

**PARTIAL RELEASE OF EASEMENT**

THIS PARTIAL RELEASE OF EASEMENT (this "Release") is made and entered into on this the 10<sup>th</sup> day of November 2022, by and between (i) LEXINGTON- FAYETTE URBAN COUNTY GOVERNMENT, an urban county government pursuant to KRS 67A, having an address at 200 East Main Street, Lexington, Kentucky 40507 (hereinafter referred to as "Government"), and (ii) FIP Master Funding VII, LLC, having its address at 2425 East Camelback Road, Suite 800, Phoenix, AZ 85016 (hereinafter referred to as "Owner").

W I T N E S S E T H:

WHEREAS, through that certain Final Record Plat of South Park Shopping Center recorded in Plat Cabinet S, Slide 15 and in Plat Cabinet S, Slide 287, in the Fayette County Clerk's Office (the "Plat"), the Government became the beneficiary of three (3) Easements which are shown as "Easements (to be Released)" on the Easement Release Exhibit attached hereto (hereinafter collectively the "Easement") over and across the following described property, to-wit (the "Property"):

BEING all of Lot 1-B of the South Park Shopping Center, to the City of Lexington, Fayette County, Kentucky, as shown by plat thereof of record in Plat Cabinet S Slide 15 and in Plat Cabinet S, Slide 287, in the Fayette County Clerk's Office; being known and designated as 240 Canary Road.

Being the same property conveyed to FIP Master Funding VII, LLC, by deed dated March 15, 2022, of record in Deed Book 3925, Page 627, in the Fayette County Clerk's Office.

WHEREAS, the Easements are no longer required by the Government, and the Government desires to release and extinguish its interest in and to said Easements.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Government does hereby release, relinquish and quit-claim unto Owner, its successors and assigns forever, all of its right, title and interest in and to the Easements described above.

It is the intention of the Government to forever extinguish its interest in the Easements described above, and the Owner, its successors and assigns forever, shall hereafter have and enjoy said Property free and discharged from the interest of Government.

IN WITNESS WHEREOF, the Government has executed this Release by and through its duly-authorized officer, on the day and year first above written.

LEXINGTON-FAYETTE URBAN COUNTY  
GOVERNMENT

BY: Linda Gorton  
Name: Linda Gorton  
Title: Mayor

STATE OF KENTUCKY)  
)  
COUNTY OF FAYETTE)

The foregoing Release of Easement was acknowledged before me by  
Linda Gorton as the Mayor of LEXINGTON  
FAYETTE URBAN COUNTY GOVERNMENT, an urban county government pursuant to  
KRS 67A, on this the 10<sup>th</sup> day of November, 2022.

My Commission Expires: 11/7/2023

Mackenzie Stammers  
NOTARY PUBLIC, KENTUCKY,  
STATE AT LARGE

Printed Name: Mackenzie Stammers  
Identification No. 635048

THIS INSTRUMENT PREPARED BY:

Mike Gavin

Mike Gavin | Associate General Counsel  
Office. 469-661-2810  
Main Event Entertainment, Inc.  
1221 S. Belt Line Rd., Suite 500  
Coppell, TX 75019  
[Mike.Gavin@mainevent.com](mailto:Mike.Gavin@mainevent.com)

**RELEASE OF EASEMENT DESCRIPTION FOR A  
PORTION OF AN EASTERN SANITARY SEWER EASEMENT  
CONTAINING 0.034 ACRES**

Situate in the City of Lexington, County of Fayette, Commonwealth of Kentucky, and residing on Lot 1-B of the Final Record Plat of South Park shopping Center as recorded in Plat Cabinet S, Slice 15 and in Plat Cabinet S, Slide 287 (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Fayette County Clerk's Office, unless noted otherwise) and being more particularly bounded and described as follows:

**COMMENCING** for reference at a found iron pin with a TGA RLS 2524 cap at the northerly line of a 26.49-acre tract of land owned by South Park Shopping Center LLC as recorded in Deed Book 3744, Page 116 and the southerly right-of-way of the New Circle Road on ramp;

