

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, entered into this 1st day of December, 2016, by and between LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, 200 East Main Street, Lexington, Kentucky 40507 ("the Government"), and REALTY UNLIMITED BLUEGRASS, LLC, a Kentucky limited liability company, a/k/a Realty Unlimited Blue Grass, LLC, PO Box 910470, Lexington, Kentucky 40591 ("the Owner"),

WITNESSETH

WHEREAS, through that certain Deed of record in Deed Book 1526, Page 300, Fayette County Clerk's Office, the Government acquired a Force Main Easement over a portion of that property known and designated as 940 Higbee Mill Road, Lexington, Kentucky (the "Property");

WHEREAS, the Owner acquired title to the Property through Deeds of record in Deed Book 3369, Page 360, and Deed Book 3400, Page 530, Fayette County Clerk's Office;

WHEREAS, the Government no longer requires a portion of such Force Main Easement, and desires to release and extinguish its interest in such portion to the Owner;

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Government does hereby RELEASE, RELINQUISH and QUITCLAIM unto the Owner, its successors and assigns forever, all of the Government's right, title and interest in and to that portion of a Force Main Easement described and shown on Exhibits A and B attached hereto.

TO HAVE and TO HOLD such portion of easement unto the Owner, its successors and assigns forever.

It is understood that in making this Release, all other easements or portions thereof shown on the attached Exhibit B are unaffected by this Release.

IN WITNESS WHEREOF, the Government and the Owner have caused their names to be subscribed hereto by their respective duly authorized officers, on the day and year first written above.

LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

By: 

Its: Jim Gray, Mayor

REALTY UNLIMITED BLUEGRASS,
LLC, a Kentucky limited liability company,
a/k/a Realty Unlimited Blue Grass, LLC


By: 

Matt E. Miniard, Manager

Hold for Debbie Barnett

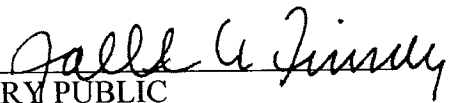
COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me this 1st day of December 2016, by Jim Gray, as Mayor of Lexington-Fayette Urban County Government, an urban county government pursuant to Kentucky Revised Statutes Chapter 67A, on behalf of that government.



NOTARY PUBLIC
No: 547793
My commission expires: 28-Dec-2019

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me this 22 day of September 2016, by Matt E. Miniard, as Manager of Realty Unlimited Bluegrass, LLC, a Kentucky limited liability company, a/k/a Realty Unlimited Blue Grass, LLC, on behalf thereof.


NOTARY PUBLIC
No: 551401
My commission expires: 28 Feb 2020

This instrument prepared by:


Charles J. Lisle, Esq.
CHARLES J. LISLE, PSC
PO Box 2184
Lexington, KY 40588

Joell G. Finney
Notary Public-State at Large
Kentucky - Notary ID # 551401
My Commission Expires February 28, 2020

**LFUCG Force Main Easement
to be released
across the property of**

**Realty Unlimited Blue Grass, LLC
(Deed Book 3369, Page 360; Deed Book 3400, Page 530)
[Lot 11 (Parcels 1&2) - Plat Cabinet J, Slide 884]**

**Being located at
940 Higbee Mill Road
Lexington, Fayette County, Kentucky**

Being a parcel of land located in Lexington, Fayette County, Kentucky and being on the south side of Higbee Mill Road and on the north side of Man O War Boulevard, and approximately 131 feet southeast of the intersections of said Higbee Mill Road and Trepassey Court, and being more particularly described as follows:

Commencing at a point on the northerly right-of-way line of said Man O War Boulevard, said point being the southeast property corner of Lot 11 (Parcel 1 + Parcel 2), as shown on the Final Record Plat of Higbee Mill Court of record in Plat Cabinet J, Slide 884 in the Fayette County Clerk's office; thence from the commencement point and with the north right-of-way line of Man O War Boulevard and with a curve turning to the left with an arc length of 40.00 feet, with a radius of 3879.72 feet, with a chord bearing of N 66°59'38" W, with a chord length of 40.00 feet to a point; thence leaving the north right-of-way line of said Man O War Boulevard and with a line through the aforementioned Realty Unlimited Blue Grass, LLC (Deed Book 3369, Page 360 and Deed Book 3400, Page 530).

