

## CONTRACT AND TIMBER DEED

**THIS CONTRACT AND TIMBER DEED**, made and entered into on this the \_\_\_\_ day of \_\_\_\_\_, 2025, by and between **DEBRA STATON, Executrix of the Last Will and Testament of Dorothy M. Lee, deceased, same being of record in the Office of the Clerk of the Clinton County, Kentucky Court in Will Book 13, Page 397**, 3588 Mirandy Road, Algood, Tennessee 38506, hereinafter called "Grantor", and \_\_\_\_\_, of \_\_\_\_\_, hereinafter called "Grantee", (whether one or more),

### **WITNESSETH:**

That for and in consideration of the sum of \_\_\_\_\_ **DOLLARS (\$\_\_\_\_\_)**, cash in hand paid and in consideration of the mutual covenants hereinafter set forth, receipt of which is hereby fully acknowledged, the Grantor does hereby sell, assign, transfer, grant and convey unto the Grantee all of the merchantable timber, including all hardwood and cedar, on the following described tracts of real estate, lying and being in the Huntersville Community, in Clinton County, Kentucky, same being more particularly described as follows, and subject to all the terms and provisions hereinafter set forth, to-wit:

### **TRACT #1**

Being a certain tract or parcel of land lying and being in the Huntersville community of Clinton County, Albany, Kentucky and being more particularly described as follows:

**Beginning** on an iron pin found (Staton) at the northern right-of-way of Huntersville Road aka Kentucky Highway 3066, said right-of-way being based on 30 feet left and right of center, deed book 48 page 548, being a corner to the lands of J.M. Stockton, Jr., deed book 167 page 206, thence leaving said right-of-way North 43°05'28" West, a distance of 215.11 feet to an iron pin set, being a corner to Stockton, thence South 44°52'25" West, a distance of 398.73 feet to an iron pin set, being a corner to Stockton and being in the fence and line of Jeff Bertram, deed book 130

page 329, thence with the line of Bertram and generally following the fence North 56°35'12" West, a distance of 752.05 feet to a stone found, thence North 06°05'06" East, a distance of 864.91 feet to a point in a branch and in the line of Bertram, being a new corner to the lands of the grantor, common corner to tract #2 in the division of the herein Lee Estate lands, said point being located North 52°55'17" West, a distance of 9.23 feet from an iron pin witness set at the base of a fence post on the east side of the branch, thence leaving the branch severing the lands of the grantor and common to said tract #2 South 52°55'17" East, a distance of 682.71 feet to an iron pin set, thence South 31°36'39" West, a distance of 15.00 feet to an iron pin set in the center of an existing farm road, thence with the center of the said farm road and common line to said tract #2 South 40°21'40" East, a distance of 50.02 feet; thence South 29°40'53" East, a distance of 25.86 feet; thence South 20°01'57" East, a distance of 226.07 feet; thence South 33°07'28" East, a distance of 51.94 feet; thence South 55°27'20" East, a distance of 271.55 feet; thence South 50°17'03" East, a distance of 140.10 feet; thence South 55°04'28" East, a distance of 109.33 feet; thence South 44°13'35" East, a distance of 30.92 feet to a p.k. nail set in the center of said farm road and at the aforesaid right-of-way of Huntersville Road, being a corner to said tract #2, thence with the right-of-way of Huntersville Road South 64°24'05" West, a distance of 184.21 feet **to the beginning** and containing **16.00** acres by survey. **This conveyance being subject to any rights and interests of an existing Cemetery.** Actual field survey performed under the direction of J.A. Staton, P.L.S. #2603 on 03/18/25. The basis for the bearing being from a magnetic observation taken in the field. This survey being subject to any easement, right-of-ways, or other conveyances which may affect the same. All iron pins called for as being set are ½ inch in diameter and a minimum of 18 inches in length and have a plastic identification cap on them with "JA Staton KY PLS 2603/TN RLS 1545" engraved on the top.

Being a part of the same real estate conveyed to Lester R. Lee and wife, Dorothy M. Lee by Deed of Conveyance from Bennie A. Holsapple and wife, Ruth Holsapple, said deed being dated the 29<sup>th</sup> day of January, 1971 and being of record in the Office of the Clerk of the Clinton County, Kentucky Court in Deed Book 52, Page 562; Dorothy M. Lee acquired the interest of Lester R. Lee in said property pursuant to the survivorship clause contained in the afore referenced Deed of Conveyance; Debra Staton was named as Executrix of the Last Will and Testament of Dorothy M. Lee with full power of sale with said Last Will and Testament being of record in the Office of the Clerk aforesaid in Will Book 13, Page 397.

