

RELEASE OF EASEMENT

This instrument made and entered into this ____ day of _____, 2018, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky, 40507, its successors and assigns, Party of the First Part (herein called "LFUCG") and **SPEEDWAY LLC**, c/o Real Estate Department, 539 South Main Street, Findlay, OH 45840, Party of the Second Part (herein collectively called "Owner").

WITNESSETH:

THAT WHEREAS, LFUCG has an existing 18' Utility Easement located at 1001 Georgetown Road, Lexington, KY 40511 and 1404 Mercer Road, Lexington, KY 40511; and

WHEREAS, said easement is identified on plat filed of record as "FINAL RECORD PLAT FOR MARATHON PETROLEUM COMPANY", dated February 1984, in Plat Cabinet D, Slide 711, in the Office of the Clerk of the County Court of Fayette County, Kentucky; and

WHEREAS, the easement is no longer needed and the Owner is desirous of having the easement released and LFUCG is agreeable,

NOW THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, (said consideration for this instrument is not measurable in money), LFUCG does hereby release, relinquish, and quit-claim unto the Owner all of its rights, title, and interest, if any, in and to the said easement. This instrument applies only to the Easement identified on Exhibit "B-3" labeled as "18' Utility Easement" and does not release or modify any other easements or property rights of LFUCG, including, without limitation, any easements overlapping the Easement. Further reference is made to said easement on the attached "Easement Exhibit" labeled as Exhibit "C".

Title to the property affected hereby was acquired by the Owner by Deed dated the 9th day of December, 1997 and recorded in Deed Book 1962, Page 189, and by Deed dated the 22nd day of December, 2015, recorded in Deed Book 3366, Page 247, in the aforesaid Clerk's Office.

[SIGNATURE AND NOTARY APPEARS ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned does hereunto cause its corporate name to be affixed by its duly authorized officer.

LEXINGTON-FAYETTE URBAN COUNTY
GOVERNMENT

By: _____

Name: Jim Gray

Title: Mayor

Date: _____

ACKNOWLEDGEMENT

STATE OF KENTUCKY
COUNTY OF FAYETTE

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Jim Gray, Mayor of Lexington-Fayette Urban County Government, on behalf of the government.

My commission expires on the _____ day of _____, 2018.

Notary Public, State At Large, KY

MLC 11/05
Revised DRB 01/16

This instrument prepared by:

Kevin C. Lewis
Kevin C. Lewis, Attorney
Speedway LLC
500 Speedway Drive
Enon, OH 45323

OWNER'S CERTIFICATION:

WE DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF RECORD OF THE PROPERTY PLATTED HEREON WHICH IS RECORDED IN DEED BOOK 1957, PAGE 179, IN THE FAYETTE COUNTY CLERK'S OFFICE; DO HEREBY ADOPT THIS AS OUR PLAN OF LOTS FOR THIS PROPERTY; DO HEREBY DEDICATE THE STREETS AND ANY OTHER SPACES SO INDICATED TO PUBLIC USE; AND DO ESTABLISH THAT THE EASEMENTS SO MARKED HEREON ARE RESERVED FOR THE USE OF PUBLIC UTILITIES AND NO STRUCTURES, TREES, OR OTHER OBSTRUCTIONS OF ANY KIND SHALL BE ERRECTED OR PERMITTED TO REMAIN UPON OR OVER ANY PORTION OF SAID EASEMENTS; AND DO HEREBY DEDICATE THE SANITARY SEWER SYSTEM TO PUBLIC USE.

OWNER: Athen Swartz, Marathon Petroleum Co. DATE: April 3, 1984
ADDRESS: P.O. Box 304, Dayton Ohio 45401
WITNESS: Richard G. Finne DATE: 4/19/84
ADDRESS: 180 Market St.

ENGINEER'S CERTIFICATION:

I HEREBY DO CERTIFY THAT THIS RECORD PLAN WAS PREPARED BY ME OR UNDER MY DIRECTION; THAT ALL WORK PERFORMED BY ME OR UNDER MY DIRECTION, INCLUDING ENGINEERING DESIGN, WAS DONE IN ACCORDANCE WITH THE PROVISIONS OF THE LAND SUBDIVISION REGULATIONS AND THE REQUIREMENTS OF THE PLANNING COMMISSION; THAT ALL MONUMENTS INDICATED HEREON DO EXIST AND THEIR LOCATIONS, SIZE, AND MATERIALS ARE CORRECTLY SHOWN; THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION SHOWN HEREON IS ACCURATE.

ENGINEER: W. Wayne Wells DATE: April 3, 1984

URBAN/COUNTY ENGINEER'S CERTIFICATION:

I HEREBY CERTIFY THAT THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS AND THE PLANNING COMMISSION DO NOT REQUIRE PUBLIC IMPROVEMENTS FOR THIS SUBDIVISION, AND THEREFORE NO IMPROVEMENT PLANS OR PERFORMANCE BONDS WERE REQUIRED BY MY OFFICE.

