

## **RELEASE OF EASEMENT**

THIS RELEASE OF EASEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between the LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, an urban county government pursuant to Chapter 67A of the Kentucky Revised Statutes, 200 East Main Street, Lexington, Kentucky 40507, Party of the First Part, and DEER HAVEN PROPERTIES, LLC, a Kentucky limited liability company, 2062 North Cleveland Road, Lexington, Kentucky 40509, Party of the Second Part.

WHEREAS, the Party of the Second Part is owner of Newmarket Phase 1, Unit 1-E, Section 2, Lots 26 and 25, 3689 and 3693 Polo Club Boulevard, respectively, as shown by plat of record in Plat Cabinet R, Slide 225 in the office of the Fayette County Clerk, by virtue of deed dated October 16, 2001, recorded in Deed Book 2240, Page 583 in the office of the Fayette County Clerk; and

WHEREAS, there is a 15-foot wide storm sewer, drainage and sanitary sewer easement (the "Easement") over Lots 26 and 25 which was created on the final record plat of Newmarket, Phase 1, Unit 1-A, recorded in Plat Cabinet M, Slide 291 in the office of the Fayette County Clerk and shown on the Final Record Plat of Newmarket, Phase 1, Unit 1-E, Section 2, recorded in Plat Cabinet R, Slide 225 in the office of the Fayette County Clerk; and

WHEREAS, it has been determined that the Easement is not needed for storm sewer, drainage or sanitary sewer purposes; and

WHEREAS, the purpose of this Release of Easement is to release the said unneeded 15-foot wide storm sewer, drainage and sanitary sewer easement, while retaining any other easements on said lots.

NOW, THEREFORE,

WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, the Party of the First Part does hereby forever release all of its right, title and interest in and to the following described utility easement:

Newmarket Subdivision  
Phase 1, Unit 1-E, Section 2  
Lots 26 and 25  
3689 and 3693 Polo Club Boulevard

See Exhibit A, attached hereto and incorporated by reference herein.

Said Easement having been shown on the plats recorded in Plat Cabinet M, Slide 291 and Plat Cabinet R, Slide 225 in the office of the Fayette County Clerk.

PROVIDED, HOWEVER, the Party of the First Part hereby specifically retains its right, title and all interest in and to any other storm sewer, drainage or sanitary sewer easements shown on the plats of record in Plat Cabinet M, Slide 291 and Plat Cabinet R, Slide 225, in the office of the Fayette County Clerk, unless previously released in the office of the Fayette County Clerk.

IN WITNESS WHEREOF, the Party of the First Part has caused its name to be subscribed this the day and year first above written.

LEXINGTON-FAYETTE URBAN  
COUNTY GOVERNMENT

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

STATE OF KENTUCKY

COUNTY OF FAYETTE

The foregoing Release of Easement was subscribed, sworn to and acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by Jim Gray as Mayor, Lexington-Fayette Urban County Government, for and on behalf of said urban county government.

