

PARTIAL RELEASE OF EASEMENTS

THIS PARTIAL RELEASE OF EASEMENTS is made and entered into this ____, day of _____, 202__ by and between LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, an urban county government organized pursuant to KRS Chapter 67A, 200 East Main Street, 9th Floor, Lexington, Kentucky 40507 (“LFUCG”) and CBT REAL ESTATE HOLDINGS, LLC, a Kentucky limited liability company, 300 West Vine Street, Lexington, Kentucky 40507 (“CBT”).

WHEREAS, CBT is the owner of the real property known as 1100 Armstrong Mill Road, Lexington, Kentucky (the “Property”), more particularly described as follows:

TRACT 1: Being all of Parcels 1, 2 and 3 at 1100 Armstrong Mill Road, Lexington, Fayette County, Kentucky, as shown on the Consolidation Plat thereof of record in Plat Cabinet F, Slide 759 in the office of the Fayette County Clerk; there is hereby EXCEPTED all of Parcel 10 of record in Plat Cabinet I, Slide 229 which was conveyed to Millcreek Development, Inc. by Deed Book 1574, Page 577 in the office of the Fayette County Clerk;

TRACT 2: Being all of Parcels 1, 2, 3 and 4 as shown by that certain Consolidation Record Plat of a portion of Millcreek Subdivision, Unit 3, Amended and 1100 Armstrong Mill Road as shown on plat thereof of record in Plat Cabinet I, Slide 229 in the office of the Fayette County Clerk;

TRACT 3: Being all of Parcels 1, 2, 3 and 4 as shown on the Consolidation and Easement Minor Record Plat of record in Plat Cabinet K, Slide 112 and consisting of 3.11 acres; and

Being the same property conveyed to CBT Real Estate Holdings, LLC by deed in lieu of foreclosure dated September 27, 2018 from Lexington Baptist Temple, Inc., of record in Deed Book 3620, Page 692, in the Fayette County Clerk’s Office; and

WHEREAS, there is an Existing 15’ Sanitary Sewer easement located on the Property and shown on Consolidation Plat 1100 Armstrong Mill Road, of record in Plat Cabinet F, Slide 759, in the Fayette County Clerk’s Office (“Plat Cabinet F, Slide 759”), that is no longer needed and does not have utilities located in it; and

WHEREAS, pursuant to the Deed of Easement dated July 11, 1999, of record in Deed Book 2072, Page 536, in the Fayette County Clerk’s Office (“Deed Book 2072, Page 536”), there is an existing 20’ wide sanitary sewer easement located on the Property, a portion of which is no longer needed and does not have utilities located in it.

NOW, THEREFORE,

WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), the receipt and sufficiency of which is hereby acknowledged, LFUCG does hereby forever release unto CBT, its successors and assigns forever, all of its right, title and interest in and to the following described sanitary sewer easements, which are shown on Exhibit A attached hereto and made a part hereof:

PLAT CABINET F, SLIDE 759:

Beginning at a point. Said point being a common property corner to 1100 Armstrong Mill Road and the Fox and Hound Condominiums lying on the southern right-of-way of Armstrong Mill Road. Said point being N 82° 02' 32" W a distance of 29.43 feet from the southwestern corner of a bridge crossing a tributary to West Hickman Creek and approximately 1,278 feet south east from the intersection of Armstrong Mill Road and Tates Creek Road.

Thence S 60° 11' 58" E, 104.10 feet to a point on the southern right-of-way of Armstrong Mill Road and the northern property line of 1100 Armstrong Mill Road property, said point being the actual Point of Beginning of an existing Sanitary Sewer Easement. Said easement being 15 feet wide; 7.50 feet to either side of a centerline described as follows:

From the easement's Point of Beginning, S 60° 50' 10" W, 120.38 feet to a point; thence

S 49° 09' 45" W, 147.83 feet to a point, thence

N 61° 31' 08" W, 181.56 feet to a point, thence

S 29° 13' 17" W, 233.55 feet to a point, thence

S 38° 40' 07" W, 380.61 feet to a point, said point being the end of the easement's centerline.

Provided, however, only the above described property is released and any other easements or portions thereof shown on Plat Cabinet F, Slide 759 remain unaffected.

DEED BOOK 2072, PAGE 536:

Beginning at a point. Said point being a common property corner to 1100 Armstrong Mill Road and the Fox and Hound Condominiums lying on the southern right-of-way of Armstrong Mill Road. Said point being N 82° 02' 32" W a distance of 29.43 feet from the south western corner of a bridge crossing a tributary to West Hickman Creek and approximately 1,278 feet south east from the intersection of Armstrong Mill Road and Tates Creek Road.

Thence S 42° 23' 10" W, 170.70 feet to a point on the common property line of 1100 Armstrong Mill Road and the Fox and Hounds Condominiums, said point

being the actual Point of Beginning of an existing Sanitary Sewer Easement. Said easement recorded July 11, 1999 in Deed Book 2072 on Page 536. Said easement being 20 feet wide; 10 feet to either side of a centerline described as follows:

From the easement's Point of Beginning, S 39° 39' 17" W, 4.94 feet to a point; thence

S 65° 03' 10" W, 265.32 feet to a point, thence

S 65° 03' 10" W, 10.00 feet to a point, said point being the end of the easement's centerline.

Source of Title:

Being a portion of the property conveyed to CBT Real Estate Holdings, LLC by Deed in Lieu of Foreclosure dated September 27, 2018 from Lexington Baptist Temple, Inc., of record in Deed Book 3620, Page 692, in the Fayette County Clerk's Office.

PROVIDED, HOWEVER, that it is understood in making this release that all other easements of record and any portion thereof not specifically released herein remain unaffected by this release.

