

**RELEASE OF EASEMENT**

**THE RELEASE OF UTILITY EASEMENT AGREEMENT** (“Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between **LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT** (“First Party”) an urban county government organized pursuant to KRS Chapter 67A, with an address of 200 E. Main St. Lexington, Kentucky 40507 (“Grantor”) and **HAYNES BROTHERS PROPERTIES, LLC**, (“Grantee”) with an address of 1229 Versailles Road, Lexington, Kentucky, 40508.

**WITNESSETH:**

WHEREAS, the First Party has an interest in two six (6) foot-wide general utility easements and two sidewalk easements shown on Plat Cabinet E, Slide 361, and described in **Exhibit A**, which is filed of record in the Fayette County Clerk’s Office, and located in Fayette County on real property with an address of 840 Angliana Ave, Lexington, Kentucky (hereinafter “Utility Easements” and “Sidewalk Easements”).

1. Grantee is the owner of property located at **840 Angliana Ave, Lexington, Kentucky 40508**, (hereinafter “Property”), more particularly described in Deed Book 3465, Page 67 and filed of record in the Fayette County Clerk’s Office, which is subject to said Utility Easement.
2. Upon request from the Grantee, the First Party hereby releases unto the Grantee all of its right, title and interest to the Utility Easements and Sidewalk Easements and only the Utility Easements and Sidewalk Easements described in Exhibit “A” and depicted in Exhibit “B.” All other utility easements or any other easements not specifically released herein shall remain unaffected by this Release of Utility Easement.
3. In further consideration for the First Party’s release described above, Grantee, for itself and its successors and assigns, hereby releases and forever discharges and agrees to indemnify, defend and hold harmless First Party, its directors, officers, agents, employees, representatives, affiliates, successors and assigns (“Release”) from any and all demands, claims, actions, causes of action, obligations, suits, proceedings, liabilities, losses, damages, fines, penalties, costs and expenses (including, but not limited to, reasonable attorney’s fees and costs) judgments, awards, suits, and liabilities, of any kind or nature whatsoever, past present or future, caused by relating to, arising out of, or claimed to have been caused by or relating pipelines, facilities or related appurtenances of the First Party or in any way related to the release of this Utility Easement or the use thereof.

{REMAINDER OF PAGE INTENTIONALLY LEFT BLANK}

IN WITNESS WHEREOF, First Party and Grantee have caused their names to be subscribed of this \_\_\_\_ day of \_\_\_\_\_, 2020.

FIRST PARTY:

LEXINGTON FAYETTE URBAN  
COUNTY GOVERNMENT

By: \_\_\_\_\_

Title: \_\_\_\_\_

State of Kentucky     )  
                                  }  
County of Fayette     )

The foregoing instrument was subscribed, sworn to and acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2020, by \_\_\_\_\_ in his/her capacity as \_\_\_\_\_ of LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT, an urban county government organized pursuant to KRS Chapter 67A, for and on behalf of the First Party.


\_\_\_\_\_  
NOTARY PUBLIC, STATE AT LARGE

\_\_\_\_\_  
NOTARY NAME (PRINTED)

My commission expires: \_\_\_\_\_

Notary ID Number: \_\_\_\_\_

**This instrument was prepared without examination or opinion of title by:**

BY:  \_\_\_\_\_  
Scott A. Schuette, Esq.  
McBrayer PLLC  
201 E. Main Street, Suite 900  
Lexington, Kentucky 40507  
(859) 231-8780

## **Exhibit A**

### **A.G. McGregor Subdivision P.C. E, SLD. 361 Utility Easement Release**

#### **Easement A**

BEGINNING AT THE COMMON CORNER OF LOTS 16 AND 17 ON THE WESTERN RIGHT OF WAY LINE OF ANGLIANA AVE.; THENCE WITH THE LINE OF LOT 17 AND LOT 49 FOR ONE (1) CALL:

1. SOUTH 80°58'18" WEST A DISTANCE OF 206.42 FEET TO A POINT IN THE EASTERN RIGHT OF WAY LINE OF BURNS AVE. (FORMERLY); THENCE WITH SAID EASTERN RIGHT OF WAY LINE FOR ONE (1) CALL:
2. NORTH 09°59'22" WEST A DISTANCE OF 6.00 FEET; THENCE SEVERING LOT 50 AND LOT 16 FOR ONE (1) CALL:
3. NORTH 80°58'18" EAST A DISTANCE OF 206.52 FEET TO A POINT ON THE WESTERN RIGHT OF WAY LINE OF SAID ANGLIANA AVE.; THENCE WITH SAID WESTERN RIGHT OF WAY LINE FOR ONE (1) CALL:
4. SOUTH 09°01'42" EAST A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.028 ACRE

#### **Easement B**

BEGINNING AT THE COMMON CORNER OF LOTS 79 AND 80 ON THE WESTERN RIGHT OF WAY LINE OF BURNS AVE. (FORMERLY); THENCE WITH THE LINE OF LOT 80 AND LOT 116 FOR ONE (1) CALL:

1. SOUTH 80°58'18" WEST A DISTANCE OF 226.58 FEET TO A POINT ON THE EASTERN RIGHT OF WAY LINE OF BONNIE LN. (FORMERLY); THENCE WITH SAID EASTERN RIGHT OF WAY LINE FOR ONE (1) CALL:
2. NORTH 12°27'43" WEST A DISTANCE OF 6.01 FEET; THENCE SEVERING LOT 117 AND LOT 79 FOR ONE (1) CALL:
3. NORTH 80°58'18" EAST A DISTANCE OF 226.84 FEET TO A POINT ON THE WESTERN RIGHT OF WAY LINE OF BURNS AVE. (FORMERLY); THENCE WITH SAID WESTERN RIGHT OF WAY LINE FOR ONE (1) CALL:
4. SOUTH 09°59'22" EAST A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.031 ACRE

### **A.G. McGregor Subdivision P.C. E, SLD. 361 Sidewalk Easement Release**

### **Easement C**

BEGINNING AT A POINT ON THE NORTHERN LINE OF THE PARCEL CONVEYED TO LEXINGTON ANGLIANA AVENUE, LLC IN DEED BOOK 2777, PAGE 210 OF THE FAYETTE COUNTY CLERK'S RECORDS, SAID POINT BEING SOUTH 80°58'18" WEST 195.75 FEET FROM THE SOUTHEAST CORNER OF THE PARENT TRACT; THENCE SEVERING LOTS 44 THROUGH 54 FOR ONE (1) CALL:

1. NORTH 09°59'22" WEST A DISTANCE OF 508.07 FEET TO A POINT IN THE LINE OF THE PARCEL CONVEYED TO JSA PROPERTY INVESTMENTS, LLC IN DEED BOOK 3367, PAGE 537; THENCE WITH THE LINE OF SAID JSA PROPERTY INVESTMENTS, LLC FOR ONE (1) CALL:
2. SOUTH 80°58'18" WEST A DISTANCE OF 6.00 FEET TO A POINT ON THE EASTERN RIGHT OF WAY LINE OF BURNS AVE. (FORMERLY); THENCE WITH SAID EASTERN RIGHT OF WAY LINE FOR ONE (1) CALL:
3. SOUTH 09°59'22" EAST A DISTANCE OF 508.07 FEET TO A POINT ON THE LINE OF SAID LEXINGTON ANGLIANA AVENUE, LLC; THENCE WITH THE LINE OF SAID LEXINGTON ANGLIANA AVENUE, LLC FOR ONE (1) CALL:
4. NORTH 80°58'18" EAST A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.070 ACRE.

### **Easement D**

BEGINNING AT A POINT ON THE NORTHERN LINE OF THE PARCEL CONVEYED TO LEXINGTON ANGLIANA AVENUE, LLC IN DEED BOOK 2777, PAGE 210 OF THE FAYETTE COUNTY CLERK'S RECORDS, SAID POINT BEING NORTH 80°58'18" EAST 241.22 FEET FROM THE SOUTHWEST CORNER OF THE PARENT TRACT AND ON THE WESTERN RIGHT OF WAY LINE OF BURNS AVE. (FORMERLY); THENCE WITH SAID WESTERN RIGHT OF WAY LINE OF SAID WESTERN RIGHT OF WAY LINE FOR ONE (1) CALL:

1. NORTH 09°59'22" WEST A DISTANCE OF 508.07 FEET TO A POINT IN THE LINE OF THE PARCEL CONVEYED TO JSA PROPERTY INVESTMENTS, LLC IN DEED BOOK 3367, PAGE 537; THENCE WITH THE LINE OF SAID JSA PROPERTY INVESTMENTS, LLC FOR ONE (1) CALL:
2. SOUTH 80°58'18" WEST A DISTANCE OF 6.00 FEET TO; THENCE SEVERING LOTS 75 THROUGH 85 FOR ONE (1) CALL:
3. SOUTH 09°59'22" EAST A DISTANCE OF 508.07 FEET TO A POINT ON THE LINE OF SAID LEXINGTON ANGLIANA AVENUE, LLC; THENCE WITH THE LINE OF SAID LEXINGTON ANGLIANA AVENUE, LLC FOR ONE (1) CALL:
4. NORTH 80°58'18" EAST A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.070 ACRE

EASEMENTS A AND B AS HEREIN DESCRIBED BEING 6' UTILITY EASEMENTS AND EASEMENTS C AND D BEING 6' SIDEWALK EASEMENTS AS DEPICTED ON PLAT OF A.G. MCGREGOR

SUBDIVISION OF RECORD AT PLAT CABINET E, SLIDE 361 OF THE FAYETTE COUNTY CLERK'S RECORDS,

THE HEREIN DESCRIBED BEING PORTIONS OF THE SAME PROPERTY CONVEYED TO HAYNES BROTHERS PROPERTIES, LLC IN DEED BOOK 3465, PAGE 67 OF THE FAYETTE COUNTY CLERK'S RECORDS.



