

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT is made and entered into this _____ day of March, 2014, by and between the LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, an urban county government created pursuant to Chapter 67A of the Kentucky Revised Statutes, 200 East Main Street, Lexington, Kentucky 40507, Party of the First Part, and WILLIAM B. FRYE and WILLIAM B FRYE, 100 McFall Lane, Versailles, Kentucky 40383, Parties of the Second Part, WILLIAM HOWARD and STEPHEN HOWARD, 3274 North Cleveland Road, Lexington, Kentucky 40516, Parties of the Third Part, BRYAN McMORROW, 1016 Chasewood Way, Lexington, Kentucky 40513, Party of the Fourth Part, and WILLIAM B. FRYE and WILLIAM B FRYE, 100 McFall Lane, Versailles, Kentucky 40383, Parties of the Fifth Part.

WHEREAS, the Parties of the Second Part are owners of Lot 2, Block A, Unit 1D of the Chestnut Run (Saddle Club) Subdivision as shown by the plat of record in Plat Cabinet M, Slide 157 in the office of the Fayette County Clerk, to which plat reference is hereby made for a more particular description thereof, being known and designated as 1432 Saddle Club Way, by deed dated December 12, 2005, recorded in Deed Book 2628, Page 386 in the office of the Fayette County Clerk; and

WHEREAS, the Parties of the Third Part are the owners of Lot 3, Block A, Unit 1D of the Chestnut Run (Saddle Club) Subdivision as shown by the plat of record in Plat Cabinet M, Slide 157 in the office of the Fayette County Clerk, to which plat reference is hereby made for a more particular description thereof, being known and designated as 1436 Saddle Club Way, by deed dated December 13, 2005, recorded in Deed 2631, Page 68 in the office of the Fayette County Clerk; and

WHEREAS, the Party of the Fourth Part is the owner of Lot 4, Block A, Unit 1D of the Chestnut Run (Saddle Club) Subdivision as shown by the plat of record in Plat Cabinet M, Slide 157 in the office of the Fayette County Clerk, to which plat reference is hereby made for a more particular description thereof, being known and designated as 1440 Saddle Club Way, by deed dated Deed dated August 28, 2012, recorded in Deed Book 3098, Page 333 in the office of the Fayette County Clerk; and

WHEREAS, the Parties of the Fifth Part are owners of Lot 5, Block A, Unit 1D of the Chestnut Run (Saddle Club) Subdivision as shown by the plat of record in Plat Cabinet M, Slide 157 in the office of the Fayette County Clerk, to which plat reference is hereby made for a more particular description thereof, being known and designated as 1444 Saddle Club Way, by deed dated December 12, 2005, recorded in Deed Book 2628, Page 386 in the office of the Fayette County Clerk; and

WHEREAS, Lots 2, 3, 4 and 5, Block A, Unit 1D, Chestnut Run (Saddle Club) Subdivision shall hereinafter be referred to as the "Lots;" and

WHEREAS, there is a ten foot wide utility easement (the "Easement") running through the middle of the Lots, as shown by the plat recorded in Plat Cabinet M, Slide 157 in the office of the Fayette County Clerk; and

WHEREAS, it has been determined that the Easement is not needed for utility purposes; and

WHEREAS, the purpose of this Release of Easement is to release the said unneeded ten foot utility easement, while retaining the other utility easements on the 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 into the following described utility easement:

Chestnut Run Subdivision (Saddle Club)
Unit 1D, Block A, Lots 2, 3, 4 and 5
1432, 1436, 1440 and 1444 Saddle Club Way

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

Said Easement having been shown by the plat recorded in Plat Cabinet M, Slide 157 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 all other utility easements shown on the plat of record in Plat Cabinet M, Slide 157 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

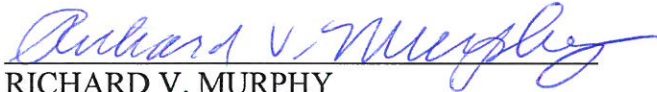
COUNTY OF FAYETTE

The foregoing Release of Easement was subscribed, sworn and acknowledged before me this _____ day of March, 2014, 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:

