

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, made and entered into this ____ day of _____, 20__, by **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky, 40507, an Urban County Government pursuant to KRS 67A (hereinafter "Government" or "First Party").

WITNESSETH:

WHEREAS, through that certain Deed of Easement dated June 30, 2003, of record in Deed Book 2385, Page 347, in the Fayette County Clerk's Office, the First Party acquired a Temporary Construction Easement encumbering certain property located at 225 Ruccio Way, as described on Exhibit "A" hereto; and

WHEREAS, through that certain Deed of Easement dated June 30, 2003 of record in Deed Book 2385, Page 354 in Fayette County Clerk's Office, the First Party acquired an additional Temporary Construction Easement encumbering certain property located at 225 Ruccio Way as described in Exhibit "B" hereto; and

WHEREAS, both of the aforementioned temporary construction easements together with a 12-foot temporary access easement are shown on Plats recorded in Plat Cabinet L, Slide 234, Plat Cabinet L, Slide 487, and Plat Cabinet K, Slide 608; and

WHEREAS, the existing easements are no longer required by the First Party, and the First Party desires to release and extinguish its interest in and to said easements.

NOW, THEREFORE, for valuable consideration, the receipt of which is hereby acknowledged, First Party does hereby release, relinquish and terminate all of its right, title and interest in and to those easements as described on Exhibits "A" and "B" attached hereto, together with the aforesaid 12-foot temporary access easement.

It is understood that in making this Release, the other easements and any portion thereof shown on the aforesaid Plats remain unaffected by this Release.

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

**LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT**

Title: _____

Print Name: _____

STATE OF _____

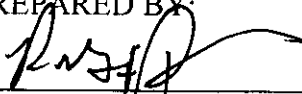
COUNTY OF _____

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

THIS INSTRUMENT
PREPARED BY:



NAME: R. Grant Dobson, Esq.
ADDRESS: 832 Georgia Avenue, Suite 1000
Chattanooga, TN 37402
PHONE: (423) 875-8266

EXHIBIT "A"

Temporary Construction Easement
(225 Ruccio Way)

Beginning at a point in the west right of way of the Norfolk-Southern Railroad, said point being a common corner to 213 Ruccio Way and 225 Ruccio Way, both properties owned by Wellington Bridge (D), LLC and USIT Land Holdings Corporation (DB 2159, Pg 677, Cab "L", SI 487); thence with the common line of 213 and 225 Ruccio Way, North 66°00'00" West, 20.08 feet to a point in an existing twenty (20) foot wide temporary construction easement (Cab "L", SI 234); thence with said temporary construction easement along a curve to the left with a radius of 5635.00 feet, an arc of 95.99 feet and a chord North 19°31'33" East, 95.98 feet to the TRUE POINT OF BEGINNING; thence leaving said existing temporary easement for three new lines through the lands of 225 Ruccio Way: 1) South 78°01'16" West, 35.04 feet to a point, 2) North 18°49'56" East, 75.23 feet to a point, 3) North 78°01'16" East, 34.76 feet to a point in said existing temporary construction easement; Thence with said existing temporary construction easement along a curve to the right with a radius of 5635.00 feet, an arc of 75.09 feet and a chord South 18°39'02" West, 75.09 feet to the TRUE POINT OF BEGINNING, containing 2261.2 square feet.

Being a part of the same property in which an undivided five percent (5%) interest, as tenant in common, was conveyed to USIT LAND HOLDINGS CORPORATION, a Georgia corporation, by deed dated September 27, 2000, and of record in Deed Book 2159, Page 677 of the Fayette County Clerk's Office.

EXHIBIT "B"

Temporary Construction Easement
(225 Ruccio Way)

Beginning at a point in the west right of way of the Norfolk-Southern Railroad, said point being a common corner to 213 Ruccio Way and 225 Ruccio Way, both properties owned by Wellington Bridge (D), LLC and USIT Land Holdings Corporation (DB 2159, Pg 677, Cab "L", SI 487); thence with the common line of 213 and 225 Ruccio Way, North 65°00'00" West, 20.08 feet to a point in an existing twenty (20) foot wide temporary construction easement (Cab "L", SI 234); thence with said temporary construction easement along a curve to the left with a radius of 5635.00 feet, an arc of 95.99 feet and a chord North 19°31'33" East, 95.98 feet to the TRUE POINT OF BEGINNING; thence leaving said existing temporary easement for three new lines through the lands of 225 Ruccio Way: 1) South 78°01'16" West, 35.04 feet to a point, 2) North 18°49'56" East, 75.23 feet to a point, 3) North 78°01'16" East, 34.76 feet to a point in said existing temporary construction easement; Thence with said existing temporary construction easement along a curve to the right with a radius of 5635.00 feet, an arc of 75.09 feet and a chord South 18°39'02" West, 75.09 feet to the TRUE POINT OF BEGINNING, containing 2261.2 square feet.

Being a portion of that property in which an undivided ninety-five percent (95%) interest as tenant in common was conveyed to Wellington Bridge (D), LLC by deed dated September 27, 2000 and of record in Deed Book 2159, Page 677 of the Fayette County Clerk's Office.