

## PARTIAL RELEASE OF SANITARY SEWER EASEMENT

THIS PARTIAL RELEASE OF SANITARY SEWER EASEMENT (this "Release"), is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2012, by (i) **LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT**, a urban county government pursuant to KRS 67A, having a mailing address of 200 East Main Street, Lexington, Kentucky 40507 (the "LFUCG"), in favor of (ii) **WAR ADMIRAL PLACE, LLC**, a Kentucky limited liability company, having a mailing address of P.O. Box 12128, Lexington, Kentucky 40580-2128 (the "Owner").

### W I T N E S S E T H:

WHEREAS, through that Minor Easement Amendment & Consolidation Plat for Lots 7, 11 & 12, of Hamburg Place Farm B-6P Area, of record in Plat Cabinet N, Slide 318, in the Fayette County Clerk's Office (the "Plat"), the LFUCG acquired a sanitary easement (the "Easement"), over certain real property located in Lexington, Fayette County, owned by the Owner and more particularly described as follows, to-wit:

BEING all of Lot No. 7, as shown by that Minor Easement Amendment & Consolidation Plat for Lots 7, 11 & 12, Hamburg Place Farm, B-6P Area, Highway Commercial Area, as recorded in Plat Cabinet N, Slide 318, in the Fayette County Clerk's Office; the improvements thereon being known and designated as 2200 WAR ADMIRAL WAY; and

BEING a portion of the same property conveyed to War Admiral Place, LLC, a Kentucky limited liability company, by Preston West Madden and Anita Madden, husband and wife, and Akbar, LLC, a Kentucky limited liability company, through deed dated November 7, 2005, of record in Deed Book 2599, Page 620, in the Fayette County Clerk's Office.

WHEREAS, a certain portion of the Easement is no longer required by the LFUCG as to the above-described property, and the LFUCG desires to release and extinguish its interest in and to such portion of the Easement.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the LFUCG does hereby release, relinquish and quitclaim unto the Owner, its successors and assigns, all of the LFUCG's right, title and interest, if any, in and to that portion of the Easement more particularly described as follows:

RETURN TO: Patrick Mc Fadden  
Division of Water Quality  
301 Lisle Industrial Avenue  
Lexington, KY 40511

Commencing at a corner in the east line of Lot 7 of Hamburg Place Farm B-6P Area as recorded in Plat Cabinet N, Slide 318, in the Fayette County Clerk's Office, said corner also being a corner of Lot 12 on said plat; thence South 87° 02' 10" West, 31.94 feet to the Point of Beginning, said point being in the southeast line of a 15 foot wide sanitary sewer easement; thence with said easement South 41° 00' 02" West a distance of 177.67 feet; thence North 48° 59' 58" West a distance of 15.00 feet; thence North 41° 00' 02" East a distance of 177.67 feet; thence South 48° 59' 58" East a distance of 15.00 feet to the Point of Beginning and containing 2,665 square feet, more or less (and being the "cross-hatched" area depicted on Exhibit A attached hereto, and hereinafter referred to as the "Released Area").

It is the intention of the LFUCG to forever extinguish its interest in and to the Released Area of the Easement described hereinabove, and the Owner, its successors and assigns forever, shall hereafter have and enjoy the Released Area free and discharged from the interest of the LFUCG as to the Released Area; provided, however, that this Release shall not extinguish the interest of the LFUCG in the remaining easements created and depicted on the Plat other than that portion specifically described above.

In accepting this Release, the Owner hereby releases and discharges the LFUCG, its successors and assigns, from and against any and all losses, damages and liabilities, and from any and all claims for damages on account of or by reason of bodily injury, including death, which may be sustained or claimed to be sustained by any person, caused by or arising out of or claimed to have been caused by or from any and all of the LFUCG's sanitary sewer easement being released.