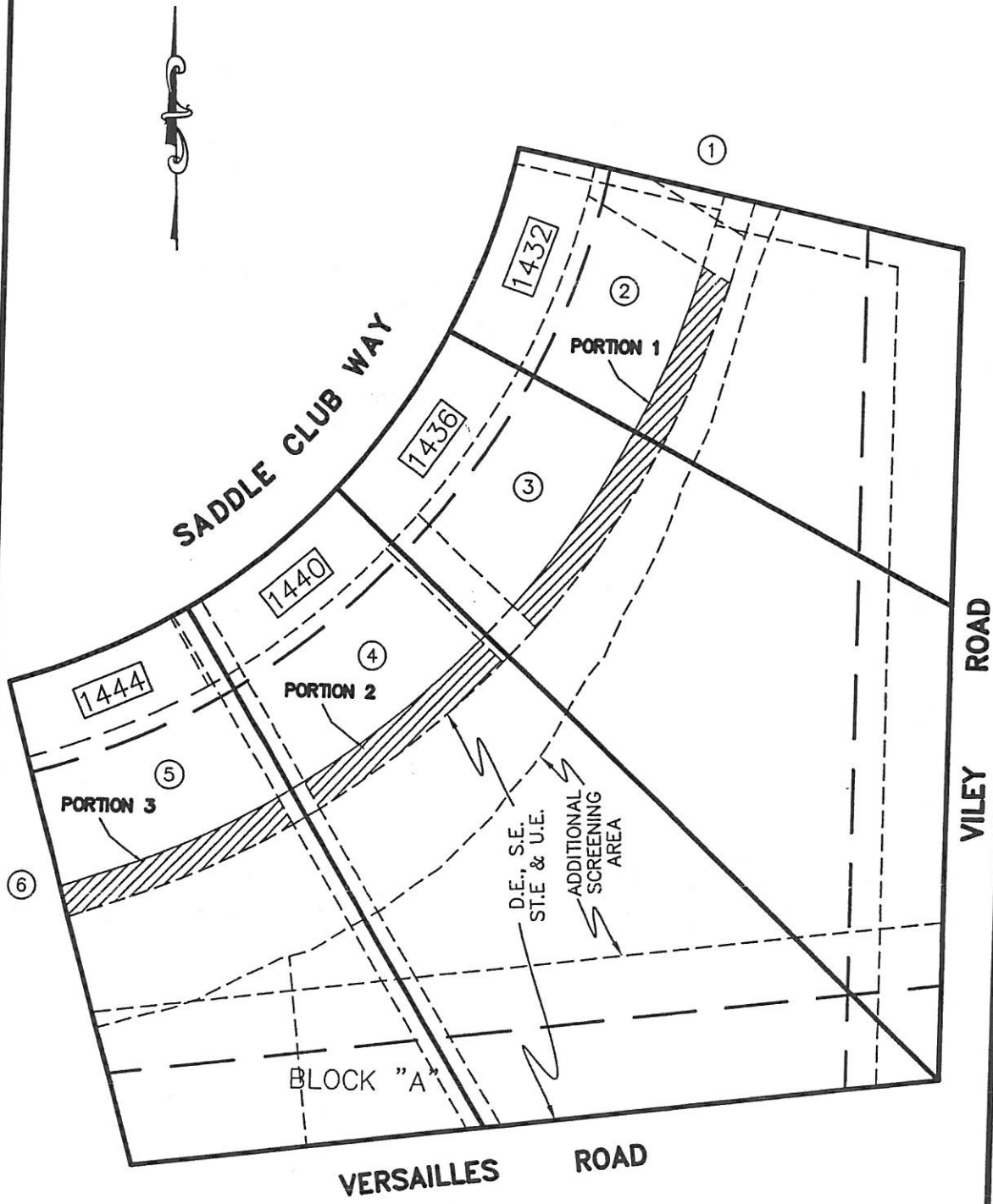


RICHARD V. MURPHY
MURPHY & CLENDENEN, PLLC
250 West Main Street, Suite 2510
Lexington, Kentucky 40507
(Telephone) 859-233-9811
(Facsimile) 859-233-0184

