

**RELEASE OF AGREEMENT AND 15' STORM EASEMENT**

**THIS RELEASE OF EASEMENT** (hereinafter "Release"), made and entered into this the 1<sup>st</sup> day of July, 2014, by and between **SOUTHLAND CHRISTIAN CHURCH OF LEXINGTON, KENTUCKY, INC.**, a Kentucky Non-Profit Corporation (hereinafter "First Party"), and **LMP, LLC**, a Kentucky limited liability company (hereinafter "Second Party"), both with the address of 5001 Harrodsburg Road, Nicholasville, Kentucky 40356, and **LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507, an Urban County Government pursuant to KRS 67A (hereinafter "Third Party");

**WITNESSETH:**

**WHEREAS**, by Deed dated September 27, 2010, of record in Deed Book 2970, Page 462, in the Fayette County Clerk's Office, First Party acquired title to Lot 1 as shown by the Amended Final Record Plat of the Lexington Mall Property (Southland Christian Church), of record in Plat Cabinet R, Slide 99, in the Fayette County Clerk's Office;

**WHEREAS**, by Deed dated October 3, 2013, of record in Deed Book 3189, Page 410, in the Fayette County Clerk's Office, Second Party acquired title to Lot 8 as shown by the Amended Final Record Plat of the Lexington Mall Property (Southland Christian Church), of record in Plat Cabinet R, Slide 99, in the Fayette County Clerk's Office;

**WHEREAS**, there currently exists a 15-foot Storm Easement as set out in Deed Book 975, Page 444, in the Fayette County Clerk's Office, which 15-foot Storm Easement is shown on Lot 8 on the Amended Final Record Plat of the Lexington Mall Property (Southland Christian Church), of record in Plat Cabinet R, Slide 99, in the Fayette County Clerk's Office; and

**WHEREAS**, said 15-foot Storm Easement leaves Lot 8, property now owned by Second Party, and crosses property owned by First Party, namely Lot 1, as shown on the Amended Final Record Plat of the Lexington Mall Property (Southland Christian Church), of record in Plat Cabinet R, Slide 99, in the Fayette County Clerk's Office; and

**WHEREAS**, it is the desire of First Party, Second Party, and Third Party to extinguish any and all rights they may have in and to the 15-foot Storm Easement; and

**WHEREAS**, the 15-foot Storm Easement as hereinabove referenced ("Released Portion") is no longer required nor necessary for any purpose or use by First Party, Second Party, and Third Party ("Parties"), the Parties desire to release and relinquish their interests in and to said Released Portion, namely the 15-foot Storm Easement, as more particularly shown as the hatched portions of the 15-foot Storm Easement "to be released" area on the attached Storm Sewer Easement Release Exhibit for **SOUTHLAND CHRISTIAN CHURCH OF LEXINGTON, KENTUCKY, INC.**, which is marked as Exhibit "A" and incorporated herein by reference.

**NOW, THEREFORE**, for valuable consideration, receipt of which is hereby acknowledged, First, Second and Third Parties, their successors and assigns, do hereby release and relinquish all of their right, title and interest, if any, in and to such Released Portion of the 15-foot Storm Easement as described above and shown on Exhibit "A" attached hereto.

It is the intention of the Parties to forever extinguish their easement interest in the Released Portion area as described above. It is understood that the Third Parties have entered into this Release, to release any interest that it may have in and to the mentioned Easement.

**HOLD FOR:**

Mr. Patrick McFadden  
Lexington-Fayette Urban Co. Gov.  
Division of Water Quality

IN WITNESS WHEREOF, the First Party has hereby caused its corporate name to be affixed by its duly authorized officer, the Second Party has hereby caused its name to be affixed by its duly authorized member, and the Third Party has caused its corporate name to be affixed by its duly authorized officer, on this the day and year first above written.

