

**RELEASE OF STORM SEWER EASEMENT**

This **RELEASE OF STORM SEWER EASEMENT**, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government pursuant to KRS 67A (hereinafter “Government” or “First Party”) and **SAT, LLC**, a Kentucky limited liability company, whose addresses are 13 Avenue of Champions, Nicholasville, Kentucky 40356 (hereinafter collectively, “Owner” or “Second Party”).

**WITNESSETH:**

**WHEREAS**, the Second Party is the Owner of the following described property.

**Lot 3B and Lot 3D as shown on the Amended Final Record Plat of Higbee Mill Reserve, 4113 Reserve Road and 4127 Reserve Road, of record in Plat Cabinet R, Slide 100, and Plat Cabinet R, Slide 510, in the Fayette County Clerk’s Office (“Property”); and**

**Being the same property conveyed to SAT, LLC, a Kentucky limited liability company, by Deed dated October 28, 2013 and of record in Deed Book 3194, Page 453, and by Deed dated September 12, 2016 and of record in Deed Book 3452, Page 644, in the Fayette County Clerk’s Office.**

**WHEREAS**, a 15-foot Storm Sewer Easement (“Easement”) on the Property, as shown on the plats of record in Plat Cabinet N, Slide 1, and Plat Cabinet R, Slide 100, was created and dedicated for public use; and

**WHEREAS**, a portion of the Easement is no longer required by the Government and the Government now desires to release and extinguish its interest in and to the portion of the Easement as more fully depicted on Exhibit A and described on Exhibit B which are attached hereto and incorporated herein by reference.

**NOW, THEREFORE**, for and in consideration of the sum of One and NO/100 (\$1.00) Dollar, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT** releases unto the Owners, all of its right, title and interest in and to a portion of the Easement, and more particularly described on Exhibit A and Exhibit B.

It is the intention of LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT to forever extinguish its interest in the portion of the Easement described hereinabove, and the Owners, their successors and assigns forever, shall hereafter have and enjoy said Property free and discharged from the interests of LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT as to the portion of the Easement described above, provided, however, that this Release of Easement shall not extinguish the interest of LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT in the remaining Storm Sewer Easement on the Plats.

IN WITNESS WHEREOF, the First Party has hereto executed this Release of Easement.

FIRST PARTY:

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, an urban county government

By: \_\_\_\_\_  
Jim Gray, Mayor

COMMONWEALTH OF KENTUCKY


COUNTY OF FAYETTE

The foregoing instrument was acknowledged before me by Jim Gray as Mayor of Lexington-Fayette Urban County Government, an urban county government, pursuant to KRS 67A, on behalf of said government on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

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

THIS INSTRUMENT PREPARED BY

  
\_\_\_\_\_  
Charles E. Ward  
Dinsmore & Shohl LLP  
250 West Main Street, Suite 1400  
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(859) 425-1000

PARENT PLAT:  
PLAT CABINET "R", SLIDE 100

HARRODSBURG ROAD (U.S. 68)

POINT OF COMMENCING

20' BL. E. E.

15' STM. S.E.

POINT OF BEGINNING

N59°08'46"E  
17.09'

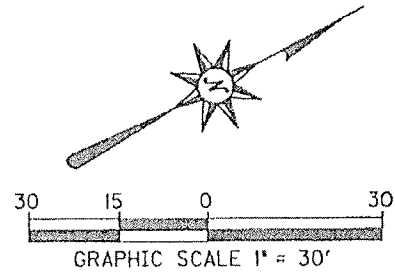
PORTION OF 15' STORM  
SEWER EASEMENT TO  
BE RELEASED

N02°11'41"W - 136.01'

S02°11'41"E - 178.17'

N26°01'14"W  
37.13'

15' STM. S.E.



4127

15' SAN. S.E.

4113

RESERVE DRIVE

24' ACCESS EASEMENT

*EA Partners, PLLC*



CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS

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EXHIBIT "A"  
STORM SEWER EASEMENT RELEASE  
HIGBEE MILL RESERVE  
LOTS 3B & 3D  
4113 & 4127 RESERVE DRIVE  
LEXINGTON, FAYETTE COUNTY, KENTUCKY  
OCTOBER, 2015

# *EA Partners, PLLC*

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## EXHIBIT "B"

### Legal Description

15' Storm Sewer Easement Release  
Higbee Mill Reserve  
Lots 3B & 3D  
4113 & 4127 Reserve Drive  
Lexington, Fayette County Kentucky

**COMMENCING** at the point of intersection of the southeasterly right of way of Harrodsburg Road (U.S. 68) and the common line of Lots 3B & 3D (known as 4113 and 4127 Reserve Drive) located in Higbee Mill Reserve Lot 3H as recorded in Plat Cabinet R, Slide 100 of record in the Fayette County Clerk's Office; thence North 68 degrees 58 minutes 54 seconds East, 127.06 feet to the **TRUE POINT OF BEGINNING**; thence North 59 degrees 08 minutes 46 seconds East, 17.09 feet to a point; thence South 02 degrees 11 minutes 41 seconds East, 178.17 feet to a point; thence North 26 degrees 01 minutes 14 seconds West, 37.13 feet to point; thence North 02 degrees 11 minutes 41 seconds West, 136.01 feet to the **POINT OF BEGINNING** and containing 0.054 acres (2,356 square feet).

J:\850\Pincrest\Plats\storm-sewer-release.doc