**819 PORTER PLACE**

JSA PROPERTY INVESTMENTS, LLC  
 LOT 12  
 WITT BUSINESS UNIT 1-A  
 P.C. B, SLD. 101  
 D.B. 3367, PG. 537  
 PVA ID: 15708400  
 ZONE B-4

**846 ANGLIANA AVE**

THOMAS & T.E. RIESBECK  
 P.C. I, SLD. 098  
 D.B. 1320, PG. 497  
 PVA ID: 14300500  
 ZONE B-4

THIS EXHIBIT IS BASED ON A FIELD SURVEY CONDUCTED UNDER THE DIRECTION OF RICHEY B. NEWTON, PLS ON MARCH 3, 2020 BUT, DOES NOT MEET THE MINIMUM REQUIREMENTS OF A BOUNDARY SURVEY AS DEFINED IN 201 KAR 18:150 AND IS FOR THE SOLE PURPOSE OF EASEMENT RELEASE. THIS EXHIBIT SHALL NOT BE USED FOR LAND TRANSFER.

**PORTER PLACE**  
 P.C. C, SLD. 114

196.26' (121) P.O. N 80°58'18" E 299.18' (12) P.O.

BURN AVE. & BONNIE LN. WERE CLOSED JUNE 19, 1930 BY BOARD OF COMMISSIONERS OF THE CITY OF LEXINGTON VIA ORDINANCE NO. 4124.

6' SIDEWALK EASE.  
 P.C. E, SLD. 361  
 TO BE RELEASED

6' SIDEWALK EASE.  
 P.C. E, SLD. 361  
 TO BE RELEASED

6' UTILITY EASE.  
 P.C. E, SLD. 361  
 TO BE RELEASED

6' UTILITY EASE.  
 P.C. E, SLD. 361  
 TO BE RELEASED

EXISTING BLDG. FOOTPRINT

**1101 WINBAK WAY**  
 LEXINGTON TROTS BREEDERS  
 P.C. R, SLD. 915  
 D.B. 372, PG. 374  
 PVA ID: 138676  
 A-U

FORMERLY BONNIE LN.  
 N 12°27'43" W 508.91'

FORMERLY BURNS AVE.  
 67' 91'

S 09°01'42" E 508.00'  
 P.C. E, SLD. 361

**ANGLIANA AVE.**  
**50' R/W**

S 80°58'18" W 464.97'

**534 ANGLIANA AVE.**

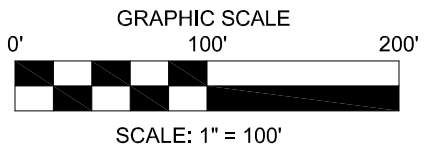
LEXINGTON ANGLIANA AVENUE, LLC  
 A.G. MCGREGOR SUBDIVISION  
 P.C. N, SLD. 556  
 D.B. 2777, PG. 210  
 PVA ID: 13905800  
 ZONE R-4

STATE of KENTUCKY  
 R.B. NEWTON  
 3674  
 LICENSED PROFESSIONAL LAND SURVEYOR

LINE	BEARING	DISTANCE
L1	S 80°58'18" W	206.42'
L2	N 09°01'42" W	6.00'
L3	N 80°58'18" E	206.52'
L4	S 09°01'42" E	6.00'
L5	S 80°58'18" W	226.58'
L6	N 12°27'43" W	6.01'
L7	N 80°58'18" E	226.84'
L8	S 08°43'18" E	6.00'
L9	N 09°59'22" W	508.07'
L10	S 80°58'18" W	6.00'
L11	S 09°59'22" E	508.07'
L12	N 80°58'18" E	6.00'
L13	N 80°58'18" E	6.00'
L14	N 09°59'22" W	508.07'
L15	S 80°58'18" W	6.00'
L16	S 09°59'22" E	508.07'

**SOURCE OF TITLE**

HAYNES BROTHERS PROPERTIES, LLC  
 DEED BOOK 3465, PAGE 67  
 PLAT CABINET E, SLIDE 361  
 PVA ID: 14710000  
 ZONE: B-4



**A.G. MCGREGOR SUBDIVISION  
 EASEMENT RELEASE EXHIBIT**

840 ANGLIANA AVE.  
 LEXINGTON, KY  
 DATE: 3/31/2020

**EXHIBIT B**



Water Resources, Civil Engineering, Geotechnical, Land Surveying,  
 Materials Testing, and Construction Inspection Consultants  
 128 E. Reynolds Road Suite 150, Lexington, KY 40517  
 Ph.(859) 333-8015 - Fax: (859) 523-0095  
 www.visionengr.com