Thence along the northerly line of said 26.49-acre tract South 66°32'24" East a distance of 625.60 feet to a point;

Thence continuing along the northerly line of said 26.49-acre tract South 66°54'32" East a distance of 79.30 feet to the **POINT OF BEGINNING** of a 15-foot sanitary sewer easement as shown on PC S, SL 15, and described as follows;

Leaving said northerly line the following three (3) courses:

1. North 23°34'02" East a distance of 100.02 feet;
2. South 66°25'58" East a distance of 15.00 feet;
3. South 23°34'02" West a distance of 99.89 feet to a point in said northerly line;

Thence along said northerly line North 66°54'32" West a distance of 15.00 feet to the **POINT OF BEGINNING** containing 1,499.32 square feet, 0.034-acres more or less.

Woolpert, Inc.

  
Michael Wilson, LS

Kentucky Professional Surveyor #4074



**RELEASE OF EASEMENT DESCRIPTION  
FOR A STORM SEWER EASEMENT  
CONTAINING 0.038 ACRES**

Situate in the City of Lexington, County of Fayette, Commonwealth of Kentucky, and residing on Lot 1-B of the Final Record Plat of South Park shopping Center as recorded in Plat Cabinet S, Slice 15 and in Plat Cabinet S, Slice 287 (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Fayette County Clerk's Office, unless noted otherwise) and being more particularly bounded and described as follows:

**COMMENCING** at a found iron pin with a TGA RLS 2524 cap at the northerly line of a 26.49-acre tract of land owned by South Park Shopping Center LLC as recorded in Deed Book 3744, Page 116 and the southerly right-of-way of the New Circle Road on ramp;

Thence along the northerly line of said 26.49-acre tract South 66°32'24" East a distance of 480.84 feet to the **PONT OF BEGINNING** of a 12-foot storm sewer easement as shown on PC M SL 2

Leaving said northerly line the following three (3) courses:

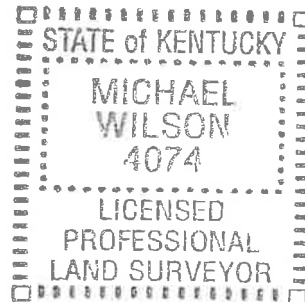
1. North 20°41'13" East a distance of 137.74 feet;
2. South 69°18'47" East a distance of 12.00 feet;
3. South 20°41'13" East a distance of 138.33 feet to a point in said northerly line;

Thence North 66°32'24" West a distance of 12.00 feet the **POINT OF BEGINNING** containing 1,656.42 square feet, 0.038-acres more or less.

**Woolpert, Inc.**

  
Michael Wilson, LS

Kentucky Professional Surveyor #4074



**RELEASE OF EASEMENT DESCRIPTION FOR A  
PORTION OF AN WESTERN SANITARY SEWER EASEMENT  
CONTAINING 0.003 ACRES**

Situate in the City of Lexington, County of Fayette, Commonwealth of Kentucky, and residing on Lot 1-B of the Final Record Plat of South Park shopping Center as recorded in Plat Cabinet S, Slice 15 and in Plat Cabinet S, Slide 287 (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Fayette County Clerk's Office, unless noted otherwise) and being more particularly bounded and described as follows:

**COMMENCING** at a found iron pin with a TGA RLS 2524 cap at the northerly line of a 26.49-acre tract of land owned by South Park Shopping Center LLC as recorded in Deed Book 3744, Page 116 and the southerly right-of-way of the New Circle Road on ramp;

Thence along the northerly line of said 26.49-acre tract South 66°32'24" East a distance of 492.20 feet to a point;

Thence, leaving said northerly line, North 19°11'23" East a distance 16.98 feet to the **POINT OF BEGINNING** of a 12-foot sanitary sewer easement as shown on PC F SL 748, and described as follows;


