

PARTIAL RELEASE OF UTILITY EASEMENT

THIS PARTIAL RELEASE OF UTILITY EASEMENT, is made and entered into on this the _____ day of _____, 2013, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government pursuant to KRS 67A, with an address of 200 East Main Street, Lexington, Kentucky 40507 (hereinafter "First Party"), and **BALL HOMES, LLC**, a Kentucky limited liability company, with an address of 3609 Walden Drive, Lexington, Kentucky 40517 (hereinafter "Second Party");

WITNESSETH:

WHEREAS, through that Final Record Plat of Lochmere Estates (Maple Ridge), Unit 1-A, Section 2, of record, in Plat Cabinet N, Slide 504 in the Fayette County Clerk's office, the First Party acquired a utility easement over and across a parcel of land on such final record plat; and

WHEREAS, Second Party has requested, and First Party has agreed, that a portion of such utility easement shall be released and extinguished as set forth herein.

NOW, THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, First Party does hereby release, relinquish and quitclaim unto Second Party, its successors and assigns, all of its right, title and interest, if any, in and to the portion of the utility easement described herein.

NOW, THEREFORE, for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, the First Party hereby **RELEASES AND QUITCLAIMS** unto the Second Party, its successors and assigns forever, from the terms of such utility easement, all of its right, title and interest in and to the real property located in Fayette County, Kentucky, which is more particularly described in Exhibit "A" hereto.

It is the intention of the First Party to forever extinguish its easement interests in the area described above, and the Second Party, its successors and assigns forever, shall hereafter have and enjoy said property free and discharged from the interest of the First Party. It is understood that, in making this Release, all other portions of such utility easement as well as all other easements shown on the subdivision plats which affect said property remain unaffected and shall continue in full force and effect.



HOLD FOR:


Mr. Patrick McFadden
Lexington-Fayette Urban Co. Gov.
Division of Water Quality

IN WITNESS WHEREOF, the First Party and Second Party each have hereby caused its corporate name to be affixed by its duly authorized officer, on this the day and year first above written.

LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

BY: _____
ITS: _____

BALL HOMES, LLC

BY: 
ITS: Executive Vice-President

STATE OF KENTUCKY)
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me by _____,
as _____ of Lexington-Fayette Urban County Government, an urban
county government pursuant to KRS 67A, on behalf of said government, on this _____ day of
_____, 2013.

My Commission expires: _____

NOTARY PUBLIC

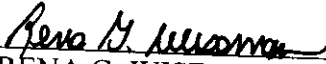
STATE OF KENTUCKY)
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me by Lisa Ball,
as Executive Vice-President of Ball Homes, LLC, a Kentucky limited liability company, on
this 18th day of July, 2013.

My Commission expires: 4-24-17

Rena H. Musoman ID# 488023
NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY:


RENA G. WISEMAN, ESQ.
3609 Walden Drive
Lexington, Kentucky 40517
(859)-268-1191

July 09, 2013

Utility Easement Release
Lochmere Estates (Maple Ridge)
Unit 1-A, Section 1a
Lots 53 & 54
806 & 810 Lochmere Place
Lexington, Kentucky

