

PARTIAL RELEASE OF EASEMENT

THIS PARTIAL RELEASE OF EASEMENT (this "Release") is made and entered into on this the 10th day of November, 2022, by and between LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, an urban county government pursuant to KRS 67A, having an address at 200 East Main Street, Lexington, Kentucky 40507 (hereinafter referred to as "Government"), and Dolores Lochen and Glenn Lochen, husband and wife, 3212 Sweetwater Court, Lexington, Kentucky 40515 (hereinafter referred to as "Owner").

WITNESSETH

WHEREAS, through that certain Final Record Plat of East Lake Subdivision, Unit 4, Section 2, recorded in Plat Cabinet B, Slide 728, in the Fayette County Clerk's Office (the "Plat"), the Government became the beneficiary of a Flood Hazard Area and Drainage Easement (hereinafter collectively the "Easement"), which Easement is located across the eastern one-half portion of the following described property, to-wit (the "Property"):

Being all of Lot 69 of the East Lake Subdivision, Unit 4, Section 2, to the City of Lexington, County of Fayette, Kentucky as shown by the Final Record Plan of record in Plat Cabinet B, Slide 728 in the Fayette County Clerk's Office, being known and designated as 3212 Sweetwater Court, Lexington, Fayette County, Kentucky.

Being the same property conveyed to Owner by deed dated September 10, 2021 and recorded in Deed Book 3880, Page 188, in the Fayette County Clerk's Office.

WHEREAS, a portion of the Easement is no longer required by the Government, and the Government desires to release and extinguish its interest in and to a portion of the Easement as hereafter described. The portion of the Easement which is being released by the Government is more particularly described by the metes and bounds description attached hereto as Exhibit A and is depicted by hatching on the attached survey exhibit prepared by EA Partners, PLC attached as Exhibit B. The portion of the Easement being released shall be referred to as the "Released Portion". The remaining portion of the Easement that is not being released is shown on Exhibit B. Further, it is acknowledged and understood that this Release does not affect the 10' easements shown on the Plat and located along the northern and southern boundary of the Property ("10' Easements").

NOW, THEREFORE, for good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the Government does hereby release, relinquish and quit-claim unto Owner, its successors and assigns forever, all of its right, title and interest in and to the Released Portion of the Easement described above. This Release does not affect any part of what remains of the Easement nor does it affect the 10' Easements.

It is the intention of the Government to forever extinguish only its interest in the Released Portion of the Easement described above, and the Owner, its successors and assigns forever,

shall hereafter have and enjoy said Property free and discharged from the interest of Government only in said Released Portion.

IN WITNESS WHEREOF, the Government has executed this Partial Release by and through its duly-authorized officer, on the day and year first above written.

LEXINGTON-FAYETTE URBAN COUNTY
GOVERNMENT

By: Linda Garten
Name: Linda Garten
Title: Mayer

The foregoing Release of Easement was acknowledged before me by Linda Garten, as Mayer of Lexington-Fayette Urban County Government, on this the 10th day of November, 2022.

Mackenzie Sommer
Notary Public
My Commission Expires: 11/7/2023
Notary ID No.: 635048

PREPARED BY:

John R. Rhorer, Jr.

John R. Rhorer, Jr.
Dinsmore & Shohl LLP
100 West Main Street, Suite 900
Lexington, Kentucky 40507
(859) 425-1015

EXHIBIT A

EA Partners, PLLC

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
3111 WALL STREET
LEXINGTON, KENTUCKY 40513
PHONE (859) 296-9889
FACSIMILE (859) 296-4867