North 19°11'23" East a distance of 11.71 feet;

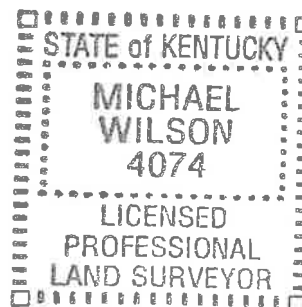
Thence South 70°48'37" East a distance of 12.00 feet;

Thence South 19°11'23" West a distance of 11.71 feet;

Thence North 70°48'37" West a distance of 12.00 feet to the **POINT OF BEGINNING** containing 140.53 square feet, 0.003-acres more or less.

**Woolpert, Inc.**

  
Michael Wilson, LS  
Kentucky Professional Surveyor #4074



**CERTIFICATION:**

THIS DRAWING IS AN EXHIBIT FOR RELEASE OF EASEMENT DESCRIPTIONS CREATED UNDER MY DIRECT SUPERVISION ON 8/11/2022.

**WOOLPERT, INC.**

*Michael J. Wilson* 8/12/2022

MICHAEL J. WILSON  
LAND SURVEYOR NO. 4074

15' WIDE  
U/G UTILITY EASEMENT-  
PLAT CABINET N, SLIDE 492

DATE

S76°08'31"E S84°58'32"E  
85.33' 92.94'

10' SCREENING  
EASEMENT

N84°01'39"E  
145.06'

RAMP FROM  
NICHOLSVILLE ROAD  
(GS27) TO NEW  
CIRCLE ROAD (GR4)

15' WIDE GAS LINE EASEMENT  
COLUMBIA GAS OF KENTUCKY  
DEED BOOK 1457 PAGE 128  
DEED BOOK 1423 PAGE 195  
PLAT CABINET M, SLIDE 2

N80°32'01"E  
303.54'

SOLID IRON PIN  
FOUND TGA KY  
2524

10' SCREENING  
EASEMENT  
N66°32'24"W  
625.60'

15' WIDE TELECOMMUNICATION EASEMENT  
GENERAL CABLE OF KENTUCKY DEED  
BOOK 1242 PAGE 315

ACCESS  
EASEMENT

N66°54'32"W  
247.21'

15' SANITARY  
SEWER ESMT.

12' WIDE STORM SEWER  
EASEMENT PLAT CABINET M,  
SL 2

\*\*20' GAS LINE EASEMENT  
COLUMBIA GAS OF KENTUCKY  
DEED BOOK 3895, PAGE 200

\*\*20' GAS LINE EASEMENT  
COLUMBIA GAS OF KENTUCKY  
DEED BOOK 3895, PAGE 204

15' BUILDING SETBACK  
18' BUILDING SETBACK  
15' WIDE

U/G UTILITY EASEMENT  
PLAT CABINET N, SLIDE 492

15' WIDE TELECOMMUNICATION  
EASEMENT GENERAL  
TELEPHONE CO. OF  
KENTUCKY DEED BOOK 1116,  
PAGE 567

S8°40'45"W  
326.50'

10' SCREENING  
EASEMENT

**LEGEND**

EASEMENTS TO  
BE RELEASED



REVISED 8/12/2022

|             |         |
|-------------|---------|
| PROJECT NO. | 82091   |
| DATE        | 8/12/22 |
| DR.         | MJW     |
| SHT. #      | 1 OF 3  |

**SOUTH PARK SHOPPING CENTER  
RELEASE OF EASEMENTS EXHIBIT  
OVERALL MAP WITH EASEMENTS  
CITY OF LEXINGTON, FAYETTE COUNTY KY**

1203 Walnut Street  
2nd Floor  
Cincinnati, OH 45202  
513.272.8300  
FAX: 937.461.0743



**WOOLPERT**

**CERTIFICATION:**

THIS DRAWING IS AN EXHIBIT FOR RELEASE OF EASEMENT DESCRIPTIONS CREATED UNDER MY DIRECT SUPERVISION ON 8/11/2022.

