

PARTIAL RELEASE OF UTILITY EASEMENT

THIS PARTIAL RELEASE OF UTILITY EASEMENT (this "Release"), is made and entered into this ____ day of _____, 2017, by (i) **LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government pursuant to KRS 67A, having a mailing address of 200 East Main Street, Lexington, Kentucky 40507 (the "LFUCG"), in favor of (ii) **THE BOARD OF TRUSTEES OF FIRST UNITED METHODIST CHURCH**, having a mailing address of 200 West High Street, Lexington, Kentucky 40507 (the "Owner").

WITNESSETH:

WHEREAS, through that Final Record Plat of the Floyd Douglas & Betty Jane Richardson, Walnut Hill Properties, Inc., and Todds Station, Inc. Property, of record in Plat Cabinet I, Slide 305, in the Fayette County Clerk's Office (the "Plat"), the LFUCG acquired a thirty (30) foot wide utility easement (the "Easement"), over certain real property located in Lexington, Fayette County, owned by the Owner and more particularly described as follows, to-wit:

Being all of Lot 8 of the Final Record Plat of the Floyd Douglas Richardson and Betty Jane Richardson, Walnut Hill Properties, Inc., and Todds Station, Inc. Property, a plat of same being recorded in Plat Cabinet I, Slide 305, in the Fayette County Clerk's Office; the improvements thereon being known and designated as 4131 TODDS ROAD.

HOWEVER, there is **EXCEPTED** from the above-described property that certain "Fee Simple Right of Way" conveyed by The Board of Trustees of First United Methodist Church, Lexington, Kentucky, to the Lexington-Fayette Urban County Government, an urban county government, through Deed dated November 7, 2005, of record in Deed Book 2599, Page 428, in the Fayette County Clerk's Office, and being described as all of Parcel 8a (1.551 acres) as shown on the Public Acquisition Minor Plat of the Polo Club Boulevard Right of Way, of record in Plat Cabinet M, Slide 679, in the Fayette County Clerk's Office.

BEING a portion of the same property conveyed to The Board of Trustees of First United Methodist Church, Lexington, Kentucky, by The Kentucky Annual Conference of The United Methodist Church, Inc., a Kentucky non-profit corporation, through deed dated August 12, 2003, of record in Deed Book 2388, Page 536, in the Fayette County Clerk's Office.

WHEREAS, certain portions of the Easement are no longer required by the LFUCG as to the above-described property, and the LFUCG desires to release and extinguish its interest in and to such portions of the Easement.

NOW THEREFORE, for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the LFUCG hereby releases unto the Owner all of its right, title and interest in and to that portion of the Easement more particularly described as follows:

**DESCRIPTION OF PORTION OF THIRTY (30) FOOT
UTILITY EASEMENT TO BE RELEASED**

Being a parcel of land located in Lexington, Fayette County, Kentucky and being on the northeast side of Todds Road and on the southeast side of Polo Club Boulevard, and being more particularly described as follows:

COMMENCING at a found 1/2" diameter rebar with plastic surveyor's cap (PLS 1366), said point being the intersection of the northeasterly right-of-way line of Todds Road - Kentucky State Highway 1927 and the southeasterly right-of-way line of Polo Club Boulevard, said point having Kentucky State Plane Coordinates of N(Y) = 180,553.70', E(X) = 1,598,787.31' (KY North Zone, NAD 83, US Survey Feet); thence with the southeasterly right-of-way line of said Polo Club Boulevard, for two (2) calls: (i) North 25°44'58" West a distance of 65.80 feet to a found 1/2" diameter rebar with plastic surveyor's cap (PLS 1366); and thence (ii) North 19°18'54" East a distance of 233.86 feet to a point, said point being the point of intersection of the southeasterly right-of-way line of said Polo Club Boulevard and the southwesterly line of a 30' Utility Easement, set forth in Plat Cabinet "I", Slide 305; thence leaving said southeasterly right-of-way line of Polo Club Boulevard and with the southwesterly line of said 30' Utility Easement, South 78°47'16" East a distance of 50.50 feet to a point on a 50' Front Yard Building Setback Line; which is the true Point of Beginning, thence from the BEGINNING, and with said 50' Front Yard Building Setback Line, North 19°15'45" East a distance of 30.30 feet to a point, said point being the intersection of said 50' Front Yard Building Setback Line and the northeasterly line of the said 30' Utility easement; thence leaving said 50' Front Yard Building Setback Line, and with the northeasterly line of said 30' Utility Easement, South 78°47'16" East a distance of 275.00 feet to a point; thence leaving the northeasterly line of said 30' Utility Easement, and with a new line across the property of the Board of Trustees of the First United Methodist Church (Deed Book 2388, Page 536), South 19°15'45" West a distance of 30.30 feet to a point on the southwesterly line of said 30' Utility Easement; thence with the southwesterly line of said 30' Utility Easement, North 78°47'16" West a distance of 275.00 feet to a point on the aforementioned 50' Front Yard Building Setback Line; which is the Point of Beginning, having an area of **8,250.0 square feet**, 0.1894 acre (and being the cross-hatched area depicted on Exhibit "A" attached hereto, and hereinafter referred to as "**the Portion of Utility Easement to be Released**").