ENGINEER: W. Wayne Wells for R.G.E. DATE: April 3, 1984

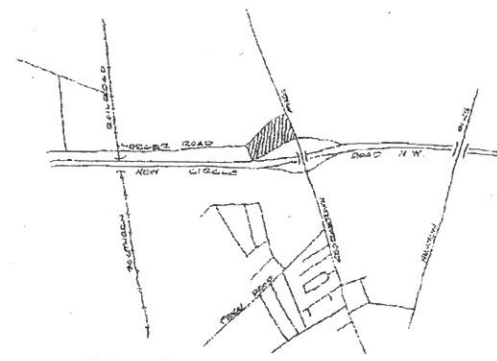
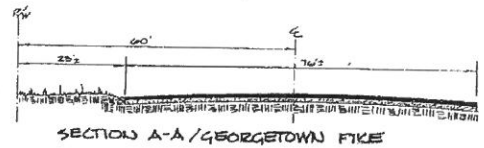
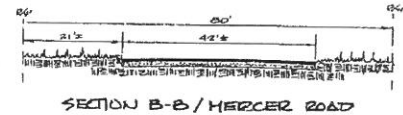
PLANNING COMMISSION'S CERTIFICATION:

I DO HEREBY CERTIFY THAT THIS RECORD PLAT WAS APPROVED BY THE URBAN/COUNTY PLANNING COMMISSION AT ITS MEETING ON 3/22/84, 1984, AND IS NOW ELIGIBLE FOR RECORDING.

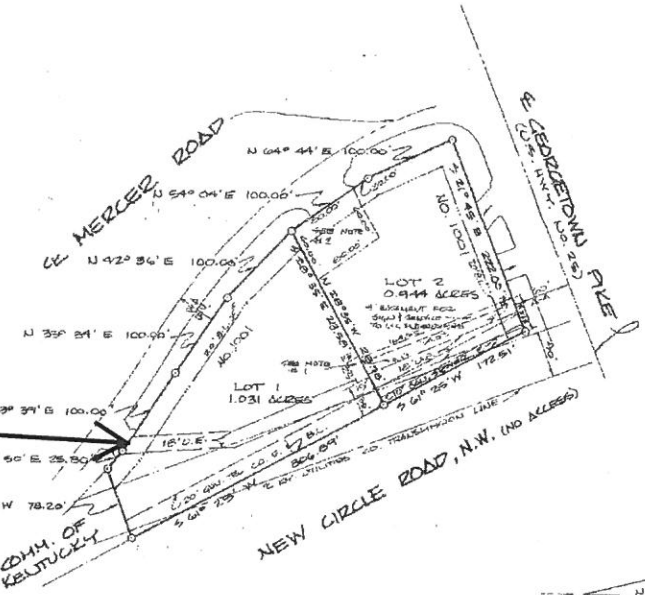
SECRETARY: Richard G. Finne DATE: 4/19/84

NOTES:

- 25' x 15' INTERSTATE HI-RISE SIGN EASEMENT RETAINED BY THE GRANTOR (LOT 1)
- 80' x 60' INGRESS EGRESS EASEMENT ON LOT 2 RESERVED FOR USE BY LOT 1
- VEHICULAR ACCESS WILL NOT BE PERMITTED FROM EITHER LOT TO NEW CIRCLE ROAD, N.W.
- SECTIONS OF GEORGETOWN PIKE ALONG FRONTAGE OF LOT 2, AND SECTIONS OF MERCER ROAD ALONG FRONTAGE OF LOTS 1 AND 2 ARE VARIABLE.
- THIS PROPERTY SHALL BE DEVELOPED IN ACCORDANCE WITH THE APPROVED DEVELOPMENT PLAN.



SITE STATISTICS
 TOTAL AREA 1.975
 2 LOTS - ZONED B-B
 NO NEW STREET CONSTRUCTION



18' Utility Easement



EXHIBIT "A"



FINAL RECORD PLAT FOR
MARATHON PETROLEUM CO.
 SCALE: 1" = 100'
 LEXINGTON / FAYETTE COUNTY, KENTUCKY
 FEBRUARY, 1984



WILLIAM H. FINNE & ASSOCIATES
 LAND SURVEYORS
 CONSULTING CIVIL ENGINEERS
 P.O. BOX 1939 • 180 MARKET STREET • LEXINGTON, KENTUCKY 40593 • 606-252-4926



DEFINING THE CITIES OF TOMORROW

23 Triangle Park Drive
Cincinnati, OH 45246
Contact: Pat Finn
513-942-3141 ext. 243
Fax: 513-881-2263
www.ibigroup.com

EASEMENT EXHIBIT
MARATHON PETROLEUM COMPANY
SUBDIVISION
PLAT CABINET D, SLIDE 711
LOT NOS. 1 & 2

REV. 7-6-16 REV. 7-14-16
REV. 7-6-17
REV. 5-18-18
REV. 6-6-18



GRAPHIC SCALE
0 50 100
(IN FEET)
1 inch = 100 ft.

