

## PARTIAL RELEASE OF EASEMENT

<sup>57</sup> THIS PARTIAL RELEASE OF EASEMENT, is made and entered into on this the 1 day of APRIL, 2013, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government pursuant to KRS 67A, with an address of 200 East Main Street, Lexington, Kentucky 40507 (hereinafter "Government" or "First Party"), and **BALL HOMES, LLC**, a Kentucky limited liability company, with an address of 3609 Walden Drive, Lexington, Kentucky 40517 (hereinafter "Owner" or "Second Party");

### WITNESSETH:

**WHEREAS**, through that Final record plat of Lochmere Estates (Maple Ridge), Unit 1-A, Section 1, of record, in Plat Cabinet N, Slide 188, in the Fayette County Clerk's office, the First Party acquired a drainage easement over and across a parcel of land on such final record plat; and

**WHEREAS**, Second Party has requested, and Government or First Party has agreed, that portions of such drainage easement shall be released and extinguished as set forth herein.

**NOW, THEREFORE**, for valuable consideration, receipt of which is hereby acknowledged, Government or First Party does hereby release, relinquish and quitclaim unto Owner or Second Party, its successors and assigns, all of its right, title and interest, if any, in and to the portions of the drainage easement described herein.

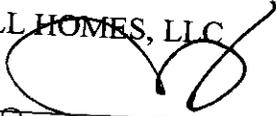
**NOW, THEREFORE**, for and in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, the Government or First Party hereby **RELEASES AND QUITCLAIMS** unto the owner or Second Party, its successors and assigns forever, from the terms of such drainage easement, all of its right, title and interest in and to the real property located in Fayette County, Kentucky, which is more particularly described in Exhibit "A" hereto.

It is the intention of the Government or First Party to forever extinguish its easement interests in the areas described above, and the Owner or Second Party, its successors and assigns forever, shall hereafter have and enjoy said property free and discharged from the interest of Government or First Party. It is understood that in making this Release, all other portions of such drainage easement as well as all other easements shown on the above referenced Plat remain unaffected and shall continue in full force and effect.

IN WITNESS WHEREOF, the First Party or Government and Owner or Second Party have hereby caused its corporate name to be affixed by its duly authorized officer, on this the day and year first written.

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

BY: \_\_\_\_\_  
ITS: \_\_\_\_\_

BALL HOMES, LLC  
BY:   
ITS: President

STATE OF KENTUCKY)  
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me by \_\_\_\_\_ as \_\_\_\_\_ of Lexington-Fayette Urban County Government, an urban county government pursuant to KRS 67A, on behalf of said government, on this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

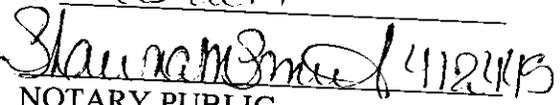
My commission expires: \_\_\_\_\_

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

STATE OF KENTUCKY)  
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of April, 2013, by D. Ray Ball, Jr. as President, for Ball Homes, LLC, a Kentucky limited liability company.

My commission expires: 1-25-2014

  
NOTARY PUBLIC

This instrument prepared by:

  
Jonathan R. Norris, Esq.  
3609 Walden Drive  
Lexington, Kentucky 40517  
(859)268-1191

*EA Partners, PLLC*

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS  
3111 WALL STREET  
LEXINGTON, KENTUCKY 40513  
PHONE (859) 296-9889  
FACSIMILE (859) 296-9887

January 29, 2013

Drainage Easement Release  
Lochmere Estates (Maple Ridge)  
Unit 1-A, Section 1  
Lexington, Kentucky

**Parcel One**

**COMMENCING** at the point of centerline intersection of Lochmere Place and Lochmere Place in the vicinity of 821 Lochmere Place of record in Plat Cabinet "N", Slide 188 in the Office of the County Clerk of Fayette County, Kentucky; thence N  $59^{\circ}58'21''$  W, a distance of 101.18 feet to the **TRUE POINT OF BEGINNING**; thence S  $50^{\circ}09'40''$  W, a distance of 47.00 feet to a point; thence N  $39^{\circ}50'20''$  W, a distance of 22.00 feet to a point; thence N  $50^{\circ}09'40''$  E, a distance 47.00 feet to a point; thence S  $39^{\circ}50'20''$  E, a distance of 22.00 feet to the **POINT OF BEGINNING** and containing 1.034 square feet.

**Parcel Two**

**COMMENCING** at the point of centerline intersection of Lochmere Place and Lochmere Place in the vicinity of 821 Lochmere Place of record in Plat Cabinet "N", Slide 188 in the Office of the County Clerk of Fayette County, Kentucky; thence N  $42^{\circ}08'48''$  W, a distance of 95.08 feet to the **TRUE POINT OF BEGINNING**; thence N  $39^{\circ}50'20''$  W, a distance of 22.00 feet to a point; thence N  $50^{\circ}09'40''$  E, a distance 47.00 feet to a point; thence S  $39^{\circ}50'20''$  E, a distance of 22.00 feet to a point; thence S  $50^{\circ}09'40''$  W, a distance of 47.00 feet to the **POINT OF BEGINNING** and containing 1.034 square feet.

LOCHMERE  
(ANDOVER HILL)  
UNIT 1, SECT. 3

PORTION OF DRAIN.  
ESMT. TO BE RELEASED.  
PARCEL ONE

DRAINAGE  
ESMT.  
(P.C. "N", SL 188)

Centerline of  
Walking Path

PORTION OF DRAIN.  
ESMT. TO BE RELEASED.  
PARCEL ONE

25

Point of  
Beginning

26

27

28

Storm Sewer

LOCHMERE PLACE

Point of Commencing

Future Lots (For  
Informational Purposes)

54

55

LOCHMERE PLACE



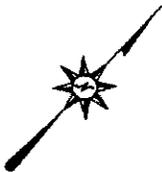
APPROXIMATE SCALE IN FEET

**EA Partners, PLC**

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P-840-BALL ENCLAVE DRG., ESMT. RELEASE DGN



DRAINAGE EASEMENT RELEASE  
**LOCHMERE ESTATES**  
(MAPLE RIDGE)

UNIT 1-A, SECTION 1  
LEXINGTON, FAYETTE COUNTY, KENTUCKY  
JANUARY 2013