

MAYOR LINDA GORTON



LEXINGTON

CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

FROM: Gregory S. Lubeck, P.E., Deputy Director
Division of Water Quality

DATE: June 23, 2025

SUBJECT: RELEASE OF A RETENTION EASEMENT AT 2262 FRANKFORT COURT

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 release of a retention easement at 2262 Frankfort Court.

Purpose of Request

The easement is no longer needed.

Project Cost in FY25

There is no cost with this request.

Project Cost Impact for Future Budget Years

There is no projected future cost.

Are Funds Budgeted

N/A.

Law Review

E. Thompson, 06/06/2025.

Martin/Albright

DRB

cc: Debbie R. Barnett
Gregory Lubeck, PE



125 Lisle Industrial Ave., Suite 180, Lexington, KY 40511 / 859.421.2400 Phone / 859.254.7787 Fax / lexingtonky.gov



Debbie R Barnett

From: Evan P Thompson
Sent: Friday, June 6, 2025 8:29 AM
To: Debbie R Barnett
Subject: RE: 2262 Frankfort release request

This is okay.

Evan P. Thompson
Acting Managing Attorney
Department of Law

859.258.3500 office
859.258.3538 fax
lexingtonky.gov



1775-2025

NOTICE OF CONFIDENTIALITY

This message is intended only for the use of the individual or entity to which it is addressed and may contain confidential information that is legally privileged and exempt from disclosure under applicable law, including but not limited to, Kentucky Rule of Evidence 503. Any legal opinion provided in this electronic mail transmission is provided in the course of my legal representation of the Lexington-Fayette Urban County Government and should not be disseminated to the public. If the reader of this message is not the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, delete it from your system without copying or forwarding it, and notify the sender of the error by replying via e-mail or by calling the Department of Law at (859) 258-3500, so that our address record can be corrected. Thank you.

From: Debbie R Barnett <dbarnett@lexingtonky.gov>
Sent: Thursday, June 5, 2025 2:33 PM
To: Ben Cornett <jcornett@lexingtonky.gov>; David Filiatreau <dfiliatreau@lexingtonky.gov>; Debbie R Barnett <dbarnett@lexingtonky.gov>; Doug Baldwin <dbaldwin@lexingtonky.gov>; Evan P Thompson <ethompson@lexingtonky.gov>; John Cassel <jcassel@lexingtonky.gov>
Subject: 2262 Frankfort release request