## **TRACT #2**

Being a certain tract or parcel of land lying and being in the Huntersville community of Clinton County, Albany, Kentucky and being more particularly described as follows:

**Beginning** on a 34" marked Walnut found at the fence corner, being a corner to Jeff Bertram, deed book 130 page 329, and also being a corner to Ferguson Brothers, Inc., deed book 57 page 496, thence with the line of Ferguson Brothers, Inc. and generally following a fence South 85°06'48" East, a distance of 329.66 feet to an iron pin set at the fence corner, thence North 04°56'23" West, a distance of 381.30 feet to a 22" marked White Oak found, thence North 04°56'04" East, a distance of 359.66 feet to an iron pin set, thence North 11°08'07" East, a distance of 626.18 feet to a stone found, being a corner to said Ferguson and also being a corner to the lands of Ivan Lee, deed book 105 page 678, thence with the line of Lee North 59°05'19"

East, a distance of 336.37 feet to a stone found, thence North 87°27'46" East, a distance of 163.45 feet to a point in the branch, being located North 24°58'27" West, a distance of 7.70 feet from a 10" Buckeye reference, thence with the center of the branch and line of Ivan Lee South 10°56'14" West, a distance of 75.32 feet; thence South 20°48'53" East, a distance of 141.19 feet; thence South 05°03'37" East, a distance of 76.66 feet; thence South 18°04'18" East, a distance of 82.12 feet; thence South 04°08'55" West, a distance of 99.37 feet; thence South 12°57'33" West, a distance of 21.27 feet; thence South 25°12'54" West, a distance of 60.09 feet; thence South 45°42'57" West, a distance of 192.96 feet; thence South 66°21'52" West, a distance of 121.40 feet; thence South 54°14'49" West, a distance of 66.27 feet; thence South 32°58'50" West, a distance of 205.85 feet to a point in the center of the branch, thence leaving the branch South 69°57'44" East, a distance of 737.66 feet and passing through an iron pin reference set on line at 54.02 feet to an iron pin found (Staton) in the head of a small steep drain, being a corner to Ivan Lee, and being a corner to tract #3 in the division of the Lee Estate lands herein, thence leaving the branch severing the lands of the grantor with said tract #3 boundary line, South 12°00'30" East, a distance of 1475.61 feet to an iron pin set at the northern right-of-way of Huntersville Road, being a corner to said tract #3, said right-of-way being 30 feet from center, see deed book 48 page 548, thence South 56°20'49" West, a distance of 254.66 feet; thence South 57°42'30" West, a distance of 112.44 feet; thence South 62°50'22" West, a distance of 123.91 feet to a p.k. nail set at said right-of-way and being in the center of a farm road, and being a corner to tract #1 of the division of the Lee Estate lands, thence leaving the right-of-way with the center of the farm road North 44°13'35" West, a distance of 30.92 feet; thence North 55°04'28" West, a distance of 109.33 feet; thence North 50°17'03" West, a distance of 140.10 feet; thence North 55°27'20" West, a distance of 271.55 feet; thence North 33°07'28" West, a distance of 51.94 feet; thence North 20°01'57" West, a distance of 226.07 feet; thence North 29°40'53" West, a distance of 25.86 feet; thence North 40°21'40" West, a distance of 50.02 feet to an iron pin set in the center of said farm road, thence North 31°36'39" East, a distance of 15.00 feet to an iron pin set, thence North 52°55'17" West, a distance of 682.71 feet to a point in the branch, being located North 52°55'17" West, a distance of 9.23 feet from an iron pin witness set at the base of a fence post on the east bank of the branch, said point being a corner to tract #1 in the division of the Lee Estate lands herein, and being in the boundary line of the aforesaid Jeff Bertram, thence with the line of Bertram North 06°05'06" East, a distance of 311.28 feet **to the beginning and containing 49.37 acres by survey. This conveyance being subject to any rights and interests of an existing Cemetery.** Actual field survey performed under the direction of J.A. Staton, P.L.S. #2603 on 03/18/25. The basis for the bearing being from a magnetic observation taken in the field. This survey being subject to any easement, right-of-ways, or other conveyances which may affect the same. All iron pins called for as being set are ½ inch in diameter and a minimum of 18 inches in length and have a plastic identification cap on them with "JA Staton KY PLS 2603/TN RLS 1545" engraved on the top.

