



THIS DEED OF CONVEYANCE, made and entered into this the 4<sup>th</sup> day of December 2006, by and between ALBERT ARNOLD and WANDA ARNOLD, husband and wife, 2180 Highway 467, Carrollton, KY 41008, Grantors and MARY M. HANLON, unmarried, 12047 Hwy. 421 N, Milton, KY 40045, as trustee for the purposes hereinafter set out with full power to execute this deed of conveyance, Grantee,

WITNESSETH:

WHEREAS, the Grantor, ALBERT ARNOLD, presently owns the real property hereinafter described and WANDA ARNOLD is his wife, and there is no provision as to survivorship property rights between the parties; and;

WHEREAS, the Grantors desire to hold said real property, share and share alike, for and during their joint lives and, upon the death of either husband or wife, then for the remainder to the survivor thereof in fee simple;

NOW THEREFORE, in order to carry out such desire of the Grantors in consideration of their mutual desire that such be done, hereby bargain, sell, and convey unto the Grantee, as Trustee, for and during their joint lives, with the remainder thereof in fee simple, their successors and heirs, and with covenant of General Warranty the following described real property located in Carroll County, Kentucky, more particularly described as follows, to-wit:

BEGINNING in the center of the L. & N. Railroad, and on a line with the line of Claude Mefford; thence with said railroad N 69 E 31-65/100 chains to a corner of Mattie Garvey's allotment in the lands of George Hayes; thence S 7-30 E 41-2/10 chains to Eagle Creek; thence down said creek on the right side thereof S 70 ½ W 7-5/10 chains, S 79 ¾ W 4 084/100 chains N 79 W 4-51/100 chains to a stake, a hickory tree 18 inches in diameter is N 7-37W 1-95/100 chains; then N 7-7 W 37/100 chains to the beginning., containing 120 acres including 2.4 acres of railroad right-of-way.

Being the same property conveyed from Allie Arnold, widow, to Albert Arnold by deed dated the 11<sup>th</sup> day of March 1968 of record in Deed Book 67, Page 303 in the Office of the Clerk or the Carroll County Clerk.

In consideration of the premises and to conform to the intention of the parties, the Grantee does hereby convey unto the Grantors for and during their joint lives, with the remainder thereof in fee simple to the survivor thereof, their heirs and assigns forever, and with covenant of General Warranty the above-described property which the Grantee acquired by this deed.

The undersigned hereby swears and affirms, under penalty of perjury, that this property is being given as a gift and the estimated fair cash value of the property is \$203,000.00.

This instrument is exempt from Kentucky real estate transfer tax by KRS 142-050(7) (e), transfer of title between husband and wife.

IN TESTIMONY WHEREOF, witness the signature of the parties this the 4<sup>th</sup> day of ~~October~~ December 2006.

Albert Arnold  
ALBERT ARNOLD

Wanda J. Arnold  
WANDA ARNOLD, his wife

Mary M. Hanlon  
MARY M. HANLON

STATE OF KENTUCKY )  
                                  )  
COUNTY OF CARROLL )

I, the undersigned Notary Public, in and for the State of Kentucky at Large, hereby certifies that the foregoing Deed of Conveyance was produced before me by ALBERT ARNOLD, Grantor and duly acknowledged by him to be his free act and deed for the purposes therein set forth, and the Consideration Certificate was acknowledged and sworn to before me by Mary M. Hanlon, Grantee and ALBERT ARNOLD and WANDA ARNOLD, Grantors.

This the 4<sup>th</sup> day of ~~October~~ December 2006.

James C. Monk  
JAMES C. MONK  
NOTARY PUBLIC, STATE OF KY AT LARGE  
MY COMMISSION EXPIRES: 12-29-2009

PREPARED BY:

James C. Monk  
JAMES C. MONK  
Shepherd & Monk  
P.O. Box 246  
Carrollton, KY 41008

**NO TITLE SEARCH PERFORMED ON THIS PROPERTY  
DESCRIPTION FURNISHED BY SELLER**

STATE OF KENTUCKY, County of Carroll, SCT.  
I, Marketta Brock, Clerk of Carroll County, hereby  
certify that the foregoing  deed  was this  
day lodged in my office for record, and is, with this  
and the foregoing  certificate  duly recorded in my  
said office.

Witness my hand this  4  day of  Dec   06   
at  10:25 AM  M. Clerk Fee  7.00  State Fee  9.00   
Transfer Tax  —  Total Amount Collected  16.00   
Receipt Number  42820

Marketta Brock, Carroll County Clerk  
By:  Danielle Kinman  D.C.

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Subject: Re: Guardianship of Wanda Arnold (Clark County, IN)

From: Jim Monk <jmonk03@yahoo.com>

Date: Fri, Feb 12, 2016 1:47 pm

To: "matt@matthewjacobsestatelaw.com" <matt@matthewjacobsestatelaw.com>

Matt,

The purpose of the deed you attached was to create a joint ownership with right of survivorship for the husband and wife. The second party is referred to as a trustee for that purpose (deed known as a "Straw Deed"). In reviewing the deed I see that a phrase was left out which refers to the re-conveyance by the trustee. If Albert Arnold predeceased Wanda Arnold and they have not sold the property, then Wanda would be the owner of the property in question. If the language of the Straw Deed becomes a problem, let me know and I will be willing to assist in obtaining an affidavit correcting any problems.

Please let me know if I can be of further assistance.

Jim

On Friday, February 12, 2016 11:28 AM, "matt@matthewjacobsestatelaw.com" <matt@matthewjacobsestatelaw.com> wrote:

Hello Mr. Monk:

I am the court-appointed guardian of the property of Wanda Arnold, who resides in Clark County, IN. My Order and Letters are attached hereto.

I have been tasked with locating the assets of Ms. Arnold, and a question has arisen about a piece of real property in KY. Back in December of 2006, you prepared a deed for Albert and Wanda Arnold, a copy of which is attached hereto for your reference. Unfortunately, I am not licensed in KY, and, as such, the wording on the deed is not clear to me on its face.

The deed speaks of Arnold and Wanda Arnold as Grantors; with a Mary M. Hanlon as trustee and Grantee. There is no indication of the identity of the trust. Albert Arnold originally received the property from his mother, Allie Arnold, prior to his marriage. Is this particular deed and language simply the form that KY uses for adding a spouse to a deed? Alternatively, was there a particular trust to which the Arnolds transferred the property by this deed?

Any guidance you can provide to me is greatly, greatly appreciated.

Thanks,  
Matt Jacobs

Matthew S. Jacobs  
Attorney at Law  
430 Watt Street  
Jeffersonville, IN 47130  
(812) 285-1200