The bearings referenced above are based on Kentucky State Plane grid north, 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 an actual ground survey of the property conducted under the supervision of Kevin M. Phillips (PLS 3350), of Endris Engineering, 771 Enterprise Drive, Lexington, Kentucky. The ground survey was concluded on June 18, 2017.

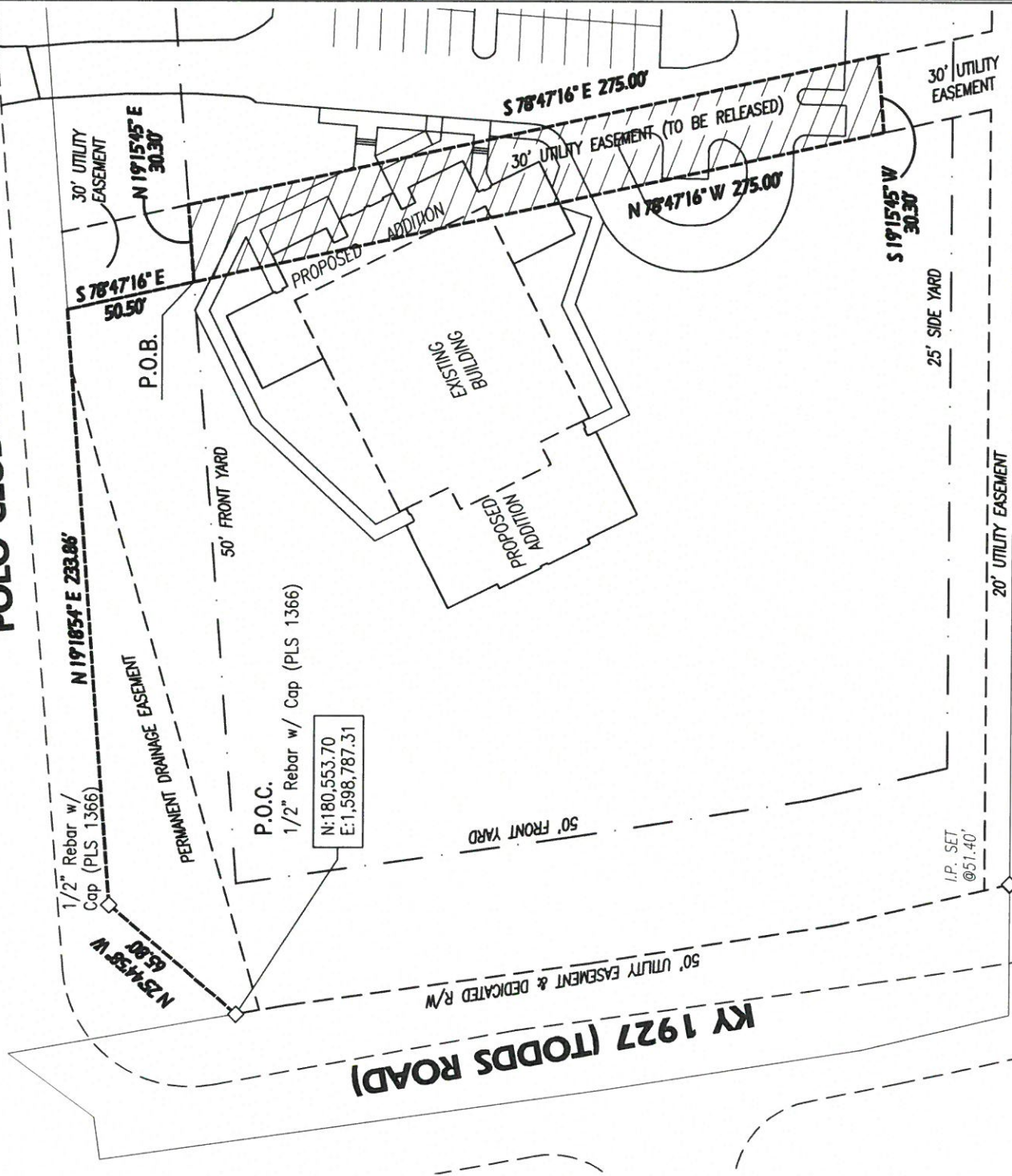
THIS INSTRUMENT
PREPARED BY:



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GAH/171298pdfgh

POLO CLUB BOULEVARD



AMERICAN AVENUE BAPTIST CHURCH, INC.
 D.B. 1617, pg. 734
 P.C. 1, SLIDE 305
 P.C. 1, SLIDE 516

◇ FOUND MONUMENT
 AS NOTED



STATE OF KENTUCKY
 KEVIN M. PHILLIPS
 3350
 LICENSED PROFESSIONAL LAND SURVEYOR

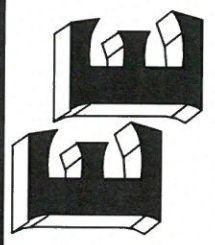


Exhibit A

THIS EXHIBIT DOES NOT REPRESENT
 A BOUNDARY SURVEY AND IS NOT
 INTENDED FOR LAND TRANSFER



06-20-2017



ENDRIS
engineering
 771 ENTERPRISE DRIVE
 LEXINGTON, KENTUCKY 40510

EASEMENT RELEASE
EXHIBIT - 30' UTILITY EASEMENT

DRAWN BY: BPC
 FILE: 3674 Easement Release
 JOB NUMBER: 3674