Being a part of the same real estate conveyed to Lester R. Lee and wife, Dorothy M. Lee by Deed of Conveyance from Bennie A. Holsapple and wife, Ruth Holsapple, said deed being dated the 29<sup>th</sup> day of January, 1971 and being of record in the Office of the Clerk of the Clinton County, Kentucky Court in Deed Book 52, Page 562; Dorothy M. Lee acquired the interest of Lester R. Lee in said property pursuant to the survivorship clause contained in the afore referenced Deed of Conveyance; further being all of the real estate described in Deed Book 65, Page 471, said deed being dated the 7<sup>th</sup> day of March, 1979 from Jim Holsapple, single to Lester

R. Lee and wife, Dorothy M. Lee; Dorothy M. Lee acquired the interest of Lester R. Lee pursuant to his Last Will and Testament, of record in the Office of the Clerk aforesaid in Will Book 8, Page 48; Debra Staton was named as Executrix of the Last Will and Testament of Dorothy M. Lee with full power of sale with said Last Will and Testament being of record in the Office of the Clerk aforesaid in Will Book 13, Page 397.

### **TRACT #3**

Being a certain tract or parcel of land lying and being in the Huntersville community of Clinton County, Albany, Kentucky and being more particularly described as follows:

**Beginning** on an iron pin set at the northern right-of-way of Huntersville Road aka Kentucky Highway 3066, said right-of-way being 30 feet left and right of center, deed book 48 page 548, being a corner to E.R. Lee et al., deed book 125 page 441, thence with the right-of-way of said road North 88°32'48" West, a distance of 89.67 feet to a point at the beginning of a curve concave to the south having a radius of 365.00 feet and a central angle of 31°13'13" and being subtended by a chord which bears South 78°38'15" West 196.44 feet; thence westerly and southwesterly along said curve, for an arc distance of 198.89 feet to an iron pin set at the point of tangent of said curve, being a corner to tract #2 in the division of the Lee Estate lands herein, thence leaving the right-of-way severing the lands of the grantor with the eastern boundary line of said tract #2 North 12°00'30" West, a distance of 1475.61 feet to an iron pin found (Staton) in the head of a small steep drain, being a corner to tract #2 and common corner to Ivan Lee, deed book 105 page 678, thence with the line of Lee North 49°47'17" East, a distance of 379.35 feet to an iron pin found (Staton), thence North 73°37'16" East, a distance of 464.48 feet to a stone found, being a corner to Lee and also being a corner to Tina Hamby, deed book 125 page 441, thence with the line of Hamby South 04°39'54" West, a distance of 1054.23 feet to a stone found, thence South 68°57'35" East, a distance of 393.87 feet to an iron pin set in the line of Hamby, and also being a corner to Tract #4 of the division of the Lee Estate lands herein, thence severing the lands of the grantor with said tract #4 South 19°51'59" West, a distance of 471.69 feet to a stone found, being a corner to the aforesaid E.R. Lee et al., thence with the line of E.R. Lee et al. North 85°40'50" West, a distance of 254.90 feet to a stone found, thence South 04°38'39" West, a distance of 166.78 feet **to the beginning** and containing **23.75** acres by survey. Actual field survey performed under the direction of J.A. Staton, P.L.S. #2603 on 03/18/25. The basis for the bearing being from a magnetic observation taken in the field. This survey being subject to any easement, right-of-ways, or other conveyances which may affect the same. All iron pins called for as being set are ½ inch in diameter and a minimum of 18 inches in length and have a plastic identification cap on them with "JA Staton KY PLS 2603/TN RLS 1545" engraved on the top.

Being the same real estate conveyed to Ralph Lee, aka Lester Ralph Lee by Deed of Conveyance from M.H. Lee et ux., said deed being dated the 25<sup>th</sup> day of July, 1979 and being of record in the Office of the Clerk of the Clinton County, Kentucky Court in Deed Book 85, Page 733; Dorothy Lee acquired the interest of Lester R. Lee, deceased, in subject property pursuant to his Last Will and Testament, of record in the Office of the Clerk aforesaid in Will Book 8, Page 48; reference should further be made to a Deed of Conveyance from Dorothy Lee, widow, to Tina Ann Lee-Hamby et al., said deed being dated the 12<sup>th</sup> day of March, 2004 and being of record in the

Office of the Clerk aforesaid in Deed Book 125, Page 441; reference should further be made to a Deed of Conveyance from James Edgar Lee, single to Lester R. Lee and wife, Dorothy M. Lee, said deed being dated the 11<sup>th</sup> day of September, 1998 and being of record in the Office of the Clerk aforesaid in Deed Book 108, Page 440; Dorothy M. Lee acquired the interest of Lester R. Lee in subject property pursuant to the survivorship clause contained in the afore referenced Deed of Conveyance; Debra Staton was named as Executrix of the Last Will and Testament of Dorothy M. Lee with full power of sale with said Last Will and Testament being of record in the Office of the Clerk aforesaid in Will Book 13, Page 397.

