

## RELEASE OF EASEMENTS

This RELEASE OF EASEMENTS ("Release") is executed on this the \_\_\_\_\_ day of \_\_\_\_\_, 2016,<sup>7</sup> by the **LEXINGTON-FAYETTE COUNTY GOVERNMENT**, having an address of 200 East Main Street, Lexington, Kentucky 40507 ("LFUCG"), in favor of **NEWTOWN SPRINGS, LLC**, a Kentucky limited liability company, having an address of 343 Waller Avenue, Suite 100, Lexington, Kentucky 40504 ("Owner").

**WHEREAS**, pursuant to (a) a Final Record Plat of Newtown Springs, LLC, Unit 1, Section 1, recorded in the Fayette County Clerk's Office at Plat Cabinet M, Slide 974 ("Plat"); and (b) an Easement Minor Amended Record Plat of Newtown Springs, LLC, Unit 1, Section 1, Lot 3 and Unit 1, Section 2, recorded in the Fayette County Clerk's Office at Plat Cabinet N, Slide 267 ("Amended Plat", which together with the Plat shall collectively be referred to herein as the "Plats"), Owner did dedicate certain easements within Unit 1 of the Newtown Center Way and Newtown Springs Drive commercial development shown on the Plats (the "Development") as follows:

- (i) 20-foot utility easement located within Lot 1 (1445 Newtown Center Way), near the eastern boundary;
- (ii) 30-foot access easement located along the northern boundary of Lot 3 (1433 Newtown Center Way) and the southern boundary of Lot 1;
- (iii) 15-foot private storm sewer easement located along the northern boundary of Lot 3; and
- (iv) 15-foot sanitary sewer easement located along the northern boundary of Lot 3 and the southern boundary of Lot 1.

The foregoing easements are collectively referred to herein as the "Easements"; and

**WHEREAS**, pursuant to an Amended Plat of Newtown Springs, LLC, Unit 1, Sections 1 and 2 being recorded contemporaneously with this Release (the "Amended Plat"), Owner, among other actions, is creating 8 Lots from the original 6 Lots and reconfiguring and renumbering the Lots within the Development and as a result of said reconfiguration and renumbering of the Lots, the Easements are being eliminated; and

**WHEREAS**, Owner and LFUCG desire to release the Easements which are shown by cross-hatching on Exhibit A attached hereto, those Easements being released being referred to herein as the "Released Easements".

**WHEREFORE**, for good and valuable consideration, the sufficiency of such consideration is hereby acknowledged, LFUCG does hereby release and terminate the Released

Easements as are depicted on Exhibit A attached hereto, said Exhibit being incorporated herein by reference.

No other easements set forth or depicted on the Plats or the Amended Plat are affected by this Release.

IN WITNESS WHEREOF, LFUCG has executed this Release on the year and date first above stated.

LEXINGTON-FAYETTE URBAN COUNTY  
GOVERNMENT

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

COMMONWEALTH OF KENTUCKY

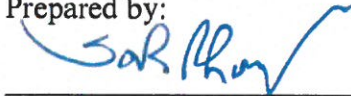
COUNTY OF FAYETTE

Acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2016, by Jim Gray,  
Mayor of the Lexington-Fayette Urban County Government.

