

RELEASE OF EASEMENT

THIS PARTIAL RELEASE OF EASEMENT (the "Release") is made and entered into as of this the ___ day of _____, 2012 by and between **BALL HOMES, LLC**, a Kentucky limited liability company, with an address of 3609 Walden Drive, Lexington, Kentucky 40517, ("Owners"), and **THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT** ("LFUCG"), 200 East Main Street, Lexington, Kentucky 40507.

WITNESSETH:

WHEREAS, Owner is the owner of certain real estate located at property known as 516 Lorenzo Drive, Lexington, Kentucky (the "Property") which is presently encumbered by a portion of an access easement (the "Easement") held by LFUCG that is described with more particularity in that certain final subdivision plat of record in Plat Cabinet N, at Slide 216, in the Fayette County Clerk's office; and

WHEREAS, Owner has requested from LFUCG, and LFUCG has agreed to grant to Owner, a release which will release a portion of the real property described in Exhibit "A" hereto from the Easement.

NOW, THEREFORE, for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by LFUCG, Owner and LFUCG agree as follows:

1. LFUCG hereby forever and completely releases the portion of the Easement identified on Exhibit "A" hereto.
2. Owner acknowledges and agrees that all other easements, notes and other matters reflected and indicated on the subdivision plats which include the Property shall remain in full force and effect, including, but not limited to, any other portions of the Easement which have not been released herein.

IN WITNESS WHEREOF, Owner and LFUCG have caused this Release to be executed by their duly authorized representatives as of the date and year first written above.

BALL HOMES, LLC,
a Kentucky limited liability

BY: _____

ITS: _____

ML
Member / Vice President

**THE LEXINGTON FAYETTE URBAN
COUNTY GOVERNMENT**

BY: _____
ITS: _____

STATE OF KENTUCKY)
COUNTY OF FAYETTE)

The foregoing instrument was subscribed, sworn to and acknowledged before me by Mike Ball, as Member/Vice President, for and on behalf of Ball Homes, LLC a Kentucky limited liability company, on this the 30th day of November, 2012.

NOTARY PUBLIC

My commission expires: October 13, 2015

STATE OF KENTUCKY)
COUNTY OF FAYETTE)

The foregoing instrument was subscribed, sworn to and acknowledged before me by _____, as _____, for and on behalf of the Lexington-Fayette Urban County Government, on this the ____ day of _____, 2012.

NOTARY PUBLIC

My commission expires: _____

PREPARED BY:

Jonathan R. Norris, Esq.
Ball Homes, LLC
3609 Walden Drive
Lexington, Kentucky 40517
(859) 268-1191

EXHIBIT "A"

EA Partners, PLLC



CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
3111 WALL STREET
LEXINGTON, KENTUCKY 40513