N 23°09'15" E a distance of 30.00 feet to a point, said point being the true Point of Beginning

Thence from the BEGINNING and with a curve turning to the left with an arc length of 20.00 feet, with a radius of 3909.72 feet, with a chord bearing of North 67°25'57" W, with a chord length of 20.00 feet to a point; thence

North 23°09'15" East a distance of 84.15 feet to a point; thence

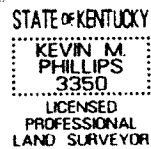
South 50°51'08" East a distance of 12.69 feet to a point; thence


South 00°10'14" East a distance of 19.70 feet to a point; thence

South 23°09'15" West a distance of 62.36 feet to a point; which is the Point of Beginning, having an area of 1561.7 square feet or 0.0359 acre.

The above described property being a portion of the 20' Force Main Easement shown on the Final Record Plat of Higbee Mill Court of record in Plat Cabinet J, Slide 884 in the Fayette County Clerk's office and as granted in Deed Book 1526, Page 300 of record in the office of the same.

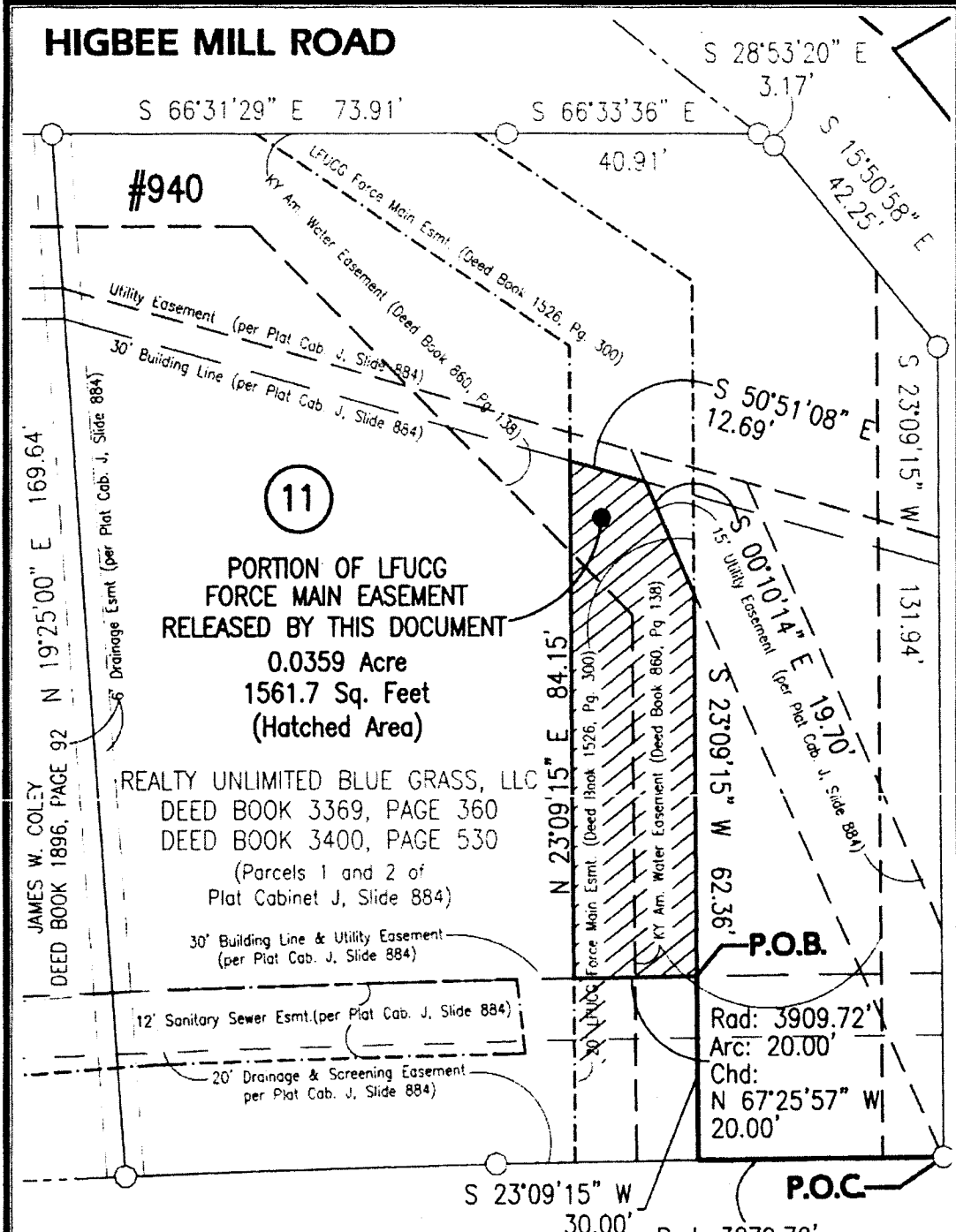
The bearings in the descriptions above are based on the said Final Record Plat of Higbee Mill Court, prepared by Tim Thompson (PLS 1304) dated January 9, 1996 and of record in Plat Cabinet J, Slide 884 in the Office of the Fayette County Clerk.




