. James	03-13-1880		
Z. Tyree, et al	10-05-1854	6	325
H. B. Litteral, et ux	07-09-1880	I	18
W. W. Garvin, et al	11-10-1879		

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John W. Richards James M. Littleton, et al Lucinda Falkner, et ux Robert Huntsman, et al Sallie E. Watson, widow, et al Drinkard Stigall, et ux Bessey J. Whitt and others, by	09-05-1879 05-17-1880 07-01-1881 03-14-1889 10-20-1882 11-01-1880	 I OB 15 OB 20 I I I	 13 525 294 74 80
Thomas D. Thesbald, Jr., Special Commissioner W. H. Armstrong, et ux C. H. Scott, et ux Hannah Hall, widow, et al Adam Gearheart, et ux Wm. M. May, et al	09-20-1937 10-20-1880 11-20-1880 10-20-1880 06-24-1880 08-18-1881	58 I I I J	464 77 82 81 75 196

EXCLUDING AND RESERVING, however, (a) any other property interests in any of CSXT real estate in Carter County, Kentucky, and (b) that portion of the Lexington Branch acquired by CSXT, or its predecessors, by the following instruments:

		Date of			
Grantor	<u>Railroad</u>	<u>Instrument</u>	<u>Book</u>	<u>Page</u>	
AC & I RY (Except that portion, disclaimed		red from Jam	es Stewa	rt, 1880,	
recording unknown; and F. J. St unknown.)	ewart, et al,	May 18, 1882	, record	ing	
G. W. Molton, single	C&O RY	10-18-1939	61	214	
County Court of Carter Co., KY	н	02-17-1936	Ordinan	ce Book	
J. M. Littleton, et al	C&O of KY	10-11-1906	Z	183	
Robert H. Perry, et al	11	07-09-1880	I	15	
	π	08-09-1880	I	13	
(Except that portion sold to Madeline Patterson by Deed dated June 9, 1989, recorded as aforesaid in Deed Book, Page)					
W. L. Geiger, et ux	AC&I RY	04-27-1887	N	170	
(Except that portion sold to Addi					
recorded as aforesaid in Deed Book, page)					
H. J. Neal, et ux	17	04-09-1917	26	230	
	HT.	10-13-1916	28	133	
	tī	03-20-1894	Ρ	134	
Pleasant Norton, et ux	L&BS RR	05-05-1880	Н	587	
(Except that portion sold to Rob	pert and Lisa I	ucas by deed	dated M	lay 16,	
1991, recorded as aforesaid in					
J. B. Dickinson, Sr., et al		01-15-1952		59	

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(Except that portion sold to Clellon Lucas by deed dated April 9, 1990, recorded as aforesaid in Deed Book \_\_\_\_\_, Page \_\_\_\_\_.)

Lexington & Carter CountyAC&I RY05-13-1893087Mining CompanyAC&I RY05-13-1893087(Except that portion sold to Carter County, Kentucky by deed dated January15, 1990, recorded as aforesaid in Deed Book \_\_\_\_\_, Page \_\_\_\_.)

Lexington & Carter County					
Mining Company	AC&I RY	02-12-1892	N	242	
Alfred Banfield, et ux	41	09-09-1880	I	456	
F. J. Stewart, et vir	AC&I RY	10-15-1884	J	597	
G. L. Stewart, et ux	C&O RY	08-27-1936	57	483	
Lindsey Pennington, et ux	n	09-20-1950	82	579	
Nannie Prichard, et al	*1	10-21-1936	57	547	
William Solsbury, et ux	98	05-06-1881	I	161	
C. S. Counts, widower	Ħ	12-11-1883	J	336	
J. M. (Lottie) Saulsberry, et al	C&O RY	08-03-1935	56	571	
F. M. Maddix, et ux	H	04-12-1935	56	407	
Tygart Valley Iron Company	EL&BS RR	06-09-1882	J	193	
(Except that portion, disclaimed herein, acquired from Sabastian Eifont,					
September 6, 1871, recording unknown.)					