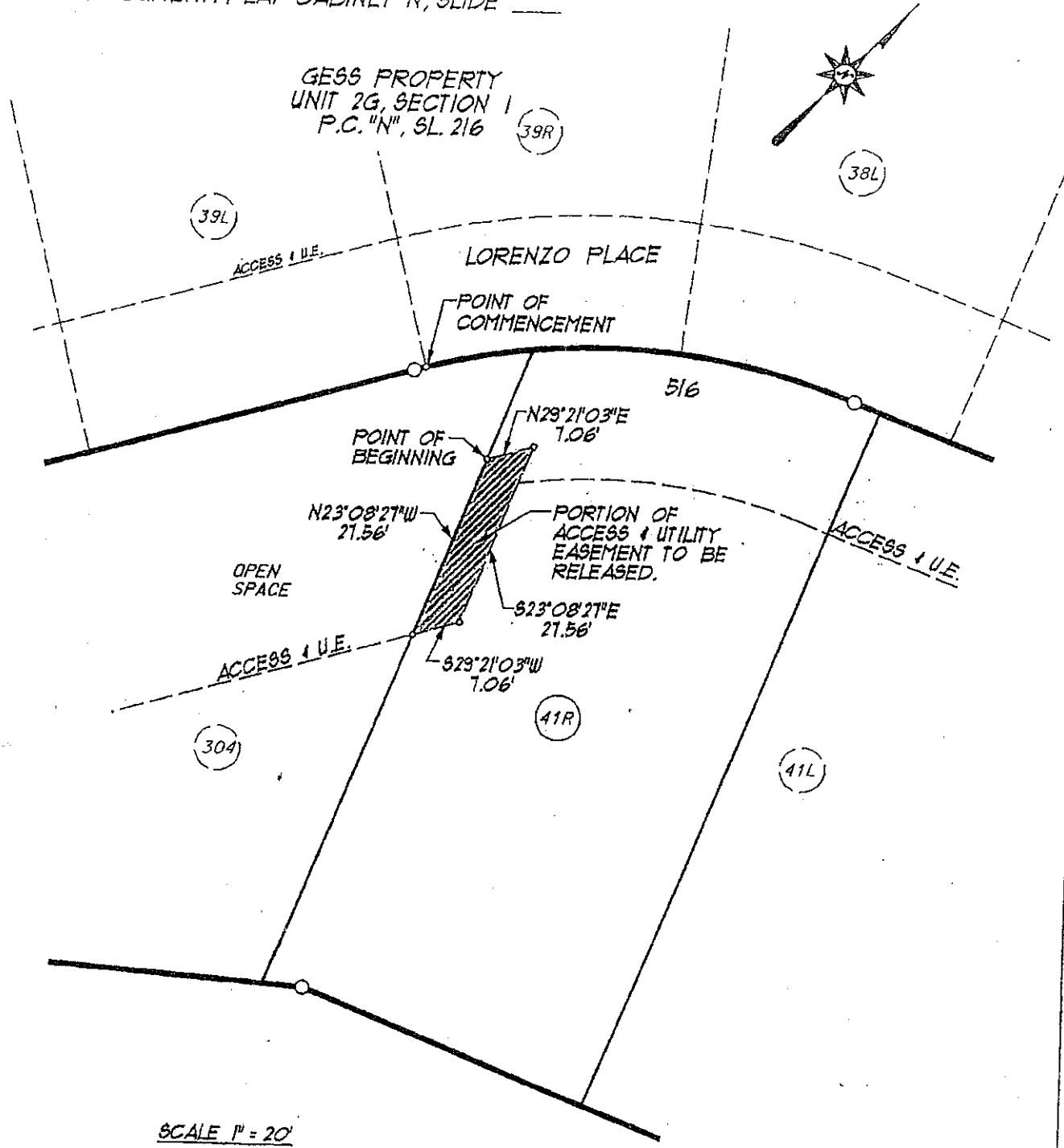
July 18, 2012

Access and Utility Easement Release
Gess Property (Chilesburg)
Unit 2G, Section 1, Lot 41R
516 Lorenzo Place
Lexington, Fayette County, Kentucky

COMMENCING at a point in the existing centerline of Lorenzo Place, said point lying in the common line of Lot 39L and Lot 39R of Gess Property (Chilesburg), Unit 2G, Section 1 as recorded in Plat Cabinet N, Slide 216 of record in the Office of the County Clerk of Fayette County, Kentucky; thence South 80 degrees 29 minutes 05 seconds East, 16.08 feet to the **TRUE POINT OF BEGINNING**; thence North 29 degrees 21 minutes 03 seconds East, 7.06 feet to a point; thence South 23 degrees 08 minutes 27 seconds East; 27.56 feet to a point; thence South 29 degrees 21 minutes 03 seconds West, 7.06 feet to a point; thence North 23 degrees 08 minutes 27 seconds West, 27.56 feet to **THE POINT OF BEGINNING** and containing 154 square feet.

Exhibit "A" continued

PARENT DOCUMENT: PLAT CABINET N, SLIDE _____



SCALE 1" = 20'

EA Partners, PLLC



CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
311 WALL STREET
LEXINGTON, KENTUCKY 40503
PHONE (606) 256-8400
FACSIMILE (606) 256-8401

EXHIBIT "A"
ACCESS & UTILITY EASEMENT RELEASE
GESS PROPERTY (CHILESBURG)
UNIT 2G, SECTION 1
LOT 41R (516 LORENZO PLACE)
LEXINGTON, FAYETTE COUNTY, KENTUCKY
JULY 2012

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DEED OF RELEASE OF A PORTION OF EASEMENT INTERESTS

This instrument made this 30th day of NOVEMBER, 2012.

