

Documentary Tax Paid: \$0.00
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Cumberland County Kentucky
Bryan Morgan, County Clerk By: DONNA CAPPS
BK 5 PG 51 - 56 (6)

5-14-26
8:10 am

RIGHT-OF-WAY EASEMENT

Whereas, DENNIS KRAFT and PHYLLIS KRAFT, husband and wife, are the owners of a tract of real estate, known as the "Lawrence Shepherd Farm", said to contain 560 acres, more or less, and being the property acquired by Deed of Conveyance dated August 31, 2023 from Russell Dale Shepherd, et al., as Grantors, found of record in Deed Book 191, Page 283 therein, office of the Cumberland County Clerk, PVA Parcel No. 077-00-00-003.0 (*the burdened property*); and

Whereas, WILLIAM ALLEN FLOWERS, is the owner of a tract of real estate in the vicinity of the above referenced property owned by Dennis and Phyllis Kraft, formerly owned by Oplis Flowers, PVA Parcel No. 076-00-00-011.00, and being the property acquired by William Allen Flowers by the following instruments:

1. As devisee of Item III of the Last Will and Testament of Margaret Flowers, deceased on July 24, 2003, found of record in Will Book W, Page 182 therein;
2. Decedent, Margaret Flowers, acquired title to the subject property as devisee of Item II of the Last Will and Testament of Hobart Flowers, deceased on February 22, 1999, found of record in Will Book W, Page 177 therein, and
3. As devisee of Item VI of the Last Will and Testament of Edward D. Flowers, deceased on September 24, 1988, found of record in Will Book W, Page 172 therein;
4. Decedent, Hobart Flowers, acquired title to the subject property as devisee of Item VI of the Last Will and Testament of Edward D. Flowers, deceased on September 24, 1988, found of record in Will Book W, Page 172 therein, and
5. By virtue of a Deed of Conveyance dated September 24, 1996 from Oplis Flowers, as Grantor, found of record in Deed Book 118, Page 449 therein, and
6. By virtue of a Deed of Conveyance dated June 24, 1958 from Oplis Flowers, et ux., as Grantors, found of record in Deed Book 64, Page 590 therein, all records in the office of the Cumberland County Clerk (*the benefitted property*); and

Whereas, the property of Kraft lies adjacent to the Flowers property, between the Flowers property and Kentucky Highway 90 East, thereby making it advantageous for William

Allen Flowers, and his heirs, assigns, guests, licensees and invitees to travel across the property of Kraft for purposes of ingress and egress to his property; and

Whereas, the owners of the burdened property, Dennis Kraft and Phyllis Kraft, and the owner of the benefitted property, William Allen Flowers, have had a meeting of the minds whereby it has been agreed to reduce the said easement to writing in order to clarify the ownership and usage thereof,

NOW, THEREFORE, THIS RIGHT-OF-WAY EASEMENT, made and entered into on this the 13th day of May, 2026, by and between **DENNIS KRAFT and PHYLLIS KRAFT**, husband and wife, of 385 Luther Shepherd Road, Burkesville, KY 42717, **Grantors**, and **WILLIAM ALLEN FLOWERS and TAMMY FLOWERS**, husband and wife, or the survivor thereof, of 1995 Beech Bottom Road, Albany, KY 42602, **Grantees**, their heirs and assigns, the Grantors do hereby grant, bargain and transfer unto the Grantees, their heirs and assigns, a perpetual easement for the purposes of ingress and egress, and the installation and maintenance of utilities, if necessary, known as the "Shepherd Hollow Access Road" in the Bear Creek Community of Cumberland County, Kentucky, the said easement being more particularly described as follows, to-wit:

BEING AN INGRESS/EGRESS AND UTILITY EASEMENT 20 FEET IN TOTAL WIDTH ALONG AN EXISTING HISTORICAL ACCESS ROAD LEADING FROM HIGHWAY 90 TRAVERSING THROUGH THE LANDS OF DENNIS AND PHYLLIS KRAFT AND TERMINATING AT THE COMMON LINE WITH WILLIAM ALLEN FLOWERS AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