**WOOLPERT, INC.**

*Michael Wilson*  
 SURVEYOR NAME  
 LAND SURVEYOR NO. 4074

DATE

S76°08'31"E 85.33'  
 S84°58'32"E 92.94'

NB4°01'39"E 145.06'

N80°32'01"E 303.54'

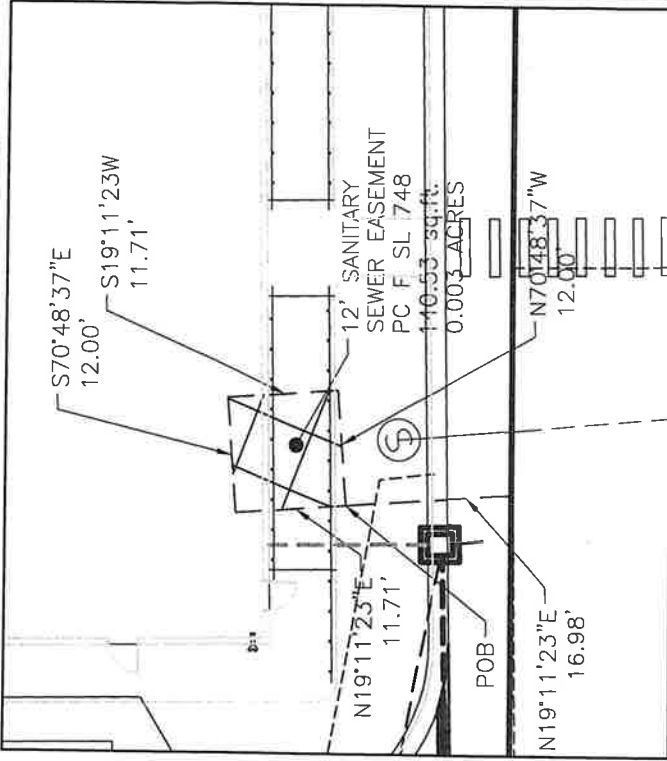
N66°32'24"W 625.60'



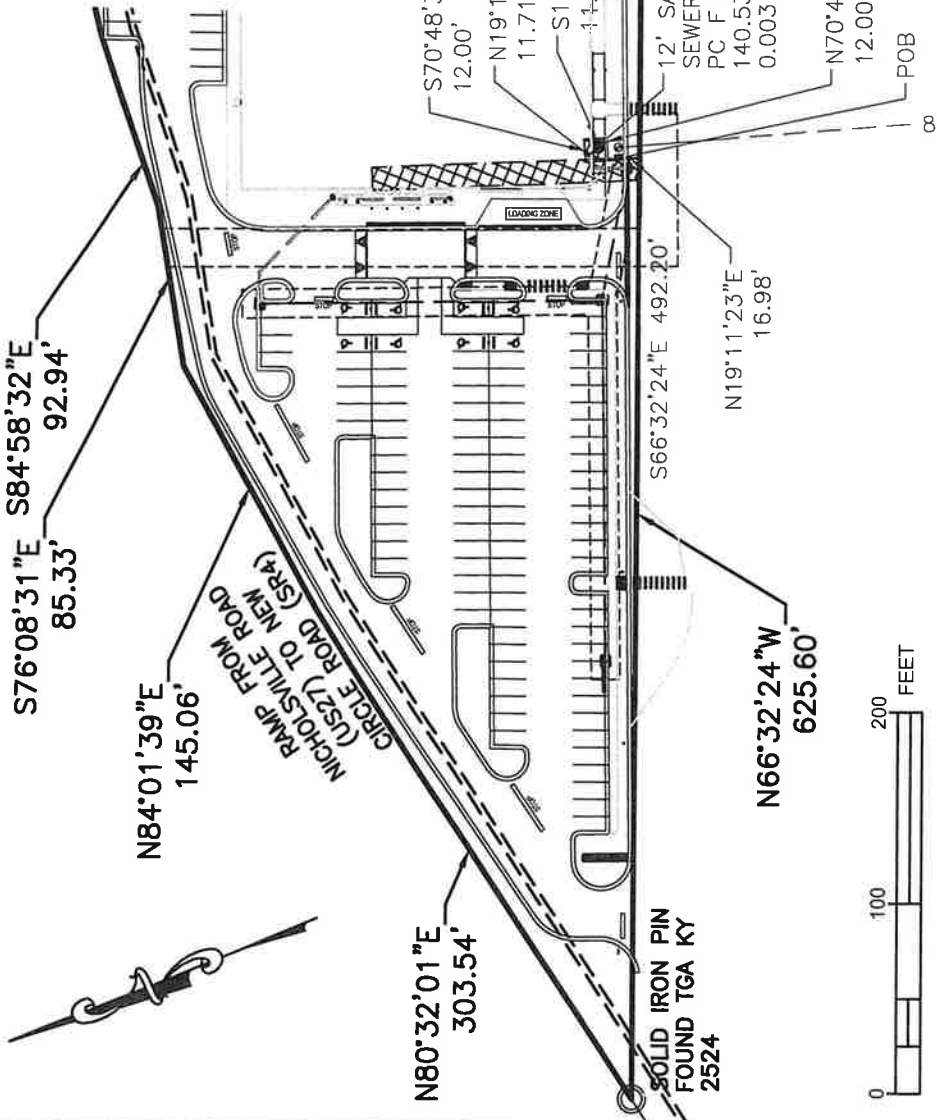
NICHOLSVILLE ROAD  
 RAMP FROM  
 CIRCLE ROAD (SR4)  
 (US27 TO NEW)

