

DEED OF RELEASE OF EASEMENT INTERESTS

This instrument is made this the _____ day of _____, 2020 by the Lexington-Fayette Urban County Government, 200 East Main Street, Lexington, Kentucky 40507 for the benefit of Axis at 1435, LLC, 1999 Richmond Road, Suite 2A, Lexington, Kentucky 40502.

WHEREAS, there exists a 10' sanitary sewer easement, as created by the Easement of record in Deed Book 758, Page 314 in the Fayette County Clerk's Office, with such easement having been created for the benefit of the Lexington-Fayette Urban County Government; and,

WHEREAS, the Lexington-Fayette Urban County Government has been requested to grant a release of said easement described above as it pertains to the property located at 1435 Nicholasville Road, in Lexington, Kentucky; and,

WHEREAS, Axis at 1435, LLC obtained ownership of 1435 Nicholasville Road in Lexington, Kentucky by virtue of a deed recorded in Deed Book 3582, Page 391, of record in the Fayette County Clerk's Office; and

WHEREAS, the Lexington-Fayette Urban County Government consents to release the portion of the easement described above;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Lexington-Fayette Urban County Government, by this instrument, does hereby remise and release that portion of the easements granted by the aforementioned deed in the Fayette County Clerk's Office, as described in the document marked "Exhibit A" and as shown hachured //// on the attached drawing marked "Exhibit B."

The Lexington-Fayette Urban County Government expressly retains all other easement rights in which it may have an interest aside from those released above.

IN WITNESS HEREOF, the Lexington-Fayette Urban County Government has caused these presents to be signed by _____, its _____ on the day and year first written above.

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

By: _____

Its: _____

COMMONWEALTH OF KENTUCKY)
COUNTY OF FAYETTE)

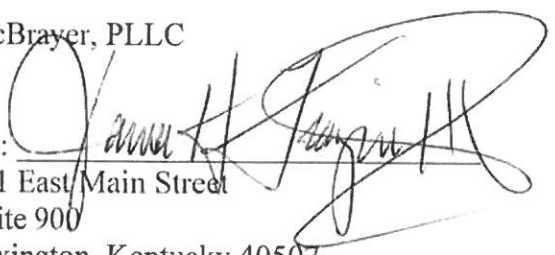
The foregoing instrument was acknowledged before me this _____ day of _____, 2020, by _____ on behalf of the Lexington-Fayette Urban County Government, for and on behalf of said entity.

NOTARY PUBLIC, STATE AT LARGE

My Commission Expires:

THIS INSTRUMENT PREPARED BY:

McBrayer, PLLC

By: 

201 East Main Street
Suite 900
Lexington, Kentucky 40507
(859) 231-8780

**Release of
10-foot Sanitary Sewer Easement
(Deed Book 758, Page 314)
across the property of
The Axis At 1435, LLC
Deed Book 3582, Page 391
1435 Nicholasville Road
Lexington, Fayette County, Kentucky**

Being a parcel of land located in Lexington, Fayette County, Kentucky and being located on the northwest side of Nicholasville Road - US Highway 27, approximately 300 feet northwest of the intersection of said Nicholasville Road - US Highway 27 and Westwood Drive, and being more particularly described as follows:

COMMENCING at a found 1" diameter pipe on the northwesterly right-of-way line of said Nicholasville Road - US Highway 27, said point being the southeast corner of Stanley M. Stockton (Deed Book 2336, Page 291 - Tract IV; being Lots 15 & 16, Block "B" of Plat Cabinet "E", Slide 220), said point being the northeast corner of The Axis At 1435, LLC (Deed Book 3582, Page 391), and said point having Kentucky State Plane Coordinates of N(Y) = 191,637.39 feet, E (X) = 1,565,062.71 feet (NAD 83, KY North Zone, US survey feet); thence with the southwesterly line of said Stanley M. Stockton and later, Amir H. Najarzadeh and Farahnoush Fattahi (Deed Book 3279, Page 644),

South 58°17'58" West a total distance of 163.69 feet to a point, said point being the intersection of the southwesterly line of said Amir H. Najarzadeh and Farahnoush Fattahi and the southeasterly line of an existing Sanitary Sewer Easement (Deed Book 758, Page 314), said point being the true Point of Beginning, thence from the

BEGINNING, and with the southeasterly line of said existing Sanitary Sewer Easement across the property of the aforementioned The Axis At 1435, LLC (Deed Book 3582, Page 391), for two (2) calls:

South 33°37'11" West a distance of 148.84 feet to a point; thence

South 15°27'03" West a distance of 66.29 feet to a point on the northeasterly line of Mary Lynn Cole (Deed Book 630, Page 69; Will Book 378, Page 39, being Lots 8 & 9, Block "G" of Plat Cabinet "E", Slide 223); thence with the northeasterly line of said Mary Lynn Cole,

North 59°22'35" West a distance of 10.36 feet to a point, said point being the intersection of said Mary Lynn Cole and said Sanitary Sewer Easement (Deed Book 758, Page 314); thence leaving said Mary Lynn Cole and with the northwesterly line of said Sanitary Sewer Easement, for two (2) calls:

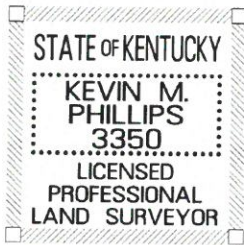
North 15°23'40" East a distance of 64.98 feet to a point; thence

North 33°37'11" East a distance of 150.32 feet to a point in the southwesterly line of the aforementioned Amir H. Najarzadeh and Farahnoush Fattahi (Deed Book 3279, Page 644); thence with the southwesterly line of the aforementioned Amir H. Najarzadeh and Farahnoush Fattahi,

South 58°17'58" East a distance of 10.01 feet to a point; which is the Point of Beginning, having an area of 2,154.3 square feet or 0.0495 acre.

The bearings and coordinates used in the description above are based on Kentucky State Plane Grid North, Kentucky State Plane North Zone, North American Datum of 1983 (NAD 83). Particularly, the bearings and coordinates are based on a GNSS survey utilizing a Trimble R6 GNSS Receiver and the KYTC VRS System.

The description above being based on a ground survey conducted under the direct supervision of Kevin Phillips (PLS 3350), of Endris Engineering, 771 Enterprise Drive, Lexington, Kentucky concluding on November 10, 2019.



A handwritten signature in red ink, appearing to read "K. Phillips", written over a horizontal line.

Kevin M. Phillips, PLS 3350
Endris Engineering, PSC
771 Enterprise Drive
Lexington, KY 40510
Phone: 859-253-1425
Email: kevin@endris.com

12-09-2019
Date