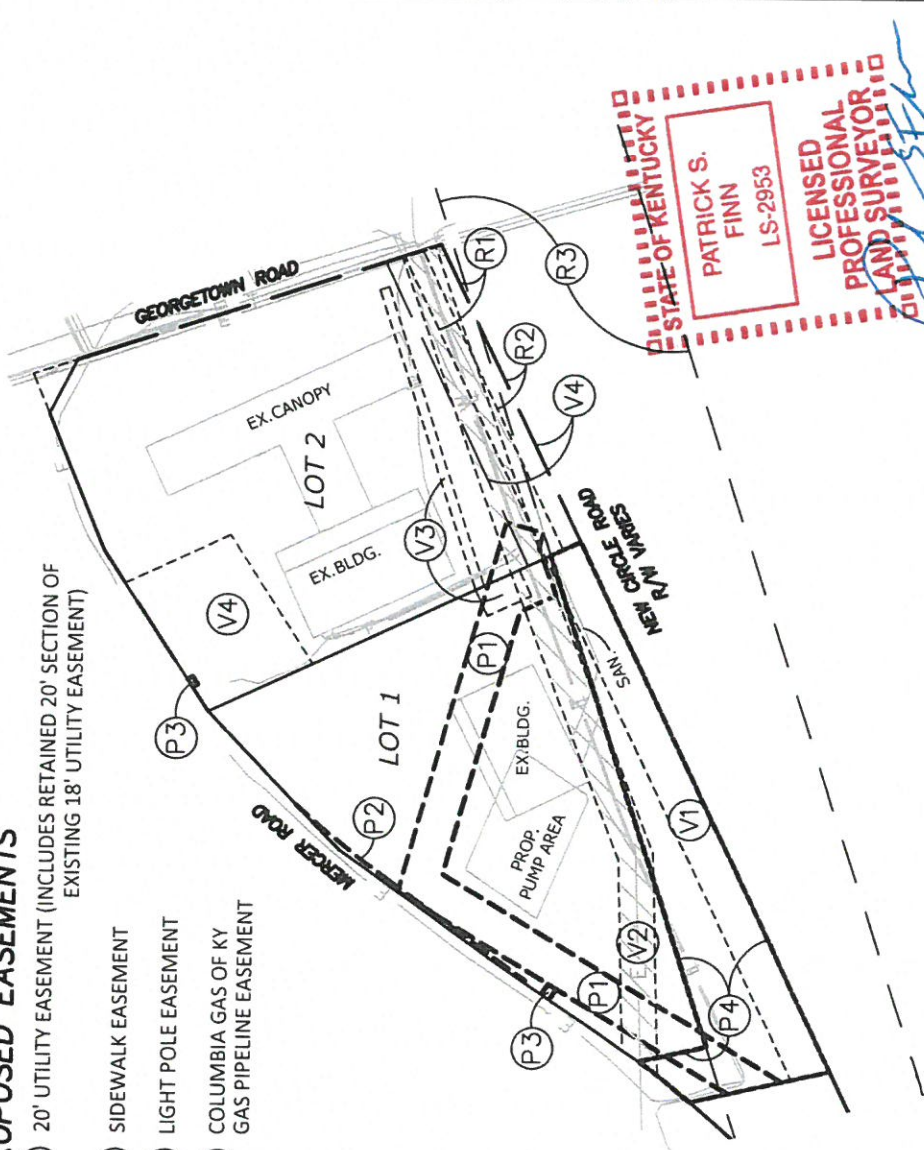
PROPOSED EASEMENTS

(P1) 20' UTILITY EASEMENT (INCLUDES RETAINED 20' SECTION OF EXISTING 18' UTILITY EASEMENT)

(P2) SIDEWALK EASEMENT

(P3) LIGHT POLE EASEMENT

(P4) COLUMBIA GAS OF KY GAS PIPELINE EASEMENT



RETAINED EASEMENTS

(R1) 20' GENERAL TELEPHONE EASEMENT
DB.811, PG. 29 (LOT 2)

(R2) 10' SANITARY SEWER EASEMENT
DB.1233, PG.654

(R3) 100' KENTUCKY UTILITIES COMPANY EASEMENT
DB.748, PG.602

PROPOSED VACATED EASEMENTS 6-15-18

(V1) 20' GENERAL TELEPHONE EASEMENT

(V2) 18' UTILITY EASEMENT (TO BE RELEASED BY THIS DOCUMENT)

(V3) SIGN EASEMENT (TO BE RELEASED BY MINOR PLAT)

(V4) INGRESS/EGRESS EASEMENTS (TO BE RELEASED BY MINOR PLAT)

STATE OF KENTUCKY
PATRICK S. FINN
LS-2953
LICENSED PROFESSIONAL LAND SURVEYOR
6/15/18