

**SPENCER COUNTY FISCAL COURT
MONDAY, FEBRUARY 8, 2021, 9:00 AM
SPECIAL CALLED MEETING**

In response to the public health emergency caused by COVID-19 and the current state of emergency, Spencer County Fiscal Court is utilizing the provisions of the newly enacted Senate bill 150 and hereby gives this notice that this meeting will be conducted by live video teleconference.

A. Call to order

The meeting was called to order at 9:04 by Spencer County Judge Executive, John Riley

B. Roll call

Roll call by Spencer County Clerk- Lynn Hesselbrock- Esq. J. Moody and Esq. M. Moody were absent.

C. New business

1. Silo Farms release of prohibition against sale of lots.

Mr. Francisco Somoza, a partner with SFNP Dev. Ltd. Co. came before the Court to ask them to release the prohibition against selling lots in Silo Farms, Phase 2. There was an agreement accompanying his request. Discussion ensued.

- Motion made by Esq. Brewer, seconded by Esq. Travis, with all members of the Court present voting "aye" by roll call vote, except Esq. J. Moody and Esq. M. Moody, who were absent, it is hereby ordered to release the prohibition against selling lots in Silo Farms, Phase 2.

THE SILO FARM SUBDIVISION
RELEASE OF PROHIBITION AGAINST SALE OF LOTS

THIS RELEASE OF PROHIBITION against Sale of Lots in THE SILO FARM SUBDIVISION, PHASE 2 is entered into this 8th day of February 2021, by and between the (i) Spencer County Fiscal Court, (ii) WCM-LAND, LLC, Series 16, a Series Limited Liability Company organized and existing under the Delaware Limited Liability Company Laws and operating under a Kentucky Certificate of Foreign Authority, the owner of The Silo Farm Phase 2; and (iii) SFNP Dev. Co. Ltd., a Kentucky limited liability company, the prospective purchaser of the remaining lots in The Silo Farm Phase 2 development; and

WHEREAS, the Spencer County Fiscal Court and WCM-LAND, LLC, Series 16, executed an agreement of PROHIBITION AGAINST SALE OF LOTS in PHASES 2 of THE SILO FARM SUBDIVISION dated May 3, 2017 and of record in Deed Book 281, Page 271, in the Office of the Spencer County Court Clerk's Office; and

WHEREAS, the Spencer County Fiscal Court executed a partial release of record in Deed book 294, Page 254, in the Office Spencer County Court Clerk's Office; and

WHEREAS, WCM-LAND, LLC, Series 16's prospective successor in title, SFNP Dev. Ltd. Co., has satisfied the condition contained in the prohibition against the sale of lots agreement, in that a road bond has been properly posted on the remaining roads in Silo Farms Phase 2; and

WHEREAS, the Spencer Fiscal Court desires assurance that SFNP Dev. Ltd. Co., upon acquisition of the subject lots from WCM-LAND, LLC, will install, resize, replace or alter any culverts contained in its acquired portion of Silo Farms Phase 2, in conformity with the recommendations of a pending hydrology study conducted by Prism Engineering (the "Hydrologic Study") for purposes of providing proper hydrological flow in the acquired portion of Silo Farms Phase 2, as approved by the Spencer County Road Foreman and the Spencer County Engineer (the

“Silo Farms Phase 2 Culvert Project”);

NOW THEREFORE, FOR A GOOD AND VALUABLE CONSIDERATION, the parties agree as follows: SFNP Dev. Ltd. Co., following its acquisition of the subject lots in Silo Farms Phase 2, will complete Silo Farms Phase 2 in conformity with the recommendations of a pending hydrology study conducted by Prism Engineering (the “Hydrologic Study”) for purposes of providing proper hydrological flow in the acquired portion of Silo Farms Phase 2, as approved by the Spencer County Road Foreman and the Spencer County Engineer.

SPENCER FISCAL COURT hereby fully releases Lots its PROHIBITION AGAINST SALE OF LOTS in PHASE 2, of THE SILO FARM SUBDIVISION dated May 3, 2017 and of record in Deed Book 281, Page 271, in the Office of the Spencer County Court Clerk’s Office.

WITNESS the hands of the parties hereto by and through their authorized members and representative, this the ____ day of ____, 2021.

WCM_LAND, LLC, Series 16

BY: _____
CHRIS McGEHEE
MANAGING MEMBER

SPENCER COUNTY FISCAL COURT

BY: _____
JOHN RILEY, JUDGE EXECUTIVE

ATTEST: _____
LYNN HESSELBROCK, CLERK

SFNP Dev. Ltd. Co.

BY: _____
FRANCISCO SOMOZA
MEMBER

STATE OF KENTUCKY
COUNTY OF SPENCER

Subscribed and sworn to before me this 8th day of February 2021, by CHRIS McGEHEE,
MANAGING MEMBER of WCM_LAND, LLC, Series 16.

My commission expires: _____.

NOTARY PUBLIC STATE AT LARGE

STATE OF KENTUCKY
COUNTY OF SPENCER

Subscribed and sworn to before me this 8th day of February 2021, by JOHN RILEY,
JUDGE-EXECUTIVE, SPENCER COUNTY FISCAL COURT.

My commission expires: _____.

NOTARY PUBLIC STATE AT LARGE

STATE OF KENTUCKY
COUNTY OF SPENCER

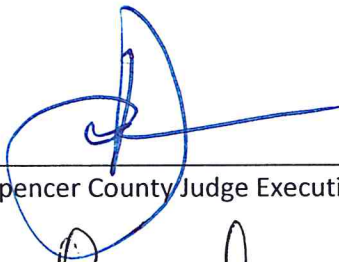
Subscribed and sworn to before me this 8th day of February 2021, by FRANCISCO SOMOZA,
MEMBER of SFNP Dev. Ltd. Co.

My commission expires: _____.

NOTARY PUBLIC STATE AT LARGE

This instrument was prepared by:

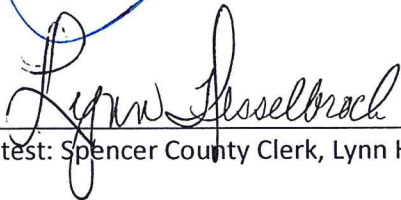
William F. Rigsby
Irvin Rigsby PLC
228 E. High Street
Lexington, KY 40507
(859) 233-4633



Spencer County Judge Executive, John Riley

3-25-21

Date



Attest: Spencer County Clerk, Lynn Hesselbrock

3/26/2021

Date