"ALL REBAR CALLED FOR BEING SET ARE 5/8 INCH x 18 INCH WITH A BLUE IDENTIFICATION CAP, "WM. DEREK BELL PLS NO 3914" (TYPICAL) AND WERE SET THIS SURVEY. A WITNESS REBAR REFERS TO A 5/8 INCH REBAR WITH AN ORANGE IDENTIFICATION CAP "WITNESS MONUMENT WM. DEREK BELL PLS 3914". THE BASIS OF BEARINGS BEING CORRELATED TO KENTUCKY STATE PLANE SINGLE ZONE GRID PER A NETWORK ADJUSTED PRIMARY CONTROL POINT ON 2.26.26"

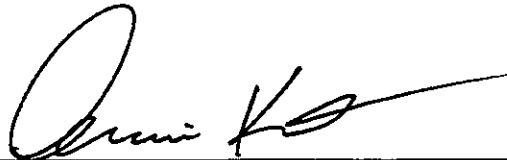
Commencing on a rebar set on north side of Highway 90 (90 feet from center line, R.O.W. varies per Deed Book 74,Page 421) and being in the center of an existing historical access road located South 71°56'58" "W 315.45 feet from a concrete highway marker (found, 95' +/- from center); thence, along the center of aforesaid access road traversing through the lands of Dennis and Phyllis Kraft (Deed Book 191, Page 283) the following calls; thence North 21°52'08" West, a distance of 133.53 feet; thence North 15°22'55" West, a distance of 47.06 feet; thence North 05°26'22" West, a distance of 60.25 feet; thence North 04°34'26" East, a distance of 80.83 feet; thence North 07°02'03" East, a distance of 149.95 feet; thence North 12°55'08" East, a distance of 202.23 feet; thence North 01°58'26" East, a distance of 60.74 feet; thence North 03°58'18" West, a distance of 130.45 feet; thence North 06°30'29" East, a distance of 51.46 feet to a rebar set; thence North 18°53'53" East, a distance of 201.61 feet; thence North 16°15'02" East, a distance of 141.91 feet; thence North 34°08'12" East, a distance of 155.11 feet; thence North 14°04'36" East, a distance of 145.18 feet; thence North 06°34'35" East, a distance of 127.6 feet; thence North 16°11'17" East, a distance of 189.69 feet; thence North 09°42'29" East, a distance of 40.48 feet to a rebar set; thence North 02°19'28" East, a distance of 98.86 feet; thence North 04°45'03" East, a distance of 60.76 feet; thence North 06°29'13" West, a distance of 127.76 feet; thence North 05°02'49" West, a distance of 40.35 feet; thence North 01°38'49" East, a distance of 100.99 feet; thence North 07°48'56" East, a distance of 121.31 feet; thence North 10°15'30" East, a distance of 100.97 feet; thence North 05°24'54" East, a distance of 181.64 feet to a rebar set; thence North 08°49'27" East, a distance of 241.60 feet; thence North 05°40'35" East, a distance of 20.02 feet; thence North 00°36'58" East, a distance of 165.02 feet; thence North 08°04'08" East, a distance of 83.31 feet; thence North 21°36'08" East, distance of 109.00 feet; thence North 23°16'55" East, a distance of 116.00 feet; thence North 45°02'17" East, a distance of 83.19 feet; thence North 28°09'10" East, a distance of 162.18 feet to a rebar set; thence North 13°28'14" East, a distance of 99.19 feet; thence North 11°06'06" East, a distance of 146.42 feet; thence North 02°06'42" East, a distance of 269.23 feet; thence North 04°03'08" West, a distance of 376.65 feet; thence North 09°46'05" West, a distance of 353.20 feet; thence North 04°52'47" West, a distance of 41.46 feet; thence North 15°52'46" West, a distance of 65.13 feet; thence North 19°10'05" West, a distance of 64.03 feet; thence North 09°48'49" West, a distance of 25.54 feet; thence North 02°22'04" West, a distance of 64.07 feet; thence North 07°47'07" West, a distance of 66.97 feet; thence North 15°31'47" West, a distance of 18.21 feet to a rebar set in the line of William Allen Flowers (Deed Book 64,Page 590) and being the terminus of aforesaid access easement per Survey by Wm. Derek Bell, PLS 3914, with Bell Land Surveying and Mapping, 412 South Main Street, P.O. Box 749, Burkesville, Kentucky 42717 on the 26th day of February, 2026. This survey subject to any easements, rights-of-way or other conveyances that a subsequent title search may disclose.

