

PARTIAL RELEASE OF EASEMENT

THIS PARTIAL RELEASE OF EASEMENT, is made and entered into this 21st day of September, 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

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 21st day of September, 2023.

My Commission Expires: 11/7/2023

Mackenzie Sommers
NOTARY PUBLIC, KENTUCKY,
STATE AT LARGE ID#635048

THIS INSTRUMENT
PREPARED BY:

Nick Nicholson

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

PARENT DOCUMENTS: PLAT CABINET "9", SLIDE 84
 PLAT CABINET "9" 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 181

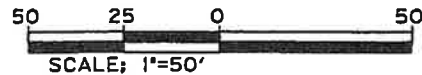
(31)
 JOHN GRAY
 UNIT I-A
 CAB. "M" SLIDE 181

(32)
 NICHOLAS & CASSANDRA
 ZUMWALT
 UNIT I-A
 CAB. "M" SLIDE 181

(34)
 TODD &
 JENNIFER
 HARRIS
 UNIT I-A
 CAB. "M"
 SLIDE 181

(69)
 H.O.A.
 OPEN SPACE
 WALNUT GROVE ESTATES
 HOMEOWNERS ASSOCIATION
 ATTN: TREASURER
 3806 REAL QUIET LANE
 D.B. 3911 PG. 31
 P.C. "9" SLIDE 84

PORTION OF
 EXISTING UTILITY EASEMENT
 TO BE RELEASED



EA Partners, PLLC

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 3111 WALL STREET
 LEXINGTON, KENTUCKY 40513
 PHONE (859) 295-9889
 FACSIMILE (859) 295-9887

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