

THIS INSTRUMENT PREPARED BY:



P. Branden Gross
Dentons Bingham Greenebaum LLP
300 West Vine Street, Suite 1200
Lexington, Kentucky 40507
Phone: (859) 288-4632
Branden.gross@dentons.com

DEED OF RELEASE OF UTILITY EASEMENT

THIS RELEASE OF UTILITY EASEMENT is made and entered into this ___ day of ___, 20___, by **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government organized pursuant to KRS Chapter 67A, 200 East Main Street, 9th Floor, Lexington, Kentucky 40507, Party of the First Part, in favor of **EXETER NEWTOWN LAND, LLC**, a Delaware limited liability company, with a mailing address of 101 West Elm Street, Suite 600, Conshohocken, Pennsylvania 19428, Party of the Second Part.

WHEREAS, the Party of the Second Part is the owner of property known as 1180 Newtown Pike, Lexington, Fayette County, Kentucky, being all of Lot 2, as shown on the plats of Lexmark International Subdivision to the City of Lexington, Fayette County, Kentucky recorded in Plat Cabinet S, Slide 118, being an amendment to Plat Cabinet R, Slide 785, in the Fayette County Clerk's Office as further amended by plat recorded in Plat Cabinet S, Slide 271, in the aforesaid office (the "Property"); and

WHEREAS, there is a utility easement located on the Property that is no longer needed.

NOW, WHEREFORE, THAT FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), the receipt of all of which is hereby acknowledged, the Party of the First Part does hereby forever release unto the Party of the Second Part, its successors and assigns forever, all of its right, title and interest in and to the following described utility easement:

Lexmark International Subdivision, Lot 2
1180 Newtown Pike

Please see the utility easement to be released as described by metes and bounds description in EXHIBIT "A", and by graphic illustration (hatched area) in EXHIBIT "B". EXHIBITS "A" and "B" are attached hereto and incorporated by reference herein.

The easement which is the subject of this Release is shown on the plat of Lexmark International Subdivision, Lot 2, recorded in Plat Cabinet S, Slide 118, being an amendment to Plat Cabinet R, Slide 785, in the office of the Fayette County Clerk, as further amended by plat recorded in Plat Cabinet S, Slide 271, in the aforesaid office.

PROVIDED, HOWEVER, the Party of the First Part hereby specifically retains its right, title and all interest in and to all other utility easements on the Property and/or as shown on the plat recorded in Plat Cabinet S, Slide 118, being an amendment to Plat Cabinet R, Slide 785, as further amended by plat recorded in Plat Cabinet S, Slide 271, unless previously released in the office of the Fayette County Clerk.

Lexington Fayette Urban County Government expressly retains all other easement rights of which it may have an interest, as shown on the plats recorded in Plat Cabinet R, Slide 785, and Plat Cabinet S, Slide 118, in the Fayette County Clerk's Office along with all prior and subsequent easement rights to which Lexington Fayette Urban County Government has an interest, except for the easement rights released and particularly described above.

<Signature Page Follows>

IN WITNESS WHEREOF, Lexington Fayette Urban County Government has caused these presents to be signed by the officer set for below on this ____ day of _____, 20__.

LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT, an urban county government created pursuant to KRS Chapter 67A

By: _____

Print Name: _____

Its: _____

Date Signed: _____

STATE OF KENTUCKY)
)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this the ____ day of _____, 20__ by _____, as _____ of **LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government created pursuant to KRS Chapter 67A, on behalf of said urban county government.

[AFFIX SEAL]

Print Name: _____
NOTARY PUBLIC
My Commission Expires: _____
Notary ID No.: _____

EA Partners, PLLC

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
3111 WALL STREET
LEXINGTON, KENTUCKY 40513
PHONE (859) 296-9889
FACSIMILE (859) 296-9887

