

**RELEASE OF EASEMENT**

**THIS RELEASE OF EASEMENT**, made and entered into this the 5<sup>th</sup> day of December, 2013, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky, 40507, an Urban County Government pursuant to KRS 67A (hereinafter "Government" or "First Party"), and **SOUTH BROADWAY PLACE HOTEL ASSOCIATES, LLC** (hereinafter "Owner" or "Second Party");

**WITNESSETH:**

**WHEREAS**, through that certain Plat of Record dated May 23, 2003, of record in Plat Cabinet "L", Slide 951 in the Fayette County Clerk's Office, the Owner or Second Party acquired a 20' utility easement which encroaches into the building envelope of the standing hotel located at 1000 Export Street, Lexington, Kentucky 40504

**WHEREAS**, the existing 20' utility easement within the building envelope of the standing hotel is no longer required by the Government or First Party, and the Government or First Party desires to release and extinguish its interest in and to said easement.

**NOW, THEREFORE**, for valuable consideration, receipt of which is hereby acknowledged, Government or First Party does hereby release, relinquish and quitclaim unto Owner or Second Party, its successors and assigns, all of its right, title and interest, if any, in and to that easement as described above and as shown on the exhibits attached.

Hold For  
Lee Hudson

IN WITNESS WHEREOF, the First Party or Government has 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

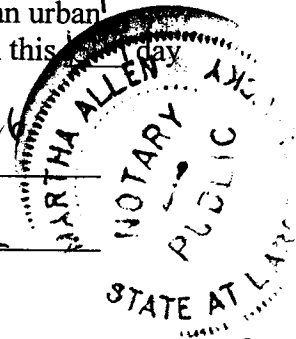
Jim Gray  
Mayor

STATE OF Kentucky  
COUNTY OF Fayette

The foregoing instrument was acknowledged before me by JIM GRAY,  
as MAYOR of Lexington-Fayette Urban County Government, an urban  
county government pursuant to KRS 67A, on behalf of said government, on this 1 day  
of December, 2013.

My Commission expires: 1/9/16 ID 457846

Martha Allen  
NOTARY PUBLIC



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

SOUTH BROADWAY PLACE  
HOTEL ASSOCIATES, LLC

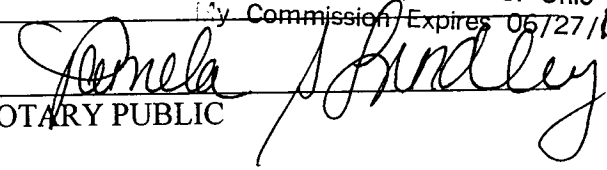
  
David C. Wespiser, Managing Member

STATE OF Ohio

COUNTY OF Butler

The foregoing instrument was acknowledged before me by David C. Wespiser  
as Managing Member of South Broadway Place Hotel Associates, LLC, on behalf of  
said owner, on this 15 day of October, 2013

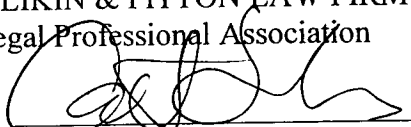
My Commission expires:

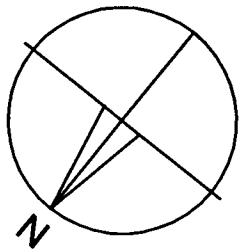
PAMELA S. LINDLEY  
Notary Public, State of Ohio  
My Commission Expires 06/27/17  
  
NOTARY PUBLIC



THIS INSTRUMENT  
PREPARED BY:

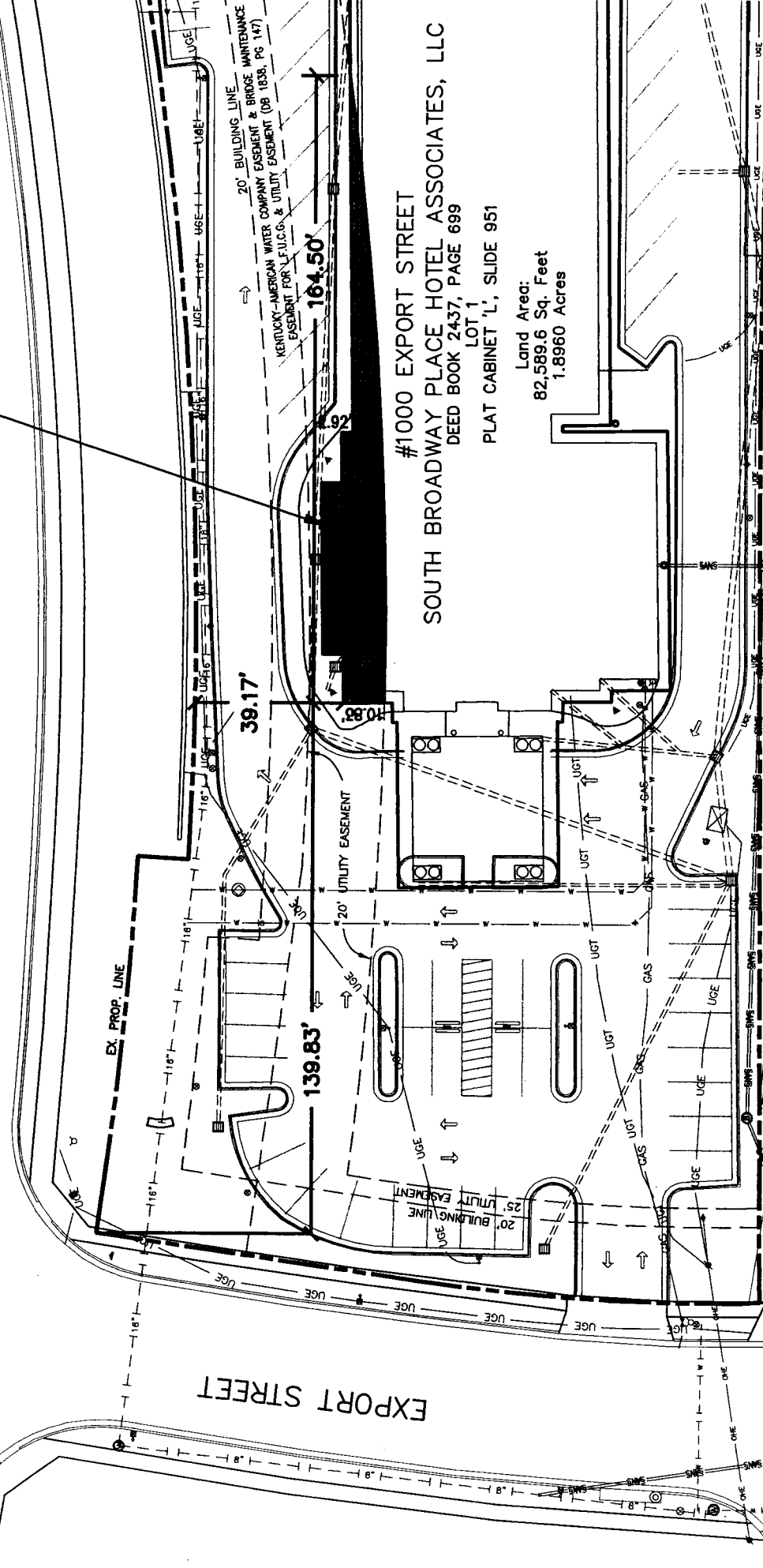
MILLIKIN & FITTON LAW FIRM  
A Legal Professional Association

BY:   
Catherine L. Evans, Esq.  
9032 Union Centre Boulevard, Suite 200  
West Chester, Ohio 45069  
(513) 863-6700



UTILITY EASEMENT WITHIN THE BUILDING ENVELOPE TO BE RELEASED WHERE SHOWN ON THIS EXHIBIT WITH A SOLID, FADED PATTERN

VIRGINIA AVENUE



#1000 EXPORT STREET  
 SOUTH BROADWAY PLACE HOTEL ASSOCIATES, LLC  
 DEED BOOK 2437, PAGE 699  
 LOT 1  
 PLAT CABINET 'L', SLIDE 951

Land Area:  
 82,589.6 Sq. Feet  
 1.8960 Acres



**OWNERSHIP OF INSTRUMENTS OF SERVICE**  
 ALL REPORTS, DRAWINGS, SPECIFICATIONS, NOTES, FILES, FIELD DATA, NOTES AND OTHER DOCUMENTS AND INSTRUMENTS OF SERVICE SHALL REMAIN THE PROPERTY OF CMW, INC. AS INSTRUMENTS OF SERVICE SHALL REMAIN THE PROPERTY OF CMW, INC. COMMON LAW, STATUTORY AND EQUITABLE RIGHTS, INCLUDING THE COPYRIGHT THEREON, ARE ALLEGED.

**FAILURE TO ABIDE BY DESIGN DOCUMENTS OR TO OBTAIN GUIDANCE**  
 THE DESIGNER, PROFESSIONAL ENGINEER, ARCHITECT, PLANS, SPECIFICATIONS AND OTHER INSTRUMENTS OF SERVICE, SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE DESIGNER, PROFESSIONAL ENGINEER, ARCHITECT, PLANS, SPECIFICATIONS AND OTHER INSTRUMENTS OF SERVICE, SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE DESIGNER, PROFESSIONAL ENGINEER, ARCHITECT, PLANS, SPECIFICATIONS AND OTHER INSTRUMENTS OF SERVICE, SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.

**UTILITY EASEMENT RELEASE AGREEMENT**  
 S BROADWAY PLACE HOTEL ASSOC. LLC  
 1000 EXPORT STREET  
 LEXINGTON, KY 40504

Issue Date:	July, 2013
Drawn By:	
Checked By:	
Permitted:	
Mark	Date
Project Number	13032.02
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**EXHIBIT**



I, Donald W Blevins Jr, County Court Clerk  
of Fayette County, Kentucky, hereby  
certify that the foregoing instrument  
has been duly recorded in my office.

  
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By: DOUG BRADLEY ,dc

201401030191

January 3, 2014

13:53:35 PM

Fees	\$19.00	Tax	\$0.00
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Total Paid	\$19.00
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6 Pages

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