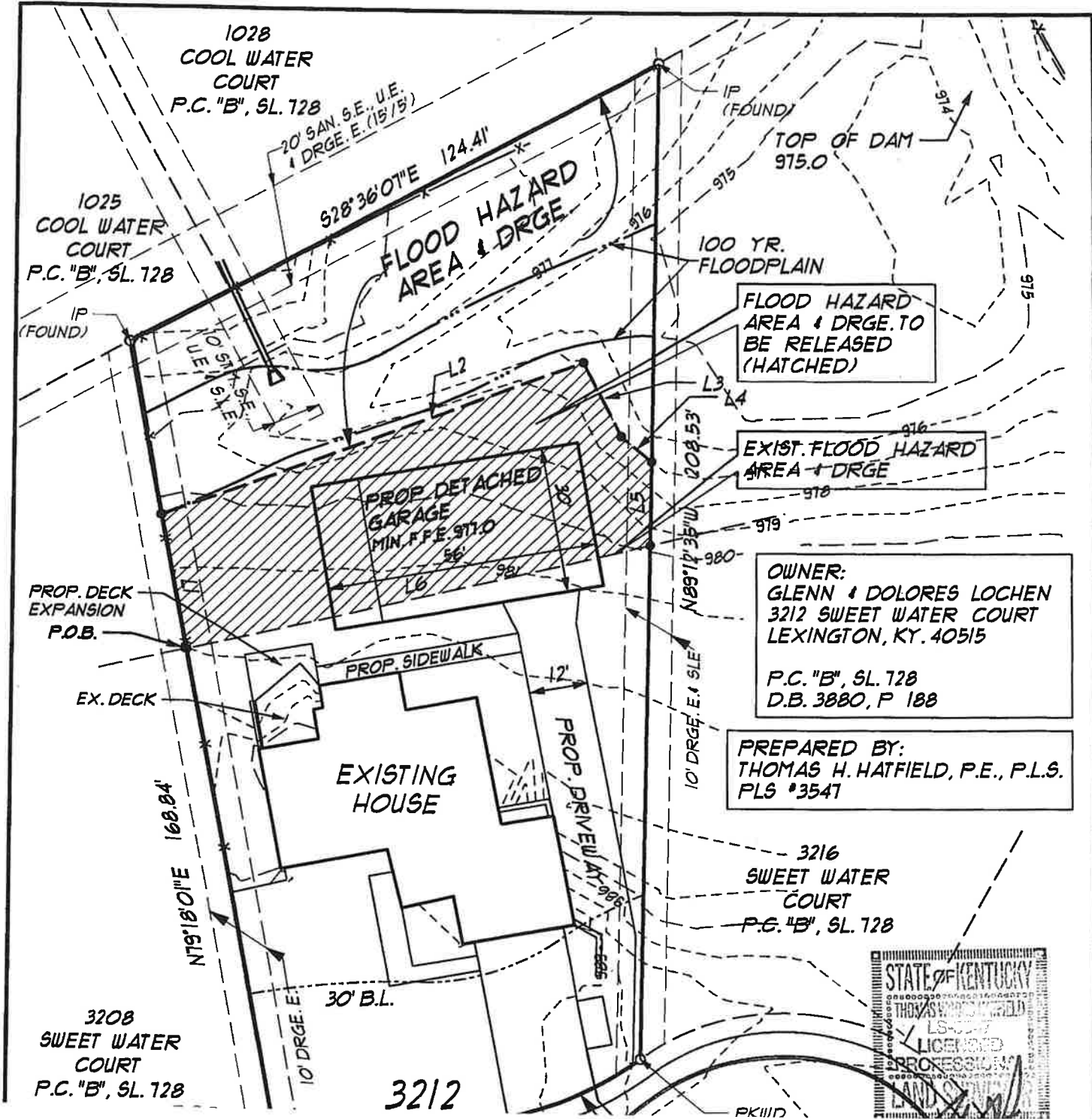
EXHIBIT "A"

September 16, 2022

Legal Description
Flood Hazard Area & Drainage Easement Release
3212 Sweet Water Court
Lexington, Fayette County, Kentucky

COMMENCING AT A POINT in northwest corner of 3212 Sweet Water Court, said point being the intersection of the lot line between 3212 & 3208 Sweet Water Court and Sweet Water Court right-of-way as shown on plat of record in the Fayette County Clerk's office in P.C. "B", Slide 728, thence with the line of 3212 and 3208 Sweet Water Court North 79 degrees 18 minutes 01 seconds East, 103.45 feet to the **TRUE POINT OF BEGINNING**; Thence continuing with said line North 79 degrees 18 minutes 01 seconds East, 28.61 feet to a point; thence leaving said line and through 3212 Sweet Water Court for three (3) calls; South 20 degrees 50 minutes 33 seconds East, 93.03 feet to a point; thence South 63 Degrees 03 minutes 28 seconds West, 17.19 feet to a point; thence South 39 Degrees 27 minutes 24 Seconds West, 8.44 feet to a point in the line of 3212 and 3216 Sweet Water Court; thence with said line North 89 Degrees 12 Minutes 35 Seconds West, 17.60 feet to a point in an existing flood hazard area and drainage easement; thence leaving line of 3212 and 3216 Sweet Water Court and with said easement North 13 degrees 28 Minutes 40 Seconds West, 98.41 feet to the **TRUE POINT OF BEGINNING** and containing 0.078 acres (3,403 square feet).

J:\850\sweetwater court 3212\exhibit\wrd\sweet water flood hazard.doc



1028
COOL WATER
COURT
P.C. "B", SL. 728

1025
COOL WATER
COURT
P.C. "B", SL. 728

IP
(FOUND)

20' SAN. S.E. U.E.
+ DRGE. E. (15'7'5")

FLOOD HAZARD
AREA + DRGE.