SOLID IRON PIN  
 FOUND TGA KY  
 2524

STATE OF KENTUCKY  
**MICHAEL WILSON**  
 4074  
 LICENSED PROFESSIONAL LAND SURVEYOR



**SANITARY SEWER EASEMENT DETAIL**  
 SCALE: 1"= 20'



**LEGEND**  
  
 EASEMENTS TO BE RELEASED

REVISED 8/12/2022

|             |         |
|-------------|---------|
| PROJECT NO. | 82091   |
| DATE        | 8/12/22 |
| DR.         | MJW     |
| SHT. #      | 2 OF 3  |

**SOUTH PARK SHOPPING CENTER  
 RELEASE OF EASEMENTS EXHIBIT  
 SANITARY SEWER EASEMENT  
 CITY OF LEXINGTON, FAYETTE COUNTY KY**

1203 Walnut Street  
 2nd Floor  
 Cincinnati, OH 45202  
 513.272.8300  
 FAX: 937.461.0743

**WOOLPERT**

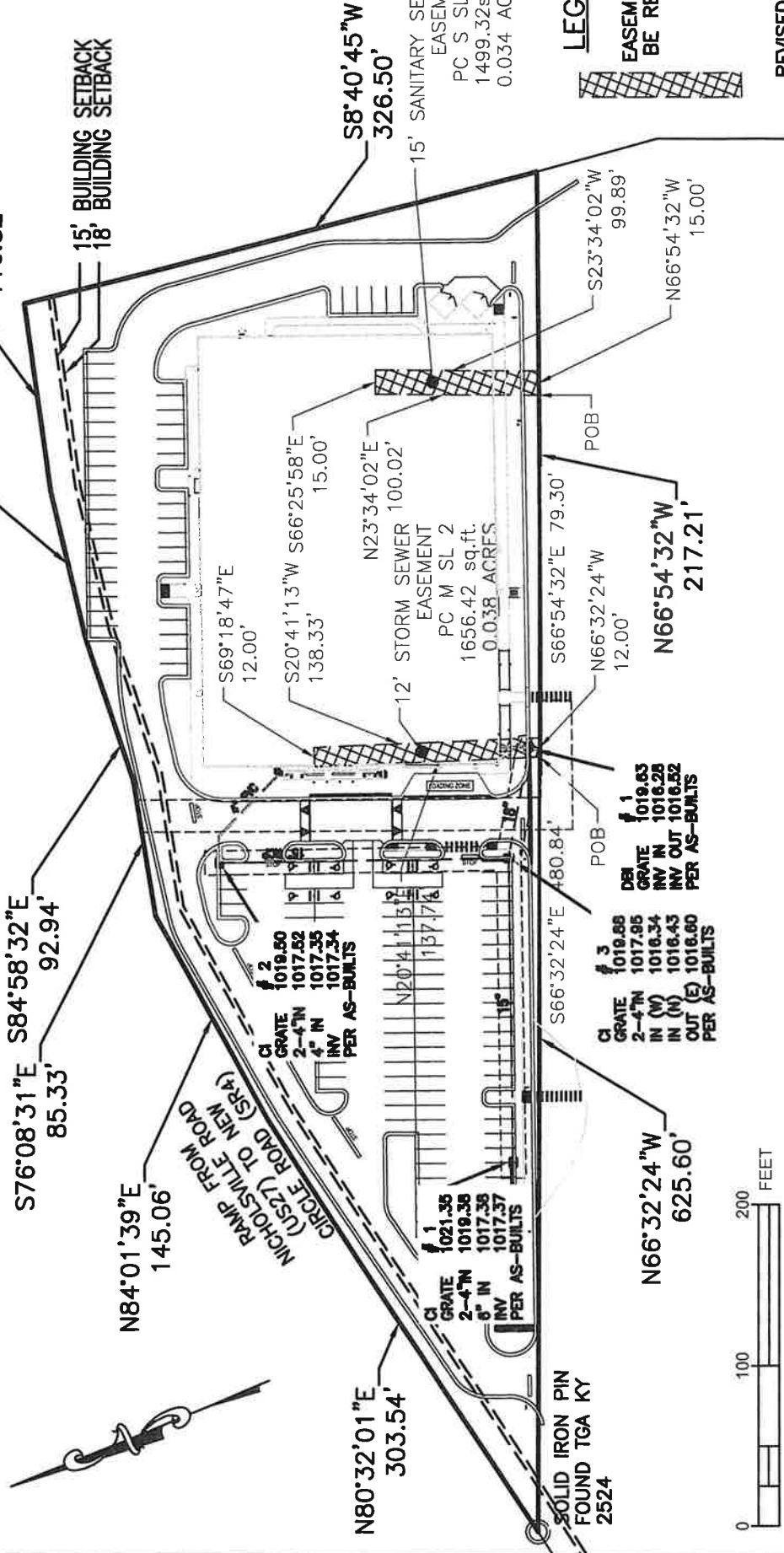
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**WOOLPERT, INC.**