[REMAINDER OF THIS PAGE INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the undersigned has executed this Partial Release of Easements as of the day and year first above written.

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

By: _____
Linda Gorton, Mayor

COMMONWEALTH OF KENTUCKY

COUNTY OF FAYETTE

The foregoing Partial Release of Easement was subscribed, sworn to and acknowledged before me this ___ day of _____, 202__ by Linda Gorton, as Mayor of Lexington-Fayette Urban County Government, for and on behalf of said urban county government.

My commission expires: _____

Notary Public
Notary ID #: _____

PREPARED BY:



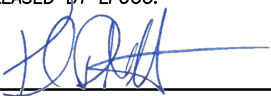
Tyler Powell, Esq.
Frost Brown Todd LLC
250 W. Main St., Suite 2800
Lexington, Kentucky 40507
(859) 231-0000

Exhibit A

SEE ATTACHED EASEMENT RELEASE REQUEST

CERTIFICATION

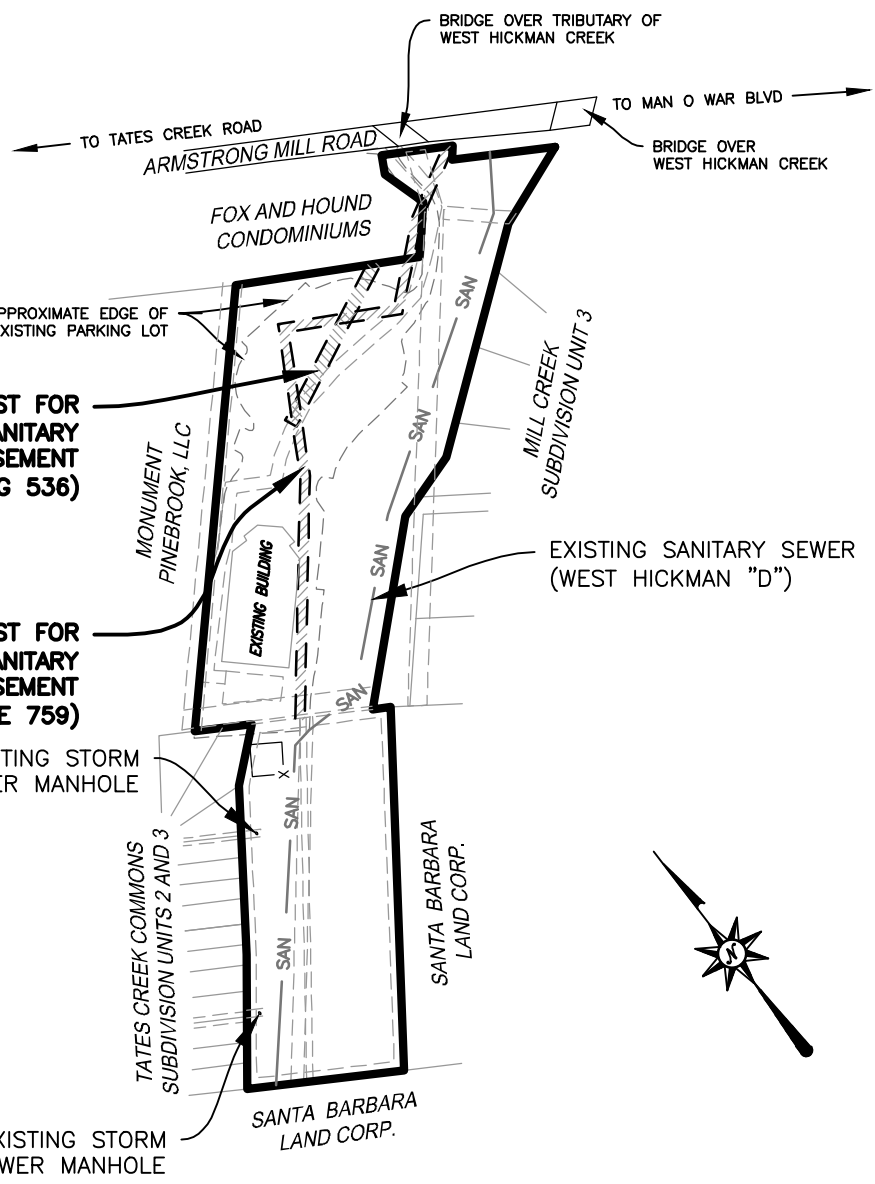
I HEREBY CERTIFY THAT THIS DRAWING DEPICTS THE LOCATIONS OF TWO EASEMENTS THAT ARE REQUESTED TO BE RELEASED BY LFUCG.





PAUL D. NESBITT, LS No. 1930

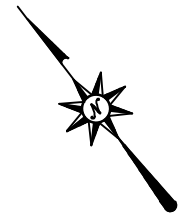
01/04/21

DATE



LEGEND

| | |
|---|--------------------|
|  | EXISTING EASEMENTS |
|  | EXISTING FENCELINE |



LAST PLOTTED ON: 1/4/2021 BY: COLLINS, KEVIN L. DRAWING FILE LOCATION: P:\CENTRAL BANK\1007-04 ARMSTRONG MILL\05 PROPERTY\FEE SIMPLE\DWGS\1100 ARMSTRONG MILL ROAD PLAT - EASEMENT RELEASE_V2.DWG



nesbitt engineering, inc.
providing proven solutions since 1976

1100 ARMSTRONG MILL ROAD
 CENTRAL BANK & TRUST CO.
 EASEMENT RELEASE REQUEST

drawing revisions:
 12/03/20 - REVISED TO COMPLY WITH LFUCG SUBMISSION PROCEDURE.

drawn by:
 KLC

job no.:
 1007.04

date:
 NOV. 2019

scale:
 1" = 300'