Rant James, et ux, et al	C&O of KY	02-07-1905	Х	11
Charles Ingraham, et ux	C&O RY	10-16-1936	57	537
Louisville Fire Brick Works, Inc.	C&O RY	10-26-1936	57	552
America Bell Clay, et al	71	10-14-1936	57	541
A. M. Kelley, single	71	10-13-1936	57	534
James W. Scott, et ux	EL&BS RR	05-27-1881	I	454
John S. Jarvis, et ux	IT	07-16-1880	I	11
John S. Jarvis, et ux	H	03-30-1885		81
A. C. Jarvis, et ux	C&O RY	12-08-1943	66	190
William H. Armstrong, et ux	EL&BS RR	03-30-1885	K	85
William E. Jarvis, et ux	11	08-06-1880	I	9
William E. Jarvis, et ux	n	03-30 <b>-</b> 1885	K	83
Johnson Scott, et ux	π	04-30-1880	I	7
Johnson Scott, et ux	lt .	01-09-1884	J	615
James Jordon	H	04-30-1880	Ι	8
Estill Tabor, single	C&O RY	05-22-1953	90	41
John P. Gee, et ux	C&O of KY	05-15-1905	Х	397
Contracting and Building Co.	EL&BS RR	03-02-1888	L	440
U. S. G. Kiser, et ux	C&O RY	08-20-1936	57	523
John C. Davie, trustee	H	12-08-1921	37	438
William Stamper, et ux	EL&BS RR	10-05-1889	M	118
William Stamper, single	Ħ	06-22-1899	R	218
R. H. Paynter, et ux	C&O of KY	04-13-1905	Х	395
R. H. Paynter, et ux	n	07-18-1904	v	576
R. H. Paynter, et ux	Ħ	11-09-1904	W	34
James A. Paynter, et ux	C&O of KY	04-29-1905	Х	393
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Mary B. Hayes, et vir	L&BS RR	11-06-1903	v	199
L. I. Biggs, et ux	C&O RY	11-23-1936		585
Allie Carpenter, et ux	C&O RY	12-12-1950		216
S. T. Berry Lumber Co., et al				
by Commissioner	EL&BS RR	03-07-1895	I	136
S. L. Bayes, Master Commissioner,				
et al	11	06-24-1895	Р	342
G. M. Bailey, et ux	C&O RY	02-21-1914	21	219
G. H. Raybourn, et ux	n	02-27-1915	22	212
W. O. Osborn, et ux	Ħ	02-27-1915	22	218
Enterprise Improvement & Mfg. Co.	H	12-21-1880		56
William Underwood	C&O RY	12-16-1880	I	77
Tacy Timoney for self and as				
guardian, et al	"	09-05-1881	I	393
W. H. Garvin, et al	*1	08-18-1881	I	360
W. H. Garvin, et ux	n	04-06-1882	I	526
G. W. Molton, et ux	**	01-30-1936	57	211
John Owen, widower, et al	**	02-17-1936		247
E. D. Patton, et al, by Goldie				
E. Evans, Commissioner	Ħ	05-05-1936	57	331
Wallace Brown, et ux	71	02-01-1936	57	169
J. W. Lancaster, ut ux	**	02-01-1936	57	206
Melvin Castle, et ux	n	02-01-1936	57	209
Harveson Walker Refracteries Co.	n	03 <b>-</b> 04-1940	61	420
James Underwood	EL&BS RR	10-16-1880		79

This Disclaimer is subject to existing rights, if any, of occupation, purchase or use of utility, governmental and communications users.

IN WITNESS WHEREOF, CSX TRANSPORTATION, INC. pursuant to due corporate authority, has caused its name to be signed hereto by its officers hereunto duly authorized and its corporate seal, duly attested, to be hereunto affixed.

Signed, sealed and delivered

in the presence of:

CSX TRANSPORTATION, INC.:

lna By:

Senior Vice-President

(tron (SEAL) Attest: Seculetary

STATE OF FLORIDA ) ) SS. COUNTY OF DUVAL )

I, <u>Kathryn R. Case</u>, a Notary Public of the State of Florida and the County of Duval, do certify that, on the date below, before me in said County personally came <u>Gerald L. Nichola</u> to me known, and known to me to be the person whose name is subscribed to the above instrument, who, being by me first duly sworn, did depose, acknowledge and say that: he resides in Jacksonville, Duval County, Florida; he is

<u>Senior Vice President</u> of CSX Transportation, Inc., the corporation described in and which executed said instrument; he is fully informed of the contents of the instrument; he knows the seal of said corporation.