My Commission expires: \_\_\_\_\_

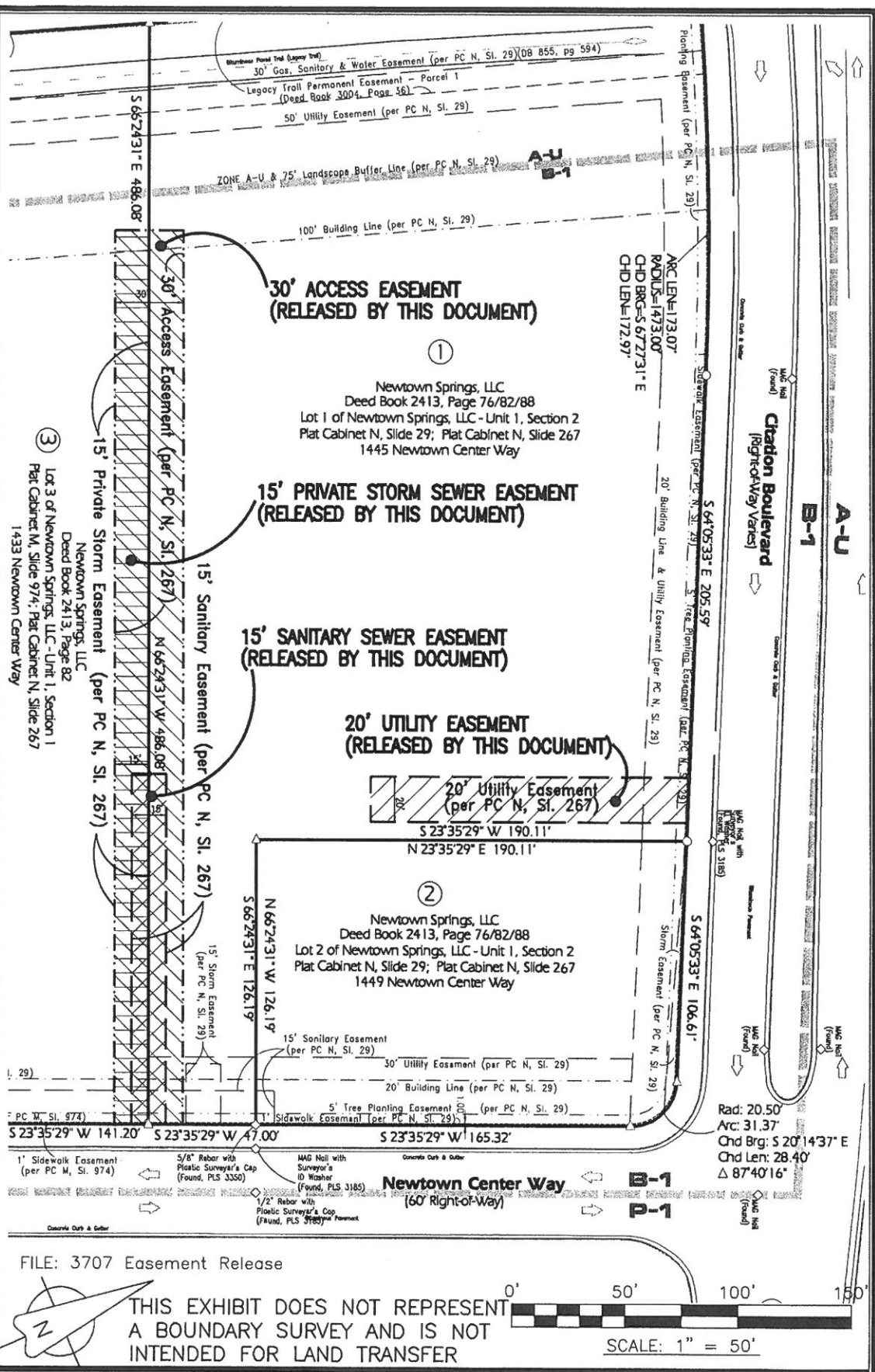
\_\_\_\_\_  
NOTARY PUBLIC

Prepared by:



\_\_\_\_\_  
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Dinsmore & Shohl LLP  
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Lexington, KY 40507  
Telephone: (859) 425-1000

"EXHIBIT A"



FILE: 3707 Easement Release

THIS EXHIBIT DOES NOT REPRESENT  
 A BOUNDARY SURVEY AND IS NOT  
 INTENDED FOR LAND TRANSFER

SCALE: 1" = 50'



**ENDRIS**  
engineering

771 ENTERPRISE DRIVE  
LEXINGTON, KENTUCKY 40510

STATE of KENTUCKY

KEVIN M. PHILLIPS  
3350  
LICENSED PROFESSIONAL LAND SURVEYOR

Kevin M. Phillips Date

**EASEMENT RELEASE**

**EXHIBIT A**

Z:\3707 Final Record Plat for Newtown Springs - Newtown Springs - Newtown Springs - Newtown Springs Easement Release Exhibits.dwg, 10/14/2016 11:31:09 PM, 1:1, Endris Engineering, KMP