

PARTIAL RELEASE OF EASEMENT

THIS PARTIAL RELEASE OF EASEMENT, made and entered into on this the \_\_\_\_ day of \_\_\_\_\_, 2014 between LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, whose mailing address is 200 East Main Street, Lexington, Kentucky 40507, an Urban County Government pursuant to KRS 67A, (hereinafter "Government" ), party of the first part, and J. L. & C. G., LLC, a Kentucky limited liability company, whose mailing address is 4170 Harrodsburg Road, Danville, KY 40422; Stone Land, LLC, a Kentucky limited liability company, whose mailing address is 4170 Harrodsburg Road, Danville, KY 40422; and Lochdale Development, Inc., a Kentucky corporation, whose mailing address is 521 Irvin Road, Danville, KY 40422, parties of the second part.

WITNESSETH:

WHEREAS, a certain sanitary and storm sewer easement was established for the benefit of the Government as set forth in deed of easement dated October 1, 1984 and recorded in Deed Book 1353, Page 804 in the office of the Fayette County Clerk;

WHEREAS, the properties affected by said easement are the following:

- (a) 200 Waveland Museum Lane owned by J.L. & C.G., LLC as set forth in Deed Book 2169, Page 684 in the office of the Fayette County Clerk;
- (b) 350 Waveland Museum Lane owned by Stone Land, LLC as set forth in Deed Book 3098, Page 353 in the office of the Fayette County Clerk;
- (c) 370 Waveland Museum Lane owned by Stone Land, LLC as set forth in Deed Book 3098, Page 353 in the office of the Fayette County Clerk;
- (d) 3760 Winthrop Drive owned by Lochdale Development, Inc., a Kentucky corporation as set forth in Deed Book 2389, Page 58 in the office of the Fayette County Clerk; and
- (e) 3765 Winthrop Drive owned by Lochdale Development, Inc., a Kentucky corporation as set forth in Deed Book 2563, Page 324 in the office of the Fayette County Clerk;

WHEREAS, the area designated as Tract I of said easement and the 100' foot construction easement are no longer required and a portion of Tract II as described below shall be also be released and the Government desires to release and extinguish its interest in and to said easements as follows;

NOW THEREFORE, for and in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Government hereby PARTIALLY RELEASES and QUITCLAIMS, from the terms of such easement, all of its right, title and interest in and to the following real property located in Fayette County, Kentucky, and more particularly described as follows, to-wit:

BEING ALL OF TRACT I and the 100 FOOT WIDE CONSTRUCTION EASEMENT and A PORTION OF TRACT II as described as follows:

A strip of land 20+/- feet wide beginning at a point in the grantor's north property line, said point being 35 +/- feet south of the centerline of Waveland Museum Lane (formally known as Higbee Mill Road) and 434 +/- feet west of the centerline of the tracks of the Southern Railroad, thence South 3 degrees 09' 35" West, a distance of 13+/- feet to a point having coordinates N=171,625.072 and E=1,916,732,728, thence South 71 degrees 17' 04" East, a distance of 138.34 feet.

It is the intention of the Government to forever extinguish its easement interest in the area described above. It is understood that in making this Partial Release, the other area described in said easement shall remain unaffected.

IN WITNESS WHEREOF, the Government has hereby caused its corporate name to be affixed by its duly authorized officer, on this the day and year first above written.

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

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

STONE LAND, LLC

By: Jannette D. Herman  
Title: member

J.L. & C.G., LLC

By: Jannette D. Herman  
Title: member

LOCHDALE DEVELOPMENT, INC.

By: [Signature]  
Title: PROSIDENT  
LOGAN H. GERMANU

COMMONWEALTH OF KENTUCKY

COUNTY OF FAYETTE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by Jim Gray as Mayor of Lexington-Fayette Urban County Government, an urban county government pursuant to KRS 67A, on behalf of said government..

\_\_\_\_\_  
NOTARY PUBLIC, STATE AT LARGE, KY  
My Commission Expires: \_\_\_\_\_

COMMONWEALTH OF KENTUCKY

COUNTY OF FAYETTE

The foregoing instrument was acknowledged before me this 16 day of April, 2014, by Jeannette D. German as Stone Land, LLC, a Kentucky limited liability company, for and on behalf of said company.

[Signature] #435754  
NOTARY PUBLIC, STATE AT LARGE, KY  
My Commission Expires: 2-2-15

COMMONWEALTH OF KENTUCKY

COUNTY OF FAYETTE

The foregoing instrument was acknowledged before me this 16 day of April, 2014, by Jeannette D. German as Member of J.L. & C.G., LLC, a Kentucky limited liability company, for and on behalf of said company.

[Signature] #435754  
NOTARY PUBLIC, STATE AT LARGE, KY  
My Commission Expires: 2-2-15

COMMONWEALTH OF KENTUCKY

COUNTY OF FAYETTE

The foregoing instrument was acknowledged before me this 28 day of April, 2014, by LOGAN GERMAN as President of Lochdale Development, Inc., a Kentucky corporation, for and on behalf of said corporation.

[Signature]  
NOTARY PUBLIC, STATE AT LARGE, KY  
My Commission Expires: Sept 20, 2017



THIS INSTRUMENT PREPARED BY:

BY: [Signature]  
MARY ESTES HAGGIN of  
McBayer, McGinnis, Leslie & Kirkland, PLLC  
201 East Main Street, Suite 900  
Lexington, Kentucky 40507  
(859) 231-8780