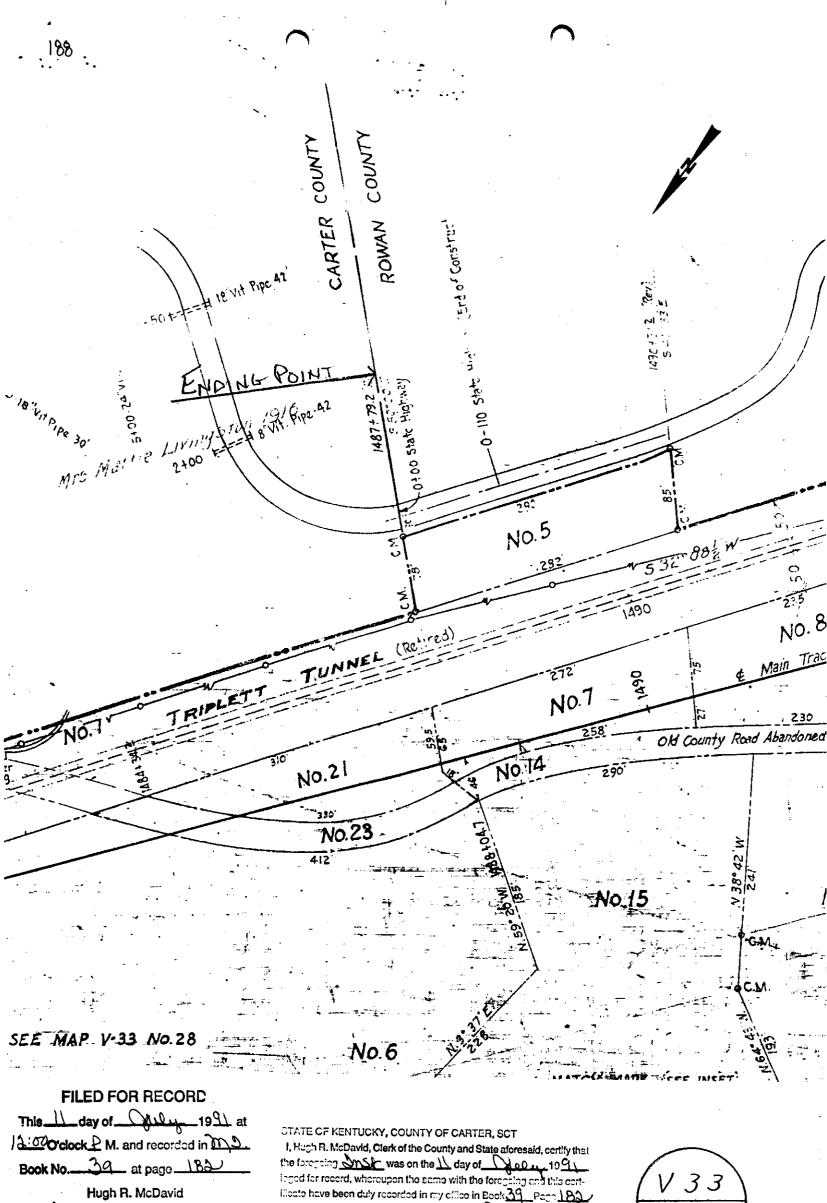
IN WITNESS WHEREOF, I hereunto set my hand and official seal, this / dt day of \_\_\_\_\_\_, 19\_9/\_.

Kothrin R. Casey (SEAL) Notary Public

My commission expires on:

NOTARY PUBLIC, STATE OF FLORIDA My commission expires Aug. 24, 1994 Bonded thru Patterson - Becht Agency 5

LOYD CO. 187 ] .... County Line -© CARTER CO., KY. Golloyner Yeirs 1716 (W) No.2 Œ 200 107 RW THE WY 159:96 WS Coai Co W L Geiger J.F. Surton 6.0 BRIDGE NO.5332-L 1915 the ing Arris press Ģ 580012 State of Han Pott 1869 1,881 BEGINNING  $\odot$ 2.4 155' 102231 0.5.30 VJJA 9 "=100 EXHIBIT Å



Bu By. DC. illeate have been duly recorded in n -183 Given under my hand, this q Bylen D.C

EXHIBIT B

V 33 29 1"=100