My commission expires: \_\_\_\_\_

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

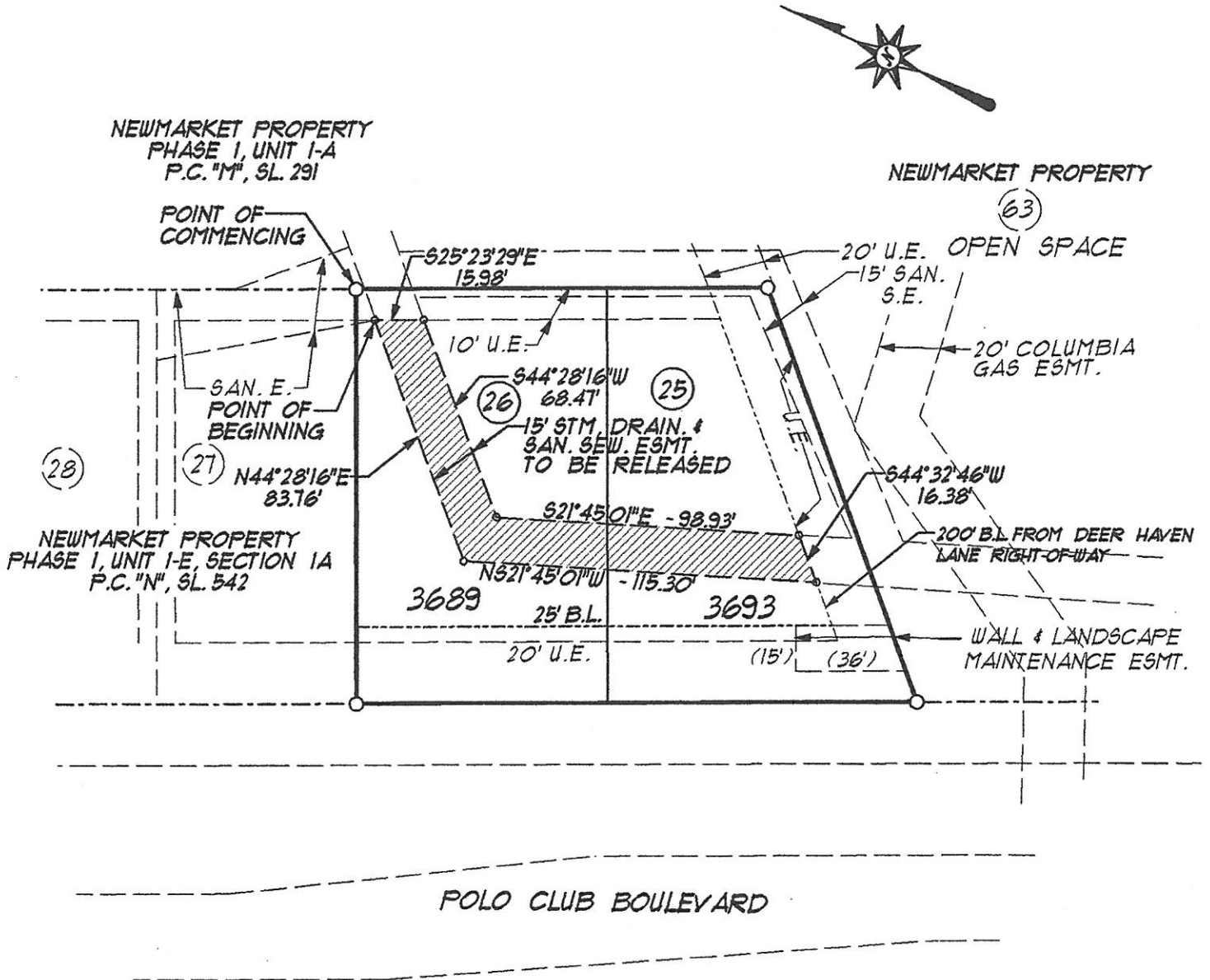
THIS INSTRUMENT WAS PREPARED BY:



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Release of Easement 10-20-14.docx

PARENT DOCUMENT : PLAT CABINET\_\_\_\_, SLIDE\_\_\_\_



SCALE 1" = 50'

**EXHIBIT "A"**  
**STORM, DRAINAGE & SANITARY SEWER**  
**EASEMENT RELEASE**  
**NEWMARKET**  
**PHASE 1, UNIT 1-E, SECTION 2**  
**LOTS 26 & 25**  
**3689 & 3693 POLO CLUB BOULEVARD**  
**LEXINGTON, FAYETTE COUNTY, KENTUCKY**  
**SEPTEMBER 2014**

**EA Partners, PLLC**

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## *EA Partners, PLLC*

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September 25, 2014

Storm, Drainage & Sanitary Sewer Easement Release  
Newmarket  
Phase 1, Unit 1-E, Section 2  
Lots 26 & 25  
(3689 & 3693 Pole Club Boulevard)  
Lexington, Fayette County Kentucky

**COMMENCING AT A POINT** in the northern most corner of Lot 26 of Newmarket, Phase 1, Unit 1-E, Section 2 known as 3689 Polo Club Boulevard as shown on Plat Cabinet \_\_\_\_, Slide \_\_\_\_ of record in the Fayette County Clerk's Office; thence South 33 degrees 12 minutes 31 seconds West, 11.72 feet to the **TRUE POINT OF BEGINNING**; thence South 25 degrees 23 minutes 29 seconds East, 15.98 feet to a point; thence South 44 degrees 28 minutes 16 seconds West, 68.47 feet to a point; thence South 21 degrees 45 minutes 01 seconds East, 98.93 feet to point; thence South 44 degrees 32 minutes 46 seconds West, 16.38 feet to a point; thence North 21 degrees 45 minutes 01 seconds West, 115.30 feet to a point; thence North 44 degrees 28 minutes 16 seconds East, 83.76 feet to the **POINT OF BEGINNING** and containing 0.06 acres (2,748 square feet).