

PARTIAL RELEASE OF EASEMENT

THIS PARTIAL RELEASE OF EASEMENT, is made and entered into on this the _____ day of _____, 2011, 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 "Government" or "First Party"), and **BALL HOMES, LLC**, a Kentucky limited liability company, with an address of 3609 Walden Drive, Lexington, Kentucky 40517 (hereinafter "Owner" or "Second Party");

WITNESSETH:

WHEREAS, through that Final record plat of the Mahan Property, of record, in Plat Cabinet N, Slide 447, in the Fayette County Clerk's office, the First Party acquired storm sewer and drainage easements over and across a parcel of land on such final record plat; and

WHEREAS, Second Party has requested, and Government or First Party has agreed, that portions of such storm sewer and drainage easements shall be released and extinguished as set forth herein.

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 the portions of the storm sewer and drainage easements described herein.

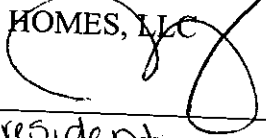
NOW, THEREFORE, for and in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, the Government or First Party hereby **RELEASES AND QUITCLAIMS** unto the owner or Second Party, its successors and assigns forever, from the terms of such storm sewer and drainage easements, 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 Government or First Party to forever extinguish its easement interests in the areas described above, and the Owner or Second Party, its successors and assigns forever, shall hereafter have and enjoy said property free and discharged from the interest of Government or First Party. It is understood that in making this Release, all other portions of such storm sewer and drainage easements as well as all other easements shown on the above referenced Plat remain unaffected and shall continue in full force and effect.

IN WITNESS WHEREOF, the First Party or Government and Owner or Second Party 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: 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
_____, 2011.

My Commission expires: _____

NOTARY PUBLIC


STATE OF KENTUCKY)
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me by D. Ray Ball, Jr.,
as President of Ball Homes, LLC, a Kentucky limited liability company, on
this 6th day of December, 2011.

My Commission expires: 1-25-2014


NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY:



JONATHAN R. NORRIS, ESQ.
3609 Walden Drive
Lexington, Kentucky 40517
(859) 268-1191

EXHIBIT "A"

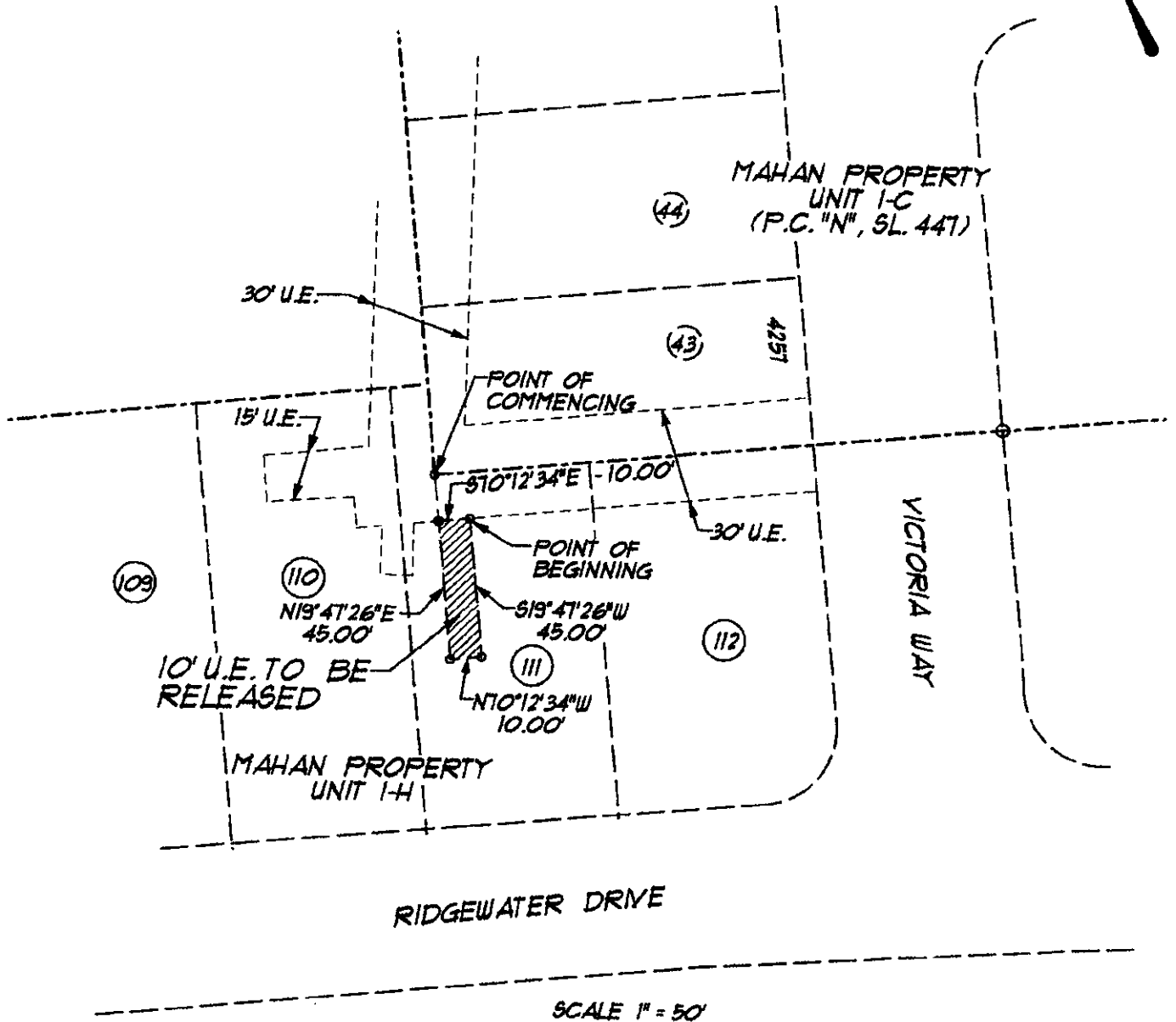
COMMENCING at the point in the southwestern most corner of Lot 43 (known as 4257 Victoria Way) of record in Plat Cabinet N, Slide 447 in the Office of the County Clerk of Fayette County, Kentucky; thence South 19 degrees 47 minutes 26 seconds West, a distance of 15.00 feet to the **POINT OF BEGINNING**; thence South 19 degrees 47 minutes 26 seconds West, 34.17 feet to a point; thence North 70 degrees 12 minutes 34 seconds West, 15.00 feet to a point; thence North 19 degrees 47 minutes 26 seconds East, 17.77 feet to a point; thence South 63 degrees 34 minutes 18 seconds East, 5.12 feet to a point; thence North 26 degrees 25 minutes 42 seconds East, 17.11 feet to a point; thence South 70 degrees 12 minutes 34 seconds East, 7.93 feet to the **POINT OF BEGINNING** a containing 411 square feet.

AND

COMMENCING at the point in the southwestern most corner of Lot 43 (known as 4257 Victoria Way) of record in Plat Cabinet N, Slide 447 in the Office of the County Clerk of Fayette County, Kentucky; thence South 13 degrees 53 minutes 58 seconds East, a distance of 18.03 feet to the **POINT OF BEGINNING**; thence South 19 degrees 47 minutes 26 seconds West, 45.00 feet to a point; thence North 70 degrees 12 minutes 34 seconds West, 10.00 feet to a point; thence North 19 degrees 47 minutes 26 seconds East, 45.00 feet to a point; thence South 70 degrees 12 minutes 34 seconds East, 10.00 feet to the **POINT OF BEGINNING** and containing 450 square feet.

Exhibit "A" continued

PARENT DOCUMENT : PLAT CABINET "N", SLIDE 447



E+ Partners, PLLC



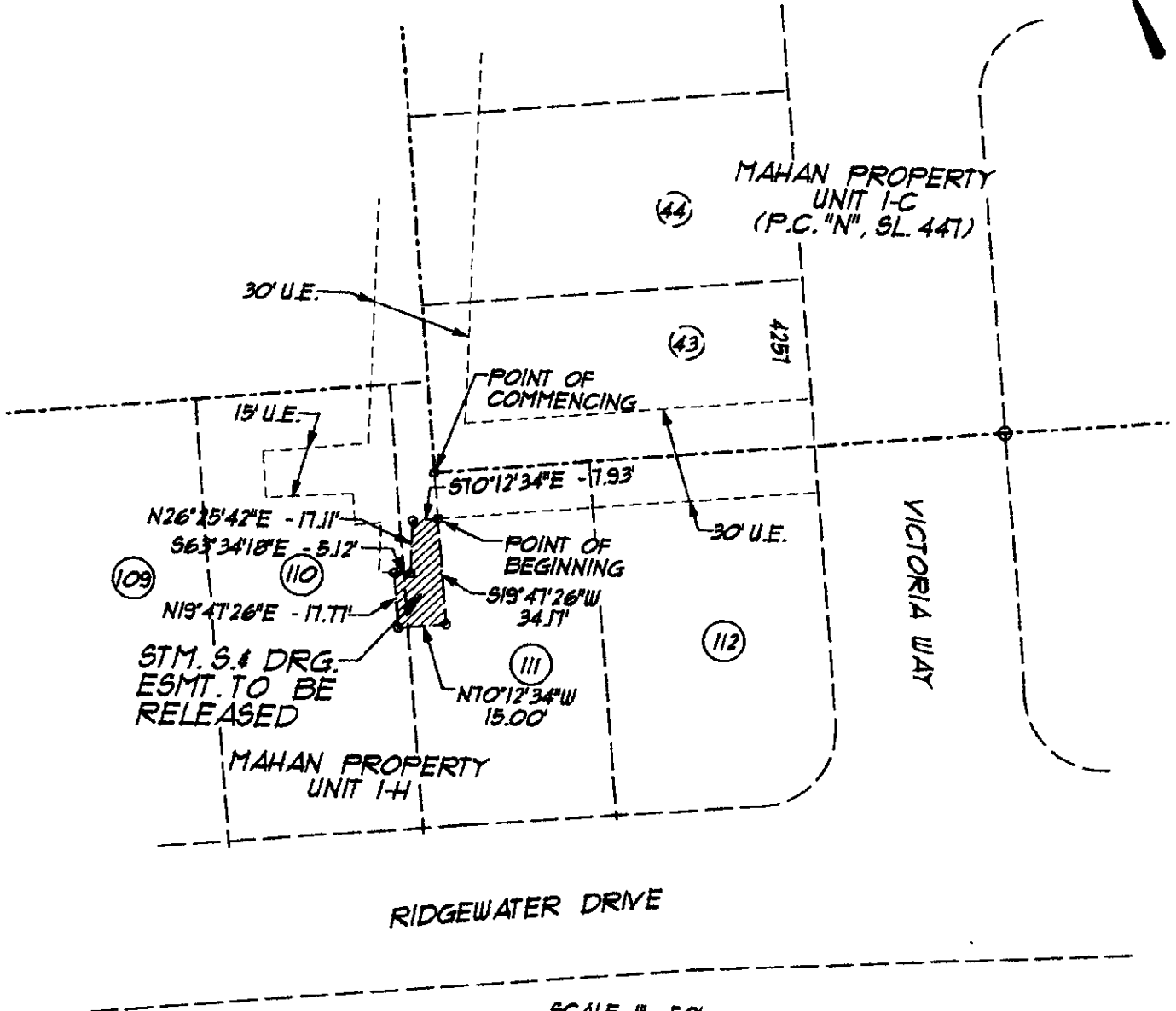
CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
311 WALL STREET
LEXINGTON, KENTUCKY 40513
PHONE (606) 256-8888
FACSIMILE (606) 256-9981

EXHIBIT "A"
UTILITY EASEMENT RELEASE
MAHAN PROPERTY
UNIT 1-C
2940 MAN O' WAR BLVD.
LEXINGTON, FAYETTE COUNTY, KENTUCKY
SEPTEMBER 2011

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Exhibit "A" continued

PARENT DOCUMENT : PLAT CABINET "N", SLIDE 447



SCALE 1" = 50'

EXHIBIT "A"
STORM SEWER & DRAINAGE
EASEMENT RELEASE
MAHAN PROPERTY
UNIT 1-C
2940 MAN O' WAR BLVD.
LEXINGTON, FAYETTE COUNTY, KENTUCKY
SEPTEMBER 2011

E.A. Partners, PLLC



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