Easement of Release 3-13-14.docx

EXHIBIT A

EXHIBIT FOR PORTIONS 1, 2, AND 3



GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

EXHIBIT A
(Continued)

LEGAL DESCRIPTIONS OF EASEMENT TO BE RELEASED ON LOTS 2, 3, 4, AND 5,
BLOCK "A", OF THE CHESTNUT RUN SUBDIVISION (SADDLE CLUB), UNIT 1-D:

PORTION 1 (encumbering lots 2 and 3, block "A"):

Beginning at a point in the southerly right of way of Saddle Club Way, said point being a common corner of lots 3 and 4, block "A", of the Chestnut Run Subdivision (Saddle Club), Unit 1-D, of record in plat cabinet M, slide 157 in the office of the Fayette County Court Clerk; thence along the common line of lots 3 and 4 S 45°25' 40" E for 67.00' to a point; thence leaving the common line of lots 3 and 4 along a curve to the left having a radius of 292' and an arc length of 12.50', also having a chord of N 43°20'44" E for 12.50' to the TRUE POINT OF BEGINNING; thence continuing along the curve to the left having a radius of 292' and an arc length of 124.68' (passing the common line of lots 2 and 3, block "A" at an arc length of 67.91') , also having a chord of N 29°53'14 E for 123.74' to a point; thence S 58°31'41" E for 12.29' to a point; thence along a curve to the right having a radius of 302' and an arc length of 126.93' (passing the common line of lots 2 and 3, block "A" at an arc length of 56.26'), also having a chord of S 30°09'35" W for 125.99' to a point; thence N 45°25'40" W for 10.01' to the true point of beginning.

PORTION 2 (encumbering lot 4, block "A"):

Beginning at a point in the southerly right of way of Saddle Club Way, said point being a common corner of lots 4 and 5, block "A", of the Chestnut Run Subdivision (Saddle Club), Unit 1-D, of record in plat cabinet M, slide 157 in the office of the Fayette County Court Clerk; thence along the common line of lots 4 and 5 S 29°38'59" E for 67.00' to a point; thence leaving the common line of lots 4 and 5 along a curve to the left having a radius of 292' and an arc length of 5.00' to the TRUE POINT OF BEGINNING; thence continuing along a curve to the left having a radius of 292' and an arc length of 72.91', also having a chord of N 52°12'57" E for 72.72' to a point; thence S 45°25'40" E for 10.00' to a point; thence along a curve to the right having a radius of 302' and an arc length of 75.66', also having a chord of S 52°13'27" W for 75.47' to a point; thence N 29°38'59" for 10.00' to the true point of beginning.

PORTION 3 (encumbering lot 5, block "A"):

Beginning at a point in the southerly right of way of Saddle Club Way, said point being a common corner of lot 5 and 6, block "A", of the Chestnut Run Subdivision (Saddle Club), Unit 1-D, of record in plat cabinet M, slide 157 in the office of the Fayette County Court Clerk; thence along the common line of lots 5 and 6 S 13°52'18" E for 67.54' to the TRUE POINT OF BEGINNING; thence leaving the common line of lots 5 and 6 along a curve to the left having a radius of 292' and an arc length of 75.43', also having a chord of N 68°19'33" E for 75.27' to a point; thence S 29°38'59" E for 10.00' to a point; thence along a curve to the right having a radius of 302' and having an arc length of 78.19', also having a chord of S 68°18'38" W for 78.02' to a point in the common line of the lots 5 and 6; thence with the common line of lots 5 and 6 N13°52'18" W for 10.02' to the true point of beginning.