**SOUTHLAND CHRISTIAN CHURCH OF  
LEXINGTON, KENTUCKY, INC.,  
A KENTUCKY CORPORATION**

BY: *Evan Mossbarger*  
EVAN MOSSBARGER  
ITS: PRESIDENT

STATE OF *Kentucky* )  
COUNTY OF *Fayette* )

The foregoing Release of Easement was acknowledged, subscribed, and sworn to before me by Evan Mossbarger, as President, of **SOUTHLAND CHRISTIAN CHURCH OF LEXINGTON, KENTUCKY, INC.**, a Kentucky non-profit corporation, for and on its behalf, on this the *16<sup>th</sup>* day of *June*, 2014.

*Guy G. Capson*  
Notary Public, State at Large, Kentucky  
My Commission Expires: *2-23-2015*  
Notary ID #: *434986*

**LMP, LLC  
A KENTUCKY LIMITED LIABILITY COMPANY**

BY: **SOUTHLAND CHRISTIAN CHURCH OF  
LEXINGTON, KENTUCKY, INC.,  
A KENTUCKY CORPORATION**

ITS: SOLE MEMBER

BY: *Evan Mossbarger*  
EVAN MOSSBARGER  
ITS: PRESIDENT

STATE OF Kentucky )  
COUNTY OF Fayette )

The foregoing Release of Easement was acknowledged, subscribed, and sworn to before me by Evan Mossbarger as President of **SOUTHLAND CHRISTIAN CHURCH OF LEXINGTON, KENTUCKY, INC.**, sole member of LMP, LLC, a Kentucky limited liability company, for and on its behalf, on this the 16<sup>th</sup> day of June, 2014.

Guy R. Colson  
Notary Public, State at Large, Kentucky  
My Commission Expires: 2.23.2015  
Notary ID #: 434986

**LEXINGTON-FAYETTE URBAN COUNTY  
GOVERNMENT**

Jim Gray  
JIM GRAY, MAYOR

STATE OF Kentucky )  
COUNTY OF Fayette )

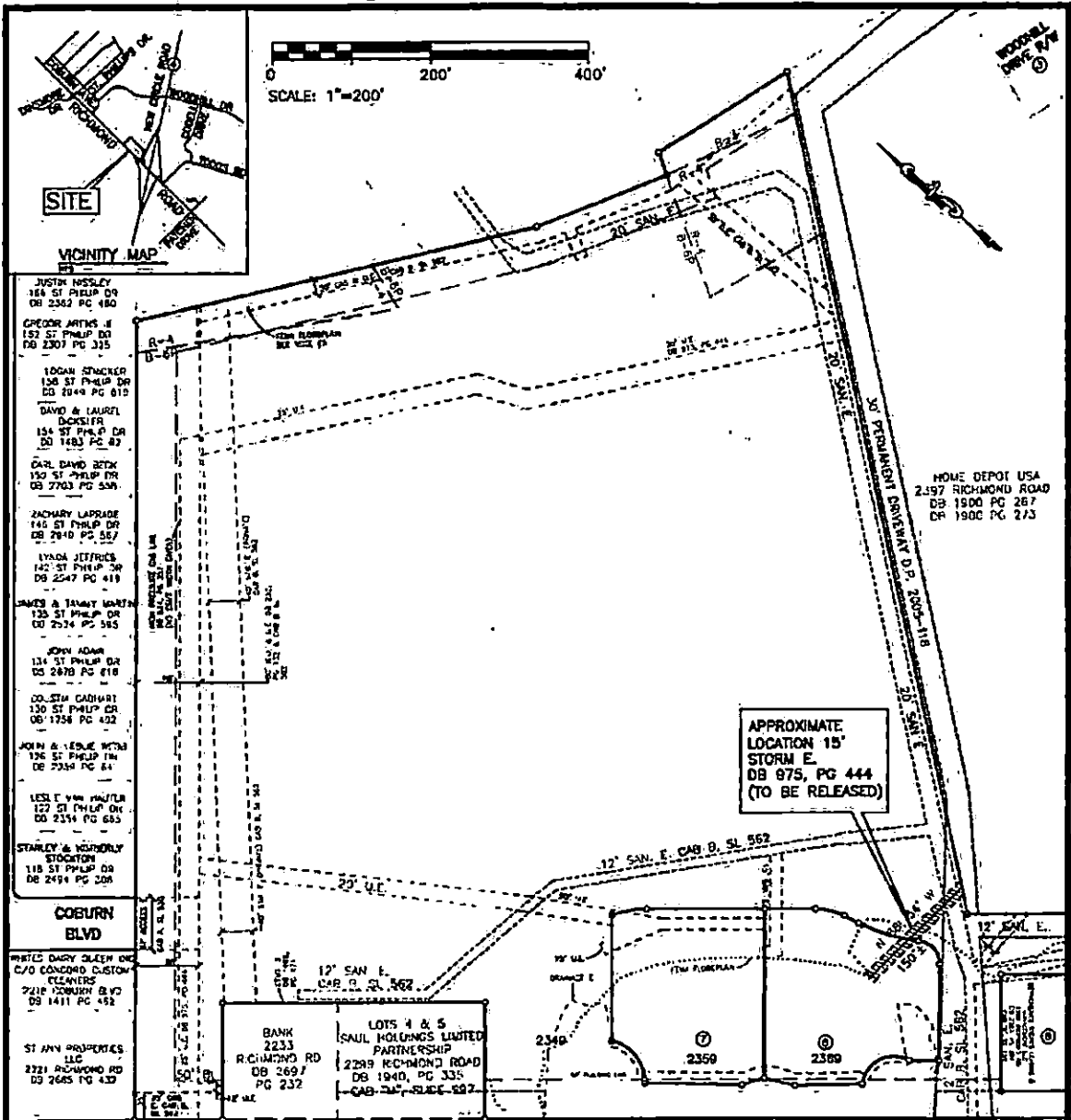
The foregoing Release of Easement was acknowledged, subscribed, and sworn to before me by Jim Gray as Mayor of **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, An urban county government pursuant to KRS 67A. on behalf of said government, on this the 8<sup>th</sup> day of July, 2014.