IP
(FOUND)

TOP OF DAM
975.0

100 YR.
FLOODPLAIN

FLOOD HAZARD
AREA + DRGE. TO
BE RELEASED
(HATCHED)

EXIST. FLOOD HAZARD
AREA + DRGE

PROP. DETACHED
GARAGE
MIN. F.F.E. 971.0

OWNER:
GLENN + DOLORES LOCHEN
3212 SWEET WATER COURT
LEXINGTON, KY. 40515

P.C. "B", SL. 728
D.B. 3880, P. 188

PREPARED BY:
THOMAS H. HATFIELD, P.E., P.L.S.
PLS #3547

3216
SWEET WATER
COURT
P.C. "B", SL. 728

PROP. DECK
EXPANSION
P.O.B.

EX. DECK

EXISTING
HOUSE

PROP. DRIVEWAY

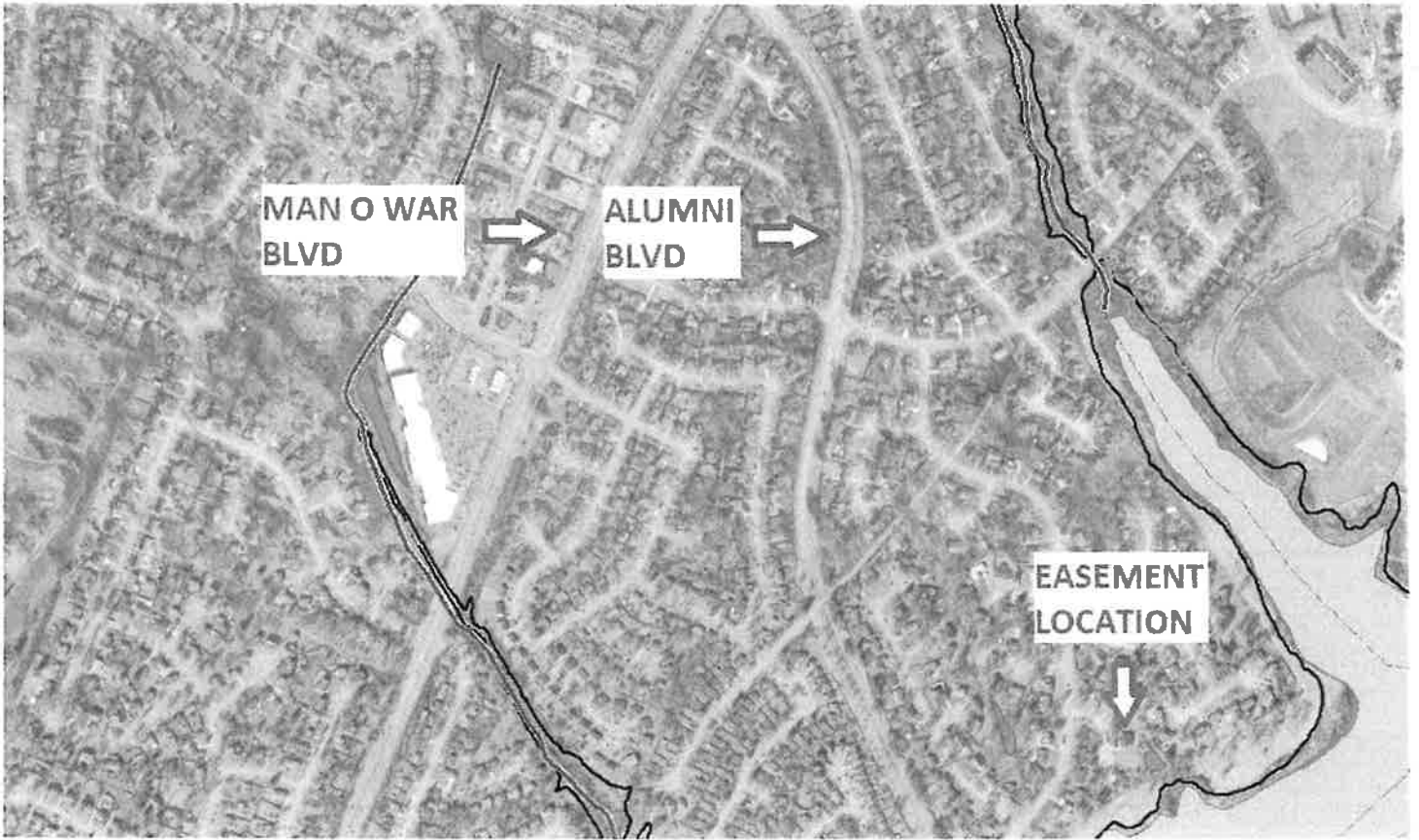
N79°18'0"E 168.84'

10' DRGE. E. 30' B.L.

3208
SWEET WATER
COURT
P.C. "B", SL. 728

3212





MAN O WAR
BLVD

ALUMNI
BLVD

EASEMENT
LOCATION