RELEASE OF EASEMENT ROUTING

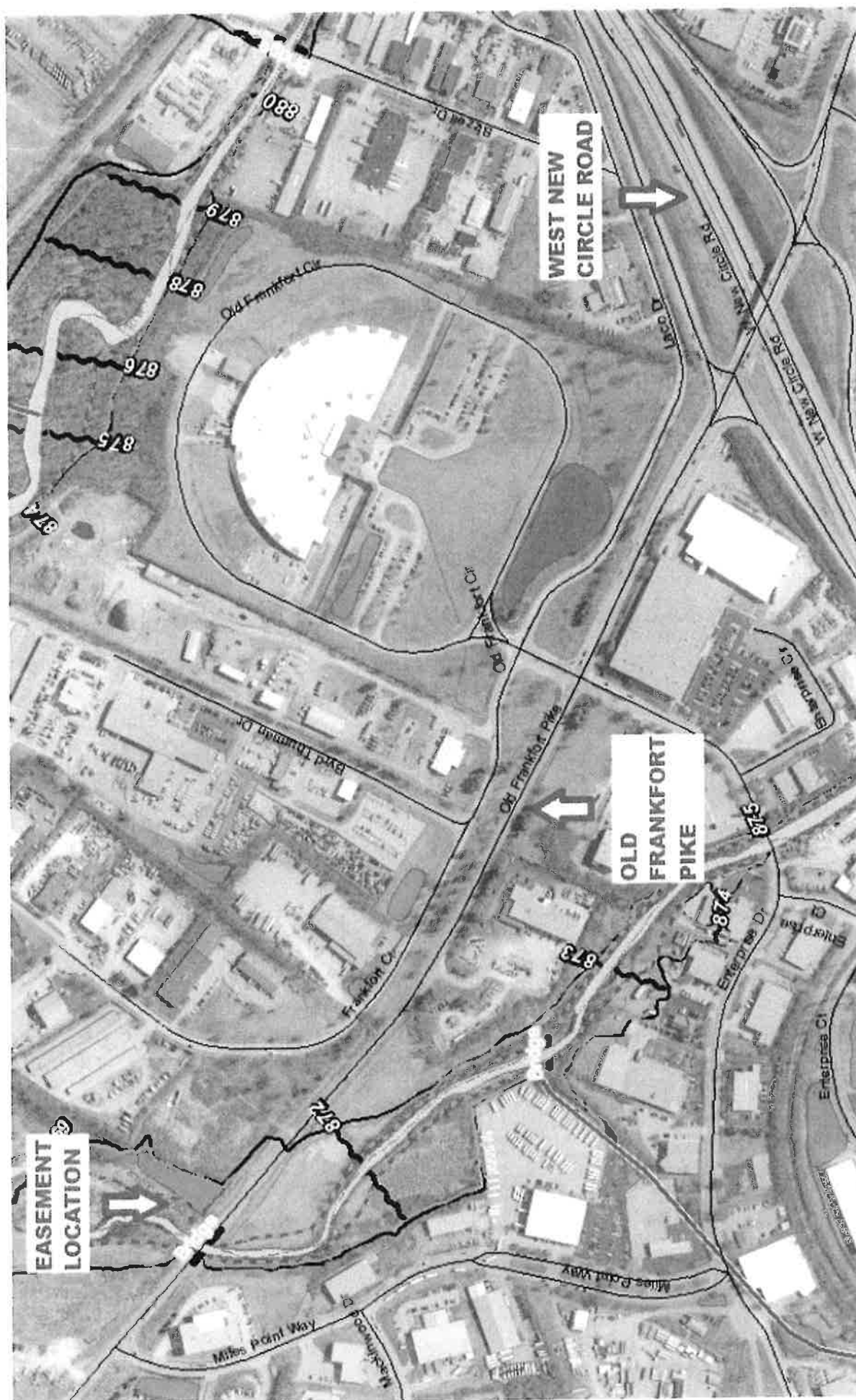
Please review the enclosed package of information for conflicts/problems with the requested RELEASE OF EASEMENT.

For your response:

Please send me a return email or simply reply to this email with your comments and approval/disapproval.

Routing:

Water Quality (Storm & Floodplain) Doug Baldwin, PE



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Subject: 2262 Frankfort release request

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Water Quality (Storm & Floodplain) Doug Baldwin, PE

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, is made and entered into this ____ day of _____, 202_, 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) FRANKFORT COURT STORAGE, LLC, with a mailing address of 2640 Sandersville Road, Lexington, KY 40511, (the “Owner”).

WITNESSETH:

WHEREAS, through that certain final record plat of record in Plat Cabinet J, Slide 241 in the Fayette County Clerk’s Office (the “Plat”), LFUCG acquired a Retention Easement over a portion of 2262 Frankfort Court (referred to herein as the “Released Easement”); and

WHEREAS, the Released Easement is no longer necessary as LFUCG has determined that the Released Easement is no longer necessary to achieve its original purpose. The Released Easement is shown within the crosshatched areas shown on Exhibit “A” attached hereto and is more particularly described as follows, to-wit:

BEGINNING at a point in the north right-of-way of KY 1681 (Old Frankfort Pike), said point being the southwest corner of Frankfort Court Storage, LLC, (Deed Book 2780, Page 72; Block A Lot 1 of the Wolf Run Industrial Park). Thence leaving the KY 1681 right-of-way and with the Frankfort Court Storage, LLC boundary line for two (2) calls as follows:

N 38° 16' 03" E a distance of 353.88';

S 52° 07' 33" E a distance of 106.97';

Thence leaving the line and severing the Frankfort Court Storage, LLC property S 17° 25' 47" W a distance of 394.10' to a point in the Frankfort Court Storage, LLC boundary line, said line being a common line with the KY 1681 (Old Frankfort Pike) north right-of-way.

