

### **PARTIAL RELEASE OF EASEMENT**

THIS PARTIAL RELEASE OF EASEMENT, is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2023, by and between (i) the LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, an urban county government pursuant to Chapter 67A of the Kentucky Revised Statutes, having its address at 200 East Main Street, Lexington, Kentucky 40507 (the “LFUCG”), and (ii) NICHOLAS and CASSANDRA ZUMWALT, Kentucky residents, with a mailing address of 2952 Blackford Parkway, Lexington, KY 40509 (the “Owner”).

#### WITNESSETH:

WHEREAS, through that certain final record plat of record in Plat Cabinet S, Slide 232 in the Fayette County Clerk’s Office (the “Plat”), LFUCG acquired a Utility Easement over a portion of 3828 Real Quiet Lane (referred to herein as the “Partial Released Easement”); and

WHEREAS, the Partial Released Easement is no longer necessary as the utility easement has been relocated as shown on Easement Minor Amended Subdivision Plat of record in Plat Cabinet S, Slide 291 in the Fayette County Clerk’s Office (the “Amended Plat”). The Partial Released Easement is shown within the crosshatched areas shown on Exhibit “A” attached hereto and is more

particularly described as follows, to-wit:

**COMMENCING AT A POINT** in the southeast corner of 3828 Real Quiet Lane (Lot 33) the property with a deed of record in the Fayette County Clerk's office in Deed Book 3805, Page 335; also being a corner to 3806 Real Quiet Lane as shown on plat of record in the Fayette County Clerk's office in P.C. "S", Slide 232, thence with the line of 3828 Real Quiet Lane North 63 degrees 46 minutes 49 seconds West, 26.06 feet to the **TRUE POINT OF BEGINNING**; Thence continuing with the said line South 23 degrees 36 minutes 14 seconds West, 20.02 feet to a point in the existing utility easement; thence leaving said line and continuing with the existing utility easement North 63 degrees 46 minutes 49 seconds West, 47.05 feet to a point on the southwest line of 3828 Real Quiet Lane; thence with said line North 23 degrees 36 minutes 14 seconds east, 20.02 feet to a point in the existing utility easement; then with the said easement South 63 Degrees 46 minutes 49 seconds East, 47.05 feet to the **TRUE POINT OF BEGINNING** and containing 0.022 acres (941 square feet).

WHEREAS, the Partial Released Easement is no longer required by LFUCG and LFUCG desires to release and extinguish its interest in and to such Partial Released Easement but not with respect to any and all other easements shown on the Amended Plat.

NOW THEREFORE, for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the LFUCG hereby releases unto the Owners all of its right, title and interest in and to the Partial Released Easement, as shown on Exhibit "A".

It is the intention of the LFUCG to forever extinguish its interest in the Partial Released Easement and the Owners, its successors and assigns forever, shall hereafter have and enjoy said property free and discharged from the interests of the LFUCG as to the Partial Released Easement; provided, however, that this Partial Release of Easement shall not extinguish the interest of the LFUCG in the remaining easements as depicted on the Amended Plat.

IN WITNESS WHEREOF, the LFUCG has hereunto executed this Partial Release of Easement on this the day and year first above written.

LEXINGTON-FAYETTE URBAN  
COUNTY GOVERNMENT

\_\_\_\_\_  
Mayor

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 67, on behalf of said government, on this \_\_\_\_ day of \_\_\_\_\_, 2023.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC, KENTUCKY,  
STATE AT LARGE

THIS INSTRUMENT  
PREPARED BY:



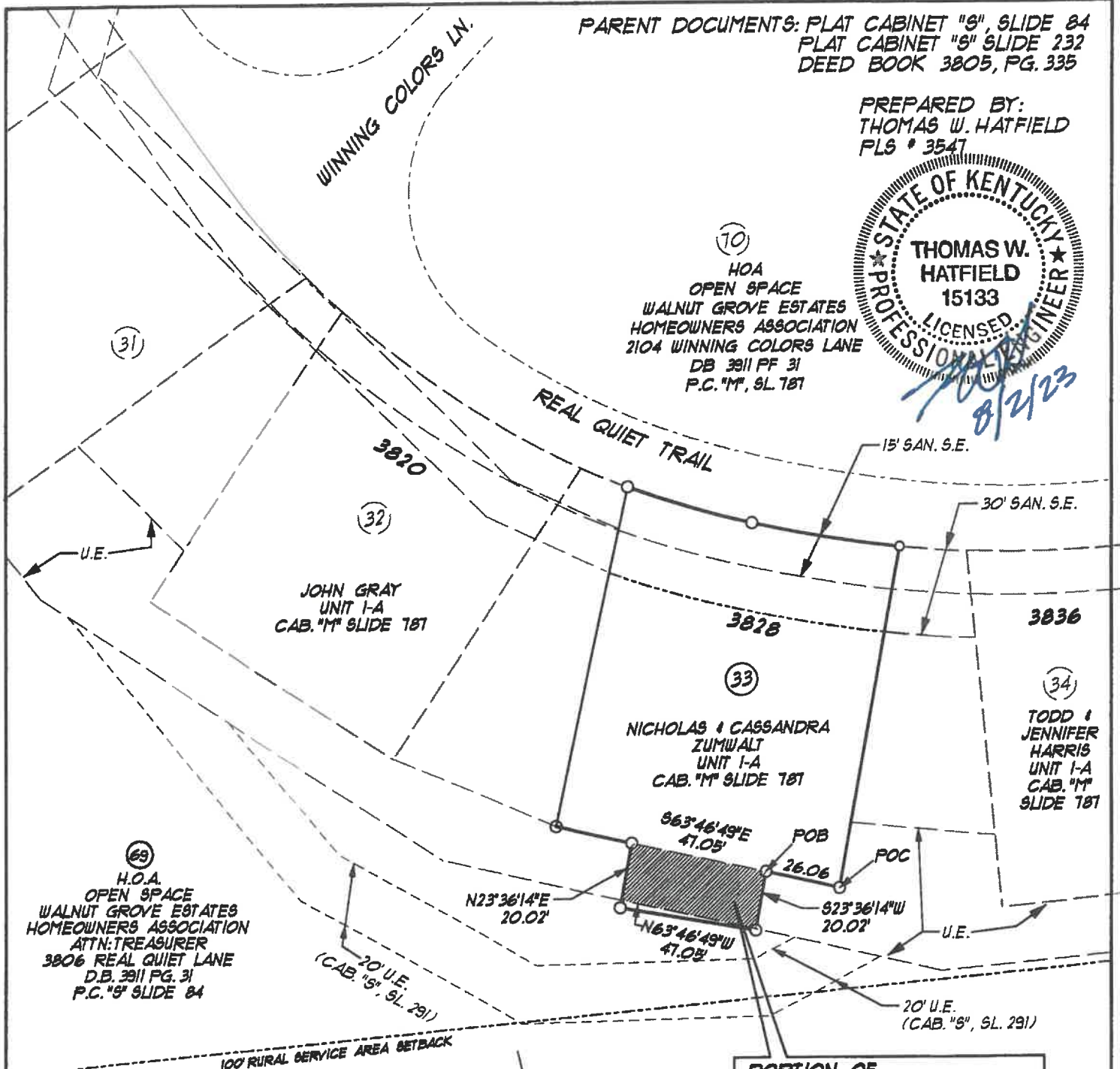
\_\_\_\_\_  
Nick Nicholson  
Stoll Keenon Ogden PLLC  
300 W. Vine St., Suite 2100  
Lexington, KY 40507  
(859) 231-3000

PARENT DOCUMENTS: PLAT CABINET "S", SLIDE 84  
 PLAT CABINET "S" SLIDE 232  
 DEED BOOK 3805, PG. 335

PREPARED BY:  
 THOMAS W. HATFIELD  
 PLS # 3547

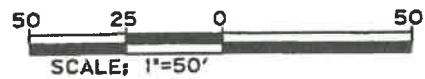


(10)  
 HOA  
 OPEN SPACE  
 WALNUT GROVE ESTATES  
 HOMEOWNERS ASSOCIATION  
 2104 WINNING COLORS LANE  
 DB 3911 PF 31  
 P.C. "M", SL. 187



(69)  
 H.O.A.  
 OPEN SPACE  
 WALNUT GROVE ESTATES  
 HOMEOWNERS ASSOCIATION  
 ATTN: TREASURER  
 3806 REAL QUIET LANE  
 D.B. 3911 PG. 31  
 P.C. "S" SLIDE 84

PORTION OF  
 EXISTING UTILITY EASEMENT  
 TO BE RELEASED



**EA Partners, PLLC**

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 LEXINGTON, KENTUCKY 40513  
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EXHIBIT "A"  
 UTILITY EASEMENT RELEASE  
 NICHOLAS & CASSANDRA ZUMWALT  
 3828 REAL QUIET LANE  
 LEXINGTON, FAYETTE COUNTY, KENTUCKY  
 MARCH 2022