

SAMPLE CONSENT AND RELEASE
Referred to in the Right of Way and Utilities Section of the LPA Guide

Purpose: To provide the LPA's the recommended language for gaining temporary access to a third party's property during project construction, without having to file a temporary easement in the county's property records.

Notes: Under no circumstances may the LPA request that a land owner sign a Consent and Release without first offering to compensate them. If the land owner demands compensation a temporary easement rather than a Consent and Release is recommended.

SAMPLE

[LPA]

CONSENT AND RELEASE

County _____
Route No. _____
Mile Point _____

Road Name _____
SYP Item No. _____

WHEREAS, the [LPA] has an approved plan for construction of:

Project Description:

Construction of right and left turn lanes on the Mt. Sterling By-Pass (KY 686) and construction of an entrance to the Herb Botts Memorial park at RT Sta. 8+27.55. This entrance road will be constructed on park property within the temporary easement described below and located at the following address.

Project Address:

Herb Botts Memorial Park
(formerly Herb Botts Park)
6305 Indian Mound Drive
Mt. Sterling, KY 40353

Boundary

Being a tract of land in Montgomery County along KY 686 Beginning at a point on the Existing KY 686 Right of Way line approximately 160 feet north of the Montgomery County South Property Line and located 75.86 feet right of proposed KY 686 alignment at Station 7+40.00; Thence with the existing KY 686 right of way line North 21 Degrees 48 Minutes 39 Seconds East a distance of 180.62 feet to a point in the existing KY 686 right of way line 84.60 feet right of proposed KY 686 alignment at Station 9+20.00; Thence with the proposed easement line South 67 Degrees 02 Minutes 08 Seconds East a