The parties agree that the existing gate will continue to be used to access the easement, and to the extent possible, to keep the gate locked upon entry and departure to prevent unauthorized use.

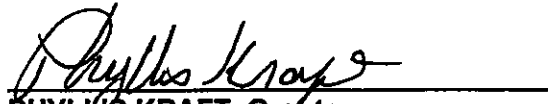
The grant of this easement shall constitute a ***COVENANT RUNNING WITH THE LAND***, for the benefit of the Grantees, their heirs and assigns.

The Grantees agree that they, their heirs and assigns, will share in the reasonable maintenance of the right-of-way easement from its commencement on the north side of Highway 90 to the residence of the Grantors, helping to keep it in good condition, and that the Grantees, their heirs and assigns, shall be solely responsible for the maintenance of the easement from the Grantors' residence to the terminus of the easement. In the event excess and/or unreasonable damage is caused to any portion of the easement, its repair shall be the responsibility of the parties who have caused the said damage or whose agents have damaged the easement, regardless of its location. The Grantees further agree that they will indemnify and hold the Grantors harmless from any claim, action or cause of action for property damage, personal injury or death arising as a result of their usage, or the usage of their guests or assignees, of said right-of-way easement.

IN TESTIMONY WHEREOF, witness the signatures of the Grantors and Grantees as of the day and year hereinabove written.



DENNIS KRAFT, Grantor



PHYLLIS KRAFT, Grantor

This Instrument Prepared
Without Prior Title Examination
CAPPS LAW OFFICE, PSC
110 East Smith Street, P.O. Box 779
Burkesville, Kentucky 42717-0779
By: Catherine Brown Capps
Catherine Brown Capps

William Allen Flowers
WILLIAM ALLEN FLOWERS, Grantee

Tammy Flowers
TAMMY FLOWERS, Grantee

COMMONWEALTH OF KENTUCKY

COUNTY OF CUMBERLAND

I, a Notary Public in and for the Commonwealth and County aforesaid, do hereby certify that the foregoing Right-of-Way Easement was on this date produced before me in said County and Commonwealth by Dennis Kraft and Phyllis Kraft, husband and wife, Grantors, who executed and acknowledged the same to be their free and voluntary act and deed for the purposes therein expressed.

IN TESTIMONY WHEREOF, witness my hand and seal of office on this the 13th day of May, 2026.

Debra S. Cooksey
NOTARY PUBLIC
My Commission Expires:
Notary ID No:



COMMONWEALTH OF KENTUCKY**COUNTY OF CUMBERLAND**

I, a Notary Public in and for the State and County aforesaid, do hereby certify that the foregoing Right-of-Way Easement was on this date produced before me in said County and State by William Allen Flowers and Tammy Flowers, husband and wife, Grantees, who executed and acknowledged the same to be their free and voluntary act and deed for the purposes therein expressed.

IN TESTIMONY WHEREOF, witness my hand and seal of office on this the 13th day of May, 2026.



NOTARY PUBLIC**My Commission Expires:****Notary ID No:**

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