**All legal descriptions and sources of title included in this Contract and Timber Deed have been provided to the preparer of this document and have not been confirmed by a title opinion by the preparer.**

Grantor and Grantee specifically and expressly agree to the following mutual covenants and/or conditions which shall be considered a vital part of the consideration transferred herein.

1. The Grantor hereby agrees to sell, and Grantee agrees to purchase, all of the merchantable timber and trees now standing and growing on the property of the Grantor, measured 12" (inches) or greater, at the stump, including all cedar.

2. The Grantee shall have eighteen (18) months from the date of closing to cut and remove the above mentioned timber.

3. The Grantee shall have full rights of ingress and egress, together with the right to construct and maintain logging yards and logging roads, and the Grantee shall have all other reasonable and necessary incidental rights on and over the above described property of the Grantor in order to economically cut and remove the timber on said property.

4. The Grantee shall remove all tops and boughs from the fields of the Grantor, pushing them into the woods for the use and benefit of the Grantor, and shall level all logging roads and logging yards which may be located in the Grantor's pasture fields back into the condition they were in at the beginning of the contract period, and shall sow seed in the fields.

5. The Grantor agrees that the Grantee may cut inside any existing fences and pull them

back to facilitate the timber cutting operations, and repair any damaged fencing when complete.

6. The Grantor covenants that she is lawfully seized and possessed of the aforesaid timber, that she has full power and lawful authority to convey the same and that said title thereto is free, clear and unencumbered, and that the Grantor will warrant and defend the same against all lawful claims.

7. The Grantee shall be solely responsible for any and all liability, claims and/or causes of action arising out of or as a result of any personal injury or property damage incurred or inflicted during the term and course of the timber-cutting operations which are the subject of this contract. Grantee shall further maintain sufficient insurance against personal injury and property loss, as may be required by pertinent statutes, rules and regulations. Grantee is required to provide proof of commercial liability insurance in the minimum amount of \$1,000,000.00 and Worker's Compensation insurance certificates for all employees.

8. Grantee shall cut timber according to Forestry Department recommendations and shall maintain an up-to-date Master Logger Certification, and shall further use due diligence and best efforts to ensure that only his employees, agents, assigns or subcontractors are present on the Grantor's property during the term and course of the timber-cutting operations referenced herein.

9. This **Contract and Timber Deed** shall inure to the benefit of and be binding upon the parties hereto, their heirs, successors, assigns, Executors, Administrators and all personal representatives thereof.

**IN TESTIMONY WHEREOF**, witness the signatures of the parties hereto as of the day and year first hereinabove written.

**GRANTOR:**

\_\_\_\_\_  
DEBRA STATON, Executrix of the Last Will and  
Testament of Dorothy M. Lee, deceased

**GRANTEE:**

**By:** \_\_\_\_\_

**STATE OF KENTUCKY  
COUNTY OF CLINTON**

I, \_\_\_\_\_, a Notary Public in and for the State and County aforesaid,  
hereby certify that on this date personally appeared before me **DEBRA STATON, Executrix of  
the Last Will and Testament of Dorothy M. Lee, deceased**, who swore to, signed and  
acknowledged the foregoing Contract and Timber Deed to be her free act and deed in due form  
of law.

Given under my hand and notarial seal this the \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires:

Notary ID No. \_\_\_\_\_

**STATE OF KENTUCKY  
COUNTY OF CLINTON**

I, \_\_\_\_\_, a Notary Public in and for the State and County aforesaid,  
hereby certify that on this date personally appeared before me \_\_\_\_\_,  
who swore to, signed and acknowledged the foregoing Contract and Timber Deed to be their free  
act and deed in due form of law.

Given under my hand and notarial seal this the \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires:

\_\_\_\_\_  
Notary ID No. \_\_\_\_\_