Kevin M. Phillips, PLS 3350
Endris Engineering, PSC
771 Enterprise Drive
Lexington, KY 40510
Phone: 859-253-1425
Email: kevin@endris.com

07-18-2016
Date

HIGBEE MILL ROAD



11
**PORTION OF LFUGG
 FORCE MAIN EASEMENT
 RELEASED BY THIS DOCUMENT**
 0.0359 Acre
 1561.7 Sq. Feet
 (Hatched Area)

REALTY UNLIMITED BLUE GRASS, LLC
 DEED BOOK 3369, PAGE 360
 DEED BOOK 3400, PAGE 530
 (Parcels 1 and 2 of
 Plat Cabinet J, Slide 884)

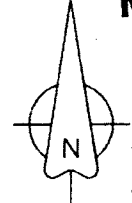
30' Building Line & Utility Easement
 (per Plat Cab. J, Slide 884)

12' Sanitary Sewer Esmt.(per Plat Cab. J, Slide 884)

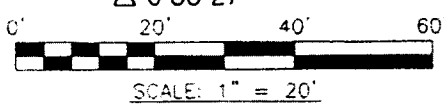
20' Drainage & Screening Easement
 per Plat Cab. J, Slide 884)

P.O.B.
 Rad: 3909.72'
 Arc: 20.00'
 Chd:
 N 67°25'57" W
 20.00'

P.O.C.
 Rad: 3879.72'
 Arc: 40.00'
 Chd Brg: N 66°59'38" W
 Chd Len: 40.00'
 Δ 0°35'27"