Thence following the KY 1681 (Old Frankfort Pike) north right-of-way N 48° 33' 33" W a distance of 247.53' to the point of beginning containing +/-1.46 acres (+/-63,481 SF).

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

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

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

LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

Linda Gorton
Mayor

STATE OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me by
Linda Gorton, as Mayor of Lexington-Fayette Urban County
Government, an urban county government pursuant to KRS 67, on behalf of said government, on
this 2nd day of September, 2025.

My Commission Expires: 11/20/2027

Mackenzie Stock
NOTARY PUBLIC, KENTUCKY, ID# 82853
STATE AT LARGE

THIS INSTRUMENT
PREPARED BY:

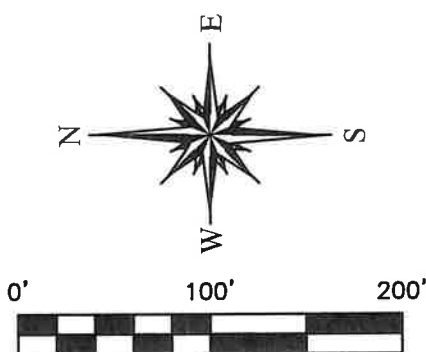
Nick Nicholson

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

DRAWN BY: JBS

3915
WILLIAM A.
CAMPBELL
LICENSED
PROFESSIONAL
LAND SURVEYOR

Williams A Campbell
5-20-2025



STORM INLET
T/G= 899.19
INV= 893.09

20' B/L AND
SAN SEWER
EASE

BS19°03'30"E
D40°09'10"
R342.40
A239.95

NOTE: STORMWATER INFORMATION
FROM 9355 WOLF RUN INDUSTRIAL
(OLD FRANKFORT PIKE) STREET, STORM
& SANITARY SEWER AS BUILT
CONSTRUCTION PLANS
REVISED DATE 12/8/92

BS09° 10' 07" W
D16° 18' 08" W
R415.73'
A118.29'

EXISTING
SIDEWALK

20' B/L AND
SEWER EASE

LOT #1
213910 SQ. FT.
4.911 ACRES

2262 FRANKFORT COURT
PVA# 19304480
PC J SL 241

PROPERTY OWNER=
FRANKFORT COURT STORAGE LLC
DB 2780, PG 72
2640 SANDERSVILLE ROAD
LEXINGTON, KY 40510

20' B/L & UTILITY
EASEMENT
20' SCREENING
EASEMENT

LOT #2
74,870 SQ. FT.
1.719 ACRES

2270 FRANKFORT COURT
PVA# 19304490
PC L SL 658
1.719 ACRES

PROPERTY OWNER=
COMMANDO KENTUCKY LLC
85 RAILROAD PL
SARATOGA SPRINGS, NY 12866

S17°25'47"W
RETENTION EASEMENT
(TO BE RELEASED)

100' K.U. _____
TRANSMISSION _____
LINE EASEMENT _____
D.B. 956, PG. 360

Point of Beginning
N: 206,676.42
E: 1,552,903.39

WOOD PLANK FENCE 25' DRAINAGE AND
UTILITY EASEMENT

404 ALEXANDRIA DR
PVA# 21524800
PC R SL 649
45.518 ACRES

PROPERTY OWNER=
FRM LAWSON, LLC
DB 3585, PG 299
627 RAIN TREE RD
LEXINGTON, KY 40502

Æ RMJE

CIVIL | GEOTECHNICAL | SURVEYING | MATERIAL TESTING

PO BOX 444
HINDMAN, KY 41822

3213 SUMMIT SQUARE PLACE
SUITE 100
LEXINGTON, KY 40509

PO BOX 2
TOMPKINSVILLE, KY 42167

FRANKFORT COURT STORAGE, LLC
2262 FRANKFORT COURT, LEXINGTON, KY 40511

WOLF RUN INDUSTRIAL PARK
RETENTION EASEMENT EXHIBIT MAP

PROJECT: 22-011
DATE: 5-20-2025