Wanda M. Allen  
Notary Public, State at Large, Kentucky  
My Commission Expires: 11/9/16  
Notary ID #: 457846

This Instrument Prepared By:

Guy R. Colson  
Guy R. Colson, Esq.  
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This easement release exhibit is for Southland Christian Church of Lexington Kentucky Inc, and was prepared by Michael A. Woolum, PLS 2937.

The purpose of this exhibit is to show the location and approximate dimensions of a storm sewer easement release.

The storm sewer easement shown hereon is based on field locations of the easement limits by method of random traverse. These locations are based on the ALTA/ACSM Land Title survey of the Saul Holdings Limited Partnership property of record in Deed Book 1940, Page 335 by Strand Associates, Inc., using the method of random traverse in July 2010 with an unadjusted closure of 1:171,728.

RICHMOND ROAD  
(US HIGHWAY 25)

**LEGEND**  
 EASEMENT TO BE RELEASED

STRAND ASSOCIATES, INC.  
 1525 BULL LEA ROAD, SUITE 100  
 LEXINGTON, KY 40511  
 859-225-8500

**STORM SEWER EASEMENT RELEASE EXHIBIT  
 FOR SOUTHLAND CHRISTIAN CHURCH  
 OF LEXINGTON KENTUCKY INC  
 2349 RICHMOND ROAD  
 LEXINGTON, FAYETTE COUNTY, KENTUCKY**

NOTE: THIS IS NOT A BOUNDARY SURVEY AND IS NOT INTENDED FOR LAND TRANSFER



FIGURE NO

3605008

EXHIBIT "A"

**DEED BOOK 3248 PAGE 336**

**I, Donald W Blevins Jr, County Court Clerk  
of Fayette County, Kentucky, hereby  
certify that the foregoing instrument  
has been duly recorded in my office.**



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**By: DOUG BRADLEY ,dc**

**201407080213**

**July 8, 2014**

**13:48:48 PM**

<b>Fees</b>	<b>\$16.00</b>	<b>Tax</b>	<b>\$ .00</b>
	<b>Total Paid</b>		<b>\$16.00</b>

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**5 Pages**

**332 - 336**