STATE OF KENTUCKY  
**MICHAEL WILSON**  
 4074  
 LICENSED PROFESSIONAL LAND SURVEYOR

*Michael Wilson*  
 SURVEYOR NAME DATE  
 LAND SURVEYOR NO. 4074 8/12/2022



**LEGEND**  
 EASEMENTS TO BE RELEASED

REVISED 8/12/2022  
 PROJECT NO. 82091  
 DATE 8/12/22  
 DR. MJW  
 SHT. # 3 OF 3

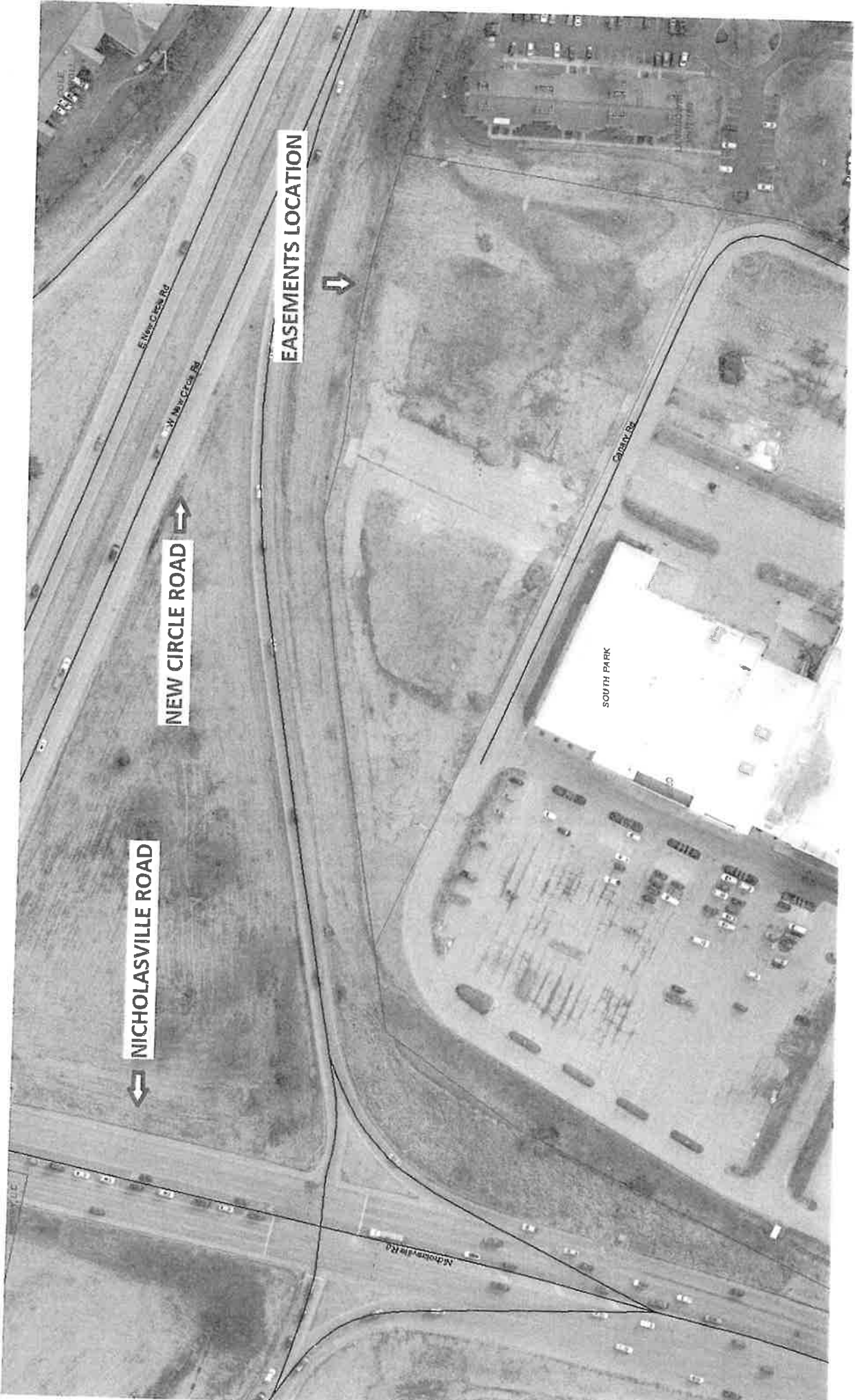
**SOUTH PARK SHOPPING CENTER  
 RELEASE OF EASEMENTS EXHIBIT  
 STORM/SANITARY SEWER EASEMENTS  
 CITY OF LEXINGTON, FAYETTE COUNTY KY**

1203 Walnut Street  
 2nd Floor  
 Cincinnati, OH 45202  
 513.272.8300  
 FAX: 937.461.0743



**WOOLPERT**





NICHOLASVILLE ROAD



NEW CIRCLE ROAD



EASEMENTS LOCATION



E New Circle Rd

W New Circle Rd

SOUTH PARK

COURT RD

NICHOLASVILLE RD