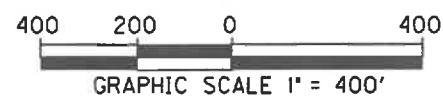
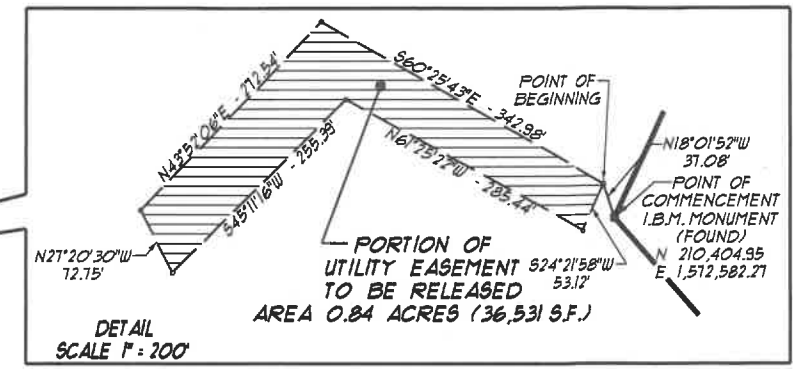
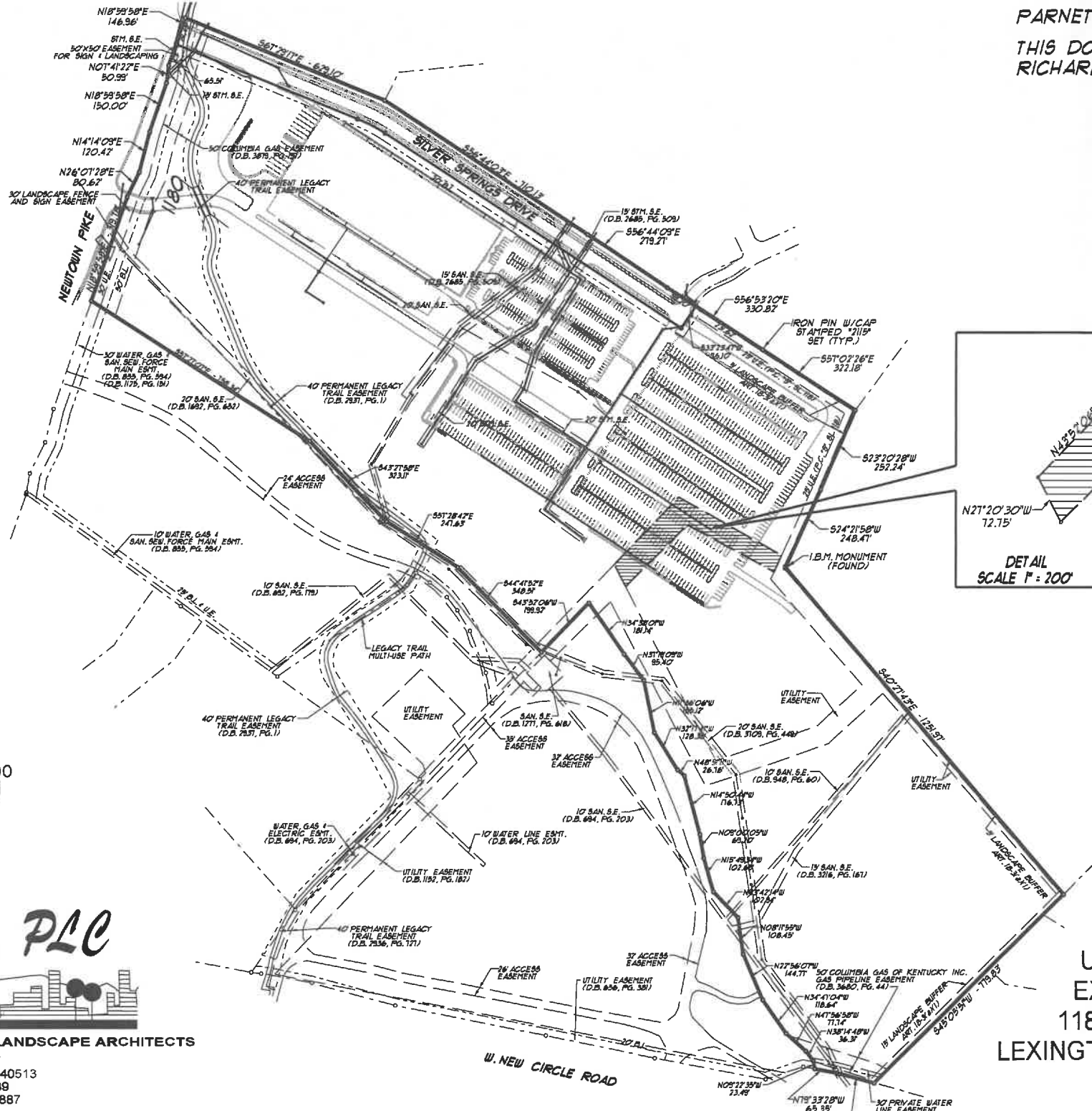
EXHIBIT "A"

August 22, 2024

Boundary Description
Utility Easement Release
1180 Newtown Pike (a portion of)
Lexington, Fayette County, Kentucky

COMMENCING AT A POINT in a northeastern corner of Lot 2, said point being a I.B.M. monument (found) as shown on the Amended Final Record Plat of Lexmark International Corporation Lot 2 known as 1180 Newtown Pike as recorded in Plat Cabinet S, Slide 271 of record in the Fayette County Clerk's office, and having Kentucky State Plane North Zone Coordinates of N 210.404.95, E 1,572,582.27; thence North 18 Degrees 01 Minutes 52 Seconds West a distance of 37.08 feet to the **TRUE POINT BEGINNING**; thence South 24 Degrees 21 Minutes 58 Seconds West a distance of 53.12 feet to a point; thence North 61 Degrees 25 Minutes 22 Seconds West a distance of 285.44 feet to a point; thence South 45 Degrees 11 Minutes 16 Seconds West a distance of 255.39 feet to a point; thence North 27 Degrees 20 Minutes 30 Seconds West for a distance of 72.75 feet; thence North 43 Degrees 52 Minutes 06 Seconds East a distance of 272.54 feet to a point; thence South 60 Degrees 25 Minutes 43 Seconds East a distance of 342.98 feet to the **POINT OF BEGINNING** and containing 0.84 acres (36,531 square feet).

J:\2002\Easement Release\Exhibit A_utility_esmt_release.doc



EA Partners, PLLC

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
 3111 WALL STREET
 LEXINGTON, KENTUCKY 40513
 PHONE (859) 296-9889
 FACSIMILE (859) 296-9887

EXHIBIT "B"
UTILITY EASEMENT RELEASE
EXETER NEWTOWN LAND, LLC
1180 NEWTOWN PIKE (a portion of)
LEXINGTON, FAYETTE COUNTY, KENTUCKY
AUGUST, 2024