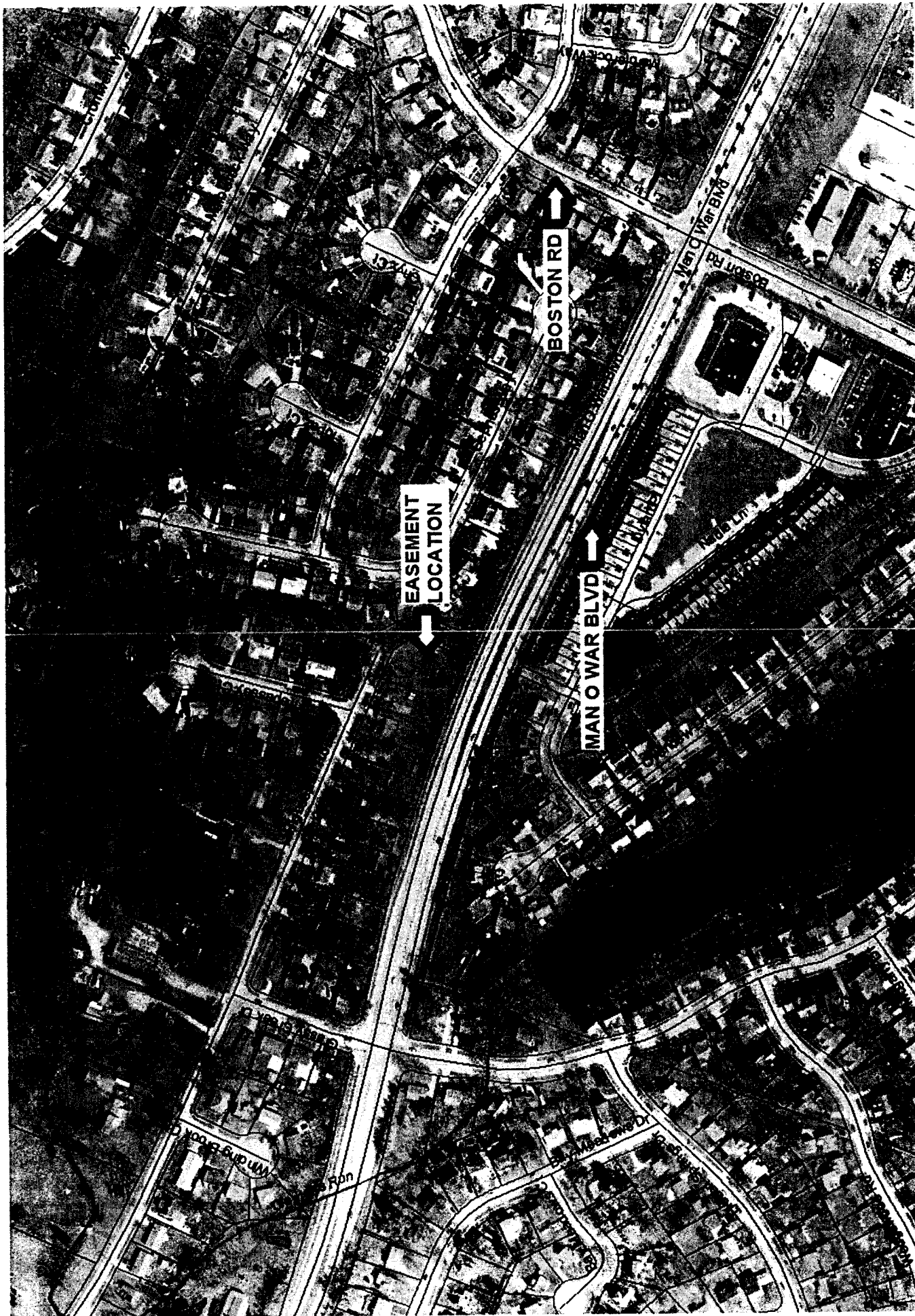
THIS EXHIBIT DOES NOT REPRESENT
 A BOUNDARY SURVEY AND IS NOT
 INTENDED FOR LAND TRANSFER



2:3858 840 Higbee Mill Easement-3668 Higbee Mill Easement Release Exhibit (eng. 7/18/2018 8:10:57 PM, 1:1, Engris Engineering, KDGP

EE **ENDRIS**
engineering
 771 ENTERPRISE DRIVE
 LEXINGTON, KENTUCKY 40510

EASEMENT RELEASE
EXHIBIT - LFUGG EASEMENT
 DRAWN BY: KMP PLS 3360
 FILE: 3668 Easement Release
 JOB NUMBER: 3668



MAYOR JIM GRAY



LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

TO: Mayor Jim Gray
Urban County Council

FROM: Charles Martin, P.E., Director *Chm*
Division of Water Quality

DATE: October 20, 2016

SUBJECT: RELEASE OF EASEMENT AT 940 HIGBEE MILL ROAD

Request

The purpose of this memorandum is to request a resolution authorizing the Mayor on behalf of the Lexington-Fayette Urban County Government to execute a partial release of easement, releasing easements at 940 Higbee Mill Road.

Purpose of Request

The easement is no longer needed because the force main is permanently out of service within this easement.

Project Cost in FY16

There is no projected cost.

Project Cost Impact for Future Budget Years

There is no projected cost.

Are Funds Budgeted

No funds are budgeted.

Martin/Hoskins-Squier

DRB

cc: Debbie R. Barnett
Steve Farmer, PE