Parcel One

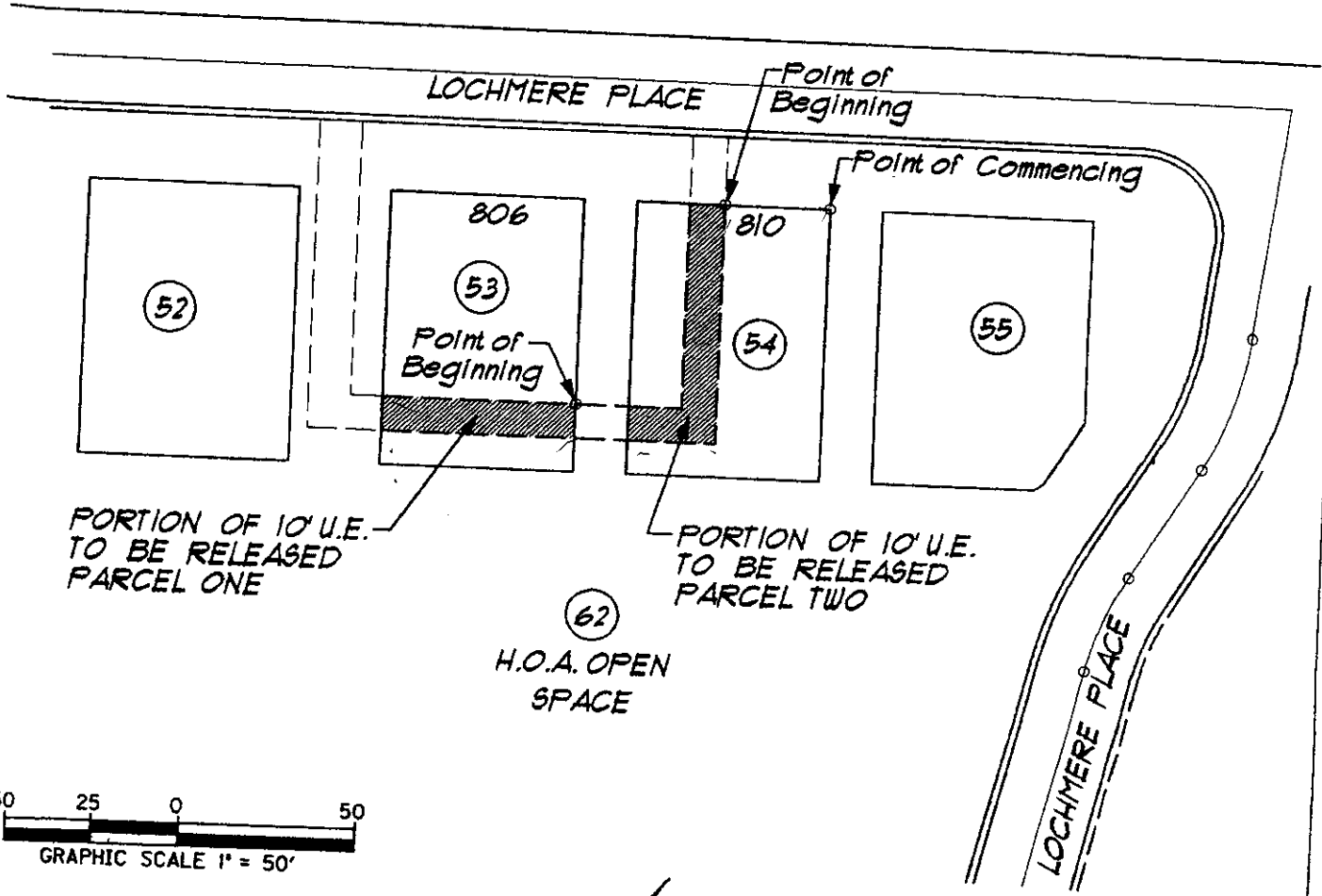
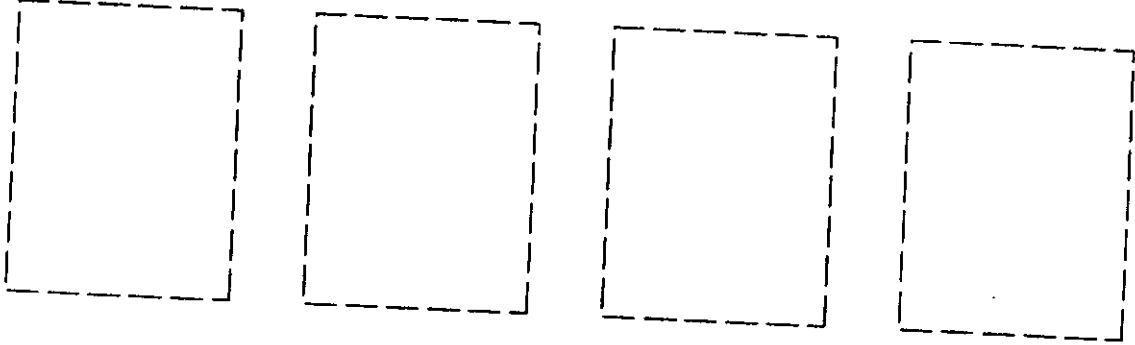
COMMENCING at a point in the northeastern corner of Lot 54 of record in Plat Cabinet "R", Slide 60 in the Office of the County Clerk of Fayette County, Kentucky; thence South 09 degrees 32 minutes 22 seconds West, a distance of 92.22 feet to the **TRUE POINT OF BEGINNING**; thence South 39 degrees 50 minutes 20 seconds East, a distance of 10.00 feet to a point; thence South 50 degrees 09 minutes 40 seconds West, a distance of 55.00 feet to a point; thence North 39 degrees 50 minutes 20 seconds West, a distance 10.00 feet to a point; thence North 50 degrees 09 minutes 40 seconds East, a distance of 55.00 feet to the **POINT OF BEGINNING** and containing 550 square feet.

Parcel Two

COMMENCING at a point in the northeastern corner of Lot 54 of record in Plat Cabinet "R", Slide 60 in the Office of the County Clerk of Fayette County, Kentucky; thence South 50 degrees 09 minutes 40 seconds West, a distance of 30.00 feet to the **TRUE POINT OF BEGINNING**; thence South 39 degrees 50 minutes 20 seconds East, a distance of 70.04 feet to a point; thence South 50 degrees 09 minutes 40 seconds West, a distance of 25.00 feet to a point; thence North 39 degrees 50 minutes 20 seconds West, a distance 10.00 feet to a point; thence North 50 degrees 09 minutes 40 seconds East, a

distance of 15.00 feet to a point; thence North 39 degrees 50 minutes 20 seconds West, a distance of 60.04 feet to a point; thence North 50 degrees 09 minutes 40 seconds East, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 850 square feet.

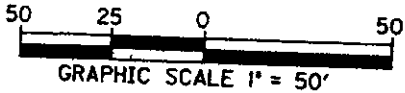
PARENT PLAT:
PLAT CABINET "R", SLIDE 60



PORTION OF 10' U.E.
TO BE RELEASED
PARCEL ONE

PORTION OF 10' U.E.
TO BE RELEASED
PARCEL TWO

(62)
H.O.A. OPEN
SPACE



EA Partners, PLLC



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LEXINGTON, KENTUCKY 40513
PHONE (606) 255-6880
FACSIMILE (606) 255-6887



UTILITY EASEMENT RELEASE
LOCHMERE ESTATES
(MAPLE RIDGE)

UNIT 1-A, SECTION 1a
LOTS 53 & 54
806 & 810 LOCHMERE PLACE
LEXINGTON, FAYETTE COUNTY, KENTUCKY
JULY 2013