WHEREAS, on the record plat known as the Gess Property (Chilesburg) Subdivision, City of Lexington, Fayette County, Kentucky, as shown by plat thereof of record in Plat Cabinet N, Slide 216 in the Fayette County Clerk's Office, certain utility easements were created on Lot 41R, Unit 2G, Section 1 of the aforementioned plat; and,

WHEREAS, the Kentucky-American Water Company has been requested to grant a release of a portion of said easements described above; and,

WHEREAS, the Kentucky-American Water Company is willing to grant such release of a portion of said easements described above;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid to the Kentucky-American Water Company by Ball Homes, LLC, a Kentucky limited liability company, with a mailing address of 3609 Walden Drive, Lexington, KY 40517, the receipt of which is hereby acknowledged, the Kentucky-American Water Company by this instrument, does hereby remise and release that portion of the easements granted on Lot 41R, Unit 2G, Section 1 on the aforementioned plat of Gess Property (Chilesburg) Subdivision in the Fayette County Clerk's Office, as shown hachured //// on the attached drawing marked Exhibit "A".

Kentucky-American Water Company expressly retains all other easement rights of which it may have an interest, as shown on the record plat of Gess Property (Chilesburg) Subdivision along with all prior and subsequent easement rights to which Kentucky-American Water Company has an interest, except for the easement rights released and particularly described above.

IN WITNESS WHEREOF, the Kentucky-American Water Company has caused these presents to be signed by its Vice President of Operations this 30th day of NOVEMBER, 2012.

KENTUCKY-AMERICAN WATER COMPANY

BY Keith Cartier
Keith Cartier, Vice President of Operations

STATE OF KENTUCKY)

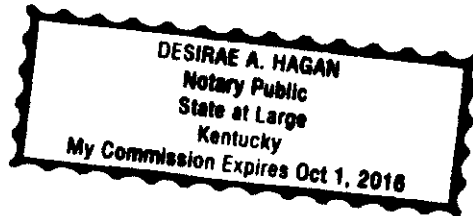
COUNTY OF FAYETTE)

I, Desirae A. Hagan, a Notary Public in and for the State and County aforesaid, do hereby certify that the foregoing easement was acknowledged, subscribed and sworn to before me this 30 day of November, 2012, by Keith Cartier, Vice President of Operations of Kentucky-American Water Company, a Kentucky corporation on behalf of the corporation.

My Commission expires: 10-1-2016.

WITNESS my hand and notarial seal on this the 30 day of November, 2012

Desirae A. Hagan 476748
NOTARY PUBLIC, STATE AT LARGE,
KENTUCKY



This Instrument Was
Prepared By:
Lindsey W. Ingram III
Stoll Keenon Ogden PLLC
300 W. Vine St. Suite 2100
Lexington, KY 40507

Lindsey W. Ingram III

EXHIBIT "A"



CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
3111 WALL STREET
LEXINGTON, KENTUCKY 40513

July 18, 2012

Access and Utility Easement Release
Gess Property (Chilesburg)
Unit 2G, Section 1, Lot 41R
516 Lorenzo Place
Lexington, Fayette County, Kentucky

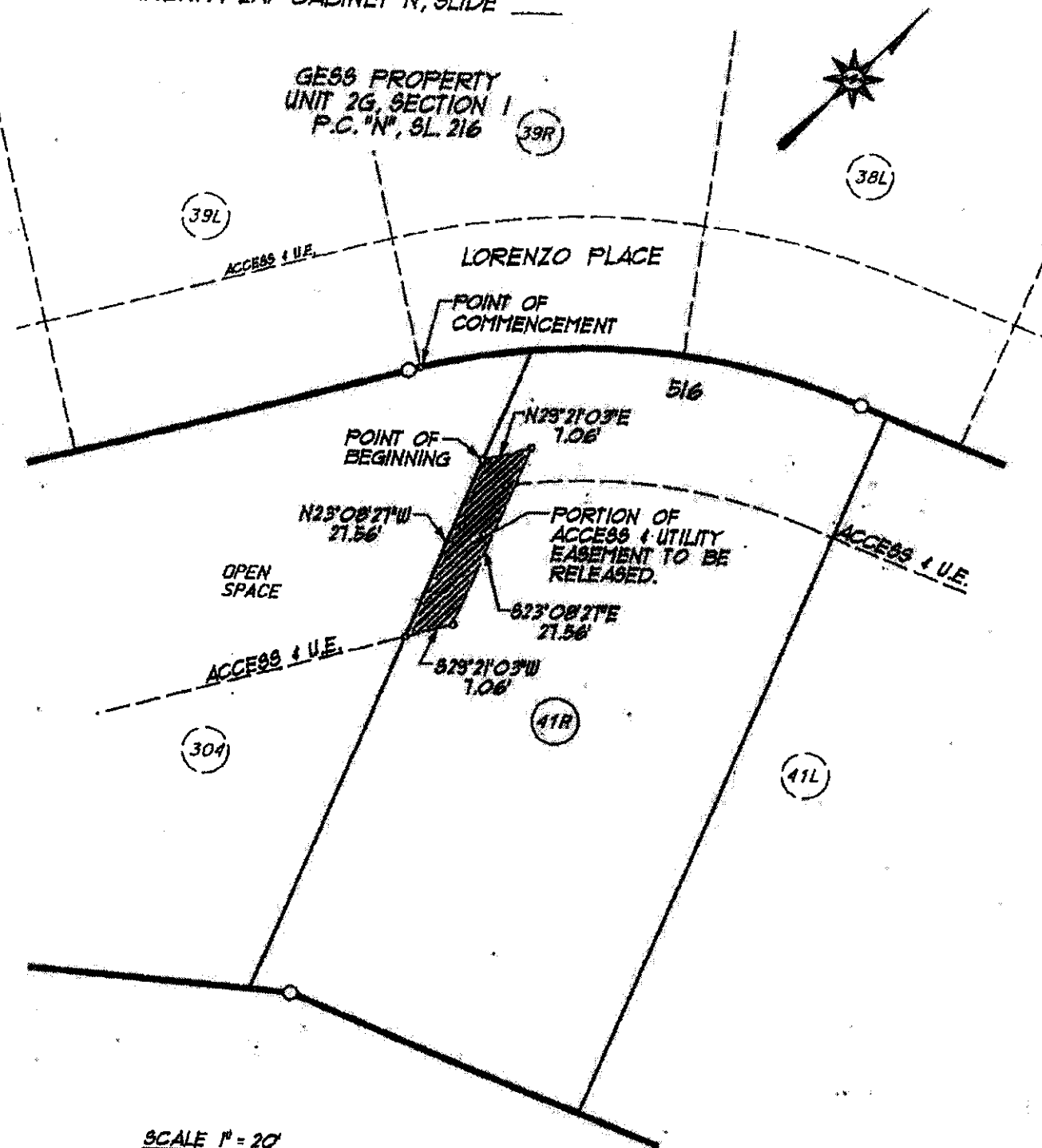
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EXHIBIT "A"
SHEET 1 OF 2

Exhibit "A" continued

PARENT DOCUMENT: FLAT CABINET N, SLIDE _____



SCALE 1" = 20'

S. Partners, PLLC



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511 WALL STREET
LEXINGTON, KENTUCKY, 40513
PHONE (606) 256-0888
FACSYTE (606) 256-0281

EXHIBIT "A"
ACCESS & UTILITY EASEMENT RELEASE
GESS PROPERTY (CHILESBURG)
UNIT 2G, SECTION 1
LOT 41R (516 LORENZO PLACE)
LEXINGTON, FAYETTE COUNTY, KENTUCKY
JULY 2012

EXHIBIT "A"

SHEET 2 OF 2

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