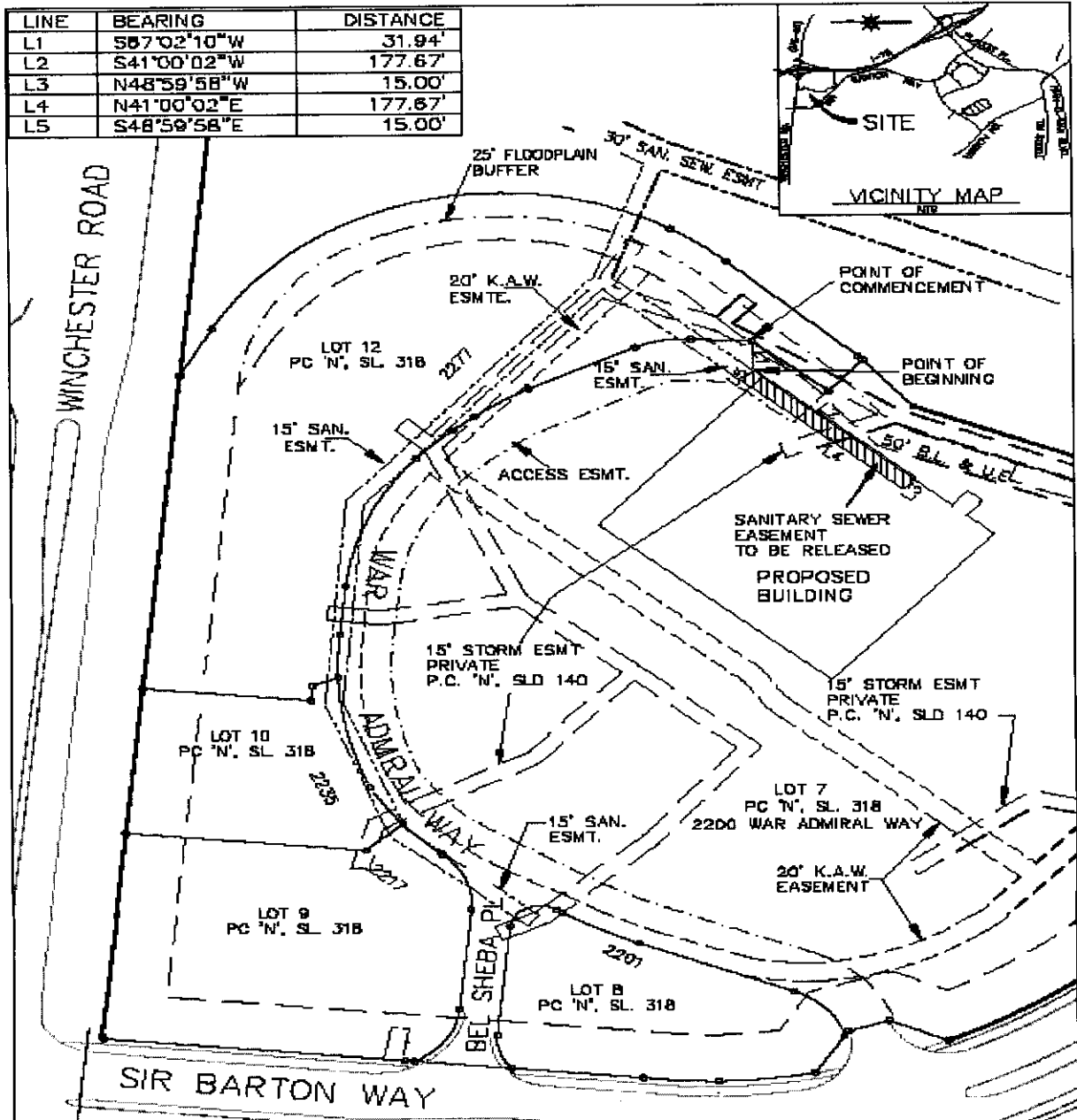
All of the remaining terms and provisions of the Easement not inconsistent with the terms of this Release shall remain in full force and effect.

TO HAVE AND TO HOLD the Released Area hereby surrendered and discharged from the operation of the Easement unto the Owner and its successors and assigns, forever free and clear of the estate heretofore created by the Easement.

IN WITNESS WHEREOF, the LFUCG has hereby caused its corporate name to be affixed to this Partial Release of Sanitary Sewer Easement by its duly authorized Mayor, on this the day and year first above written.

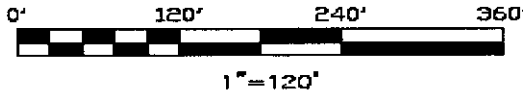


EXHIBIT "A"



STATE OF KENTUCKY  
 MICHAEL H. HOFFMAN  
 2588  
 LICENSED PROFESSIONAL LAND SURVEYOR

EXHIBIT A  
 SANITARY SEWER EASEMENT RELEASE  
 2200 WAR ADMIRAL WAY  
 HAMBURG PLACE FARM B-6P AREA  
 LEXINGTON, FAYETTE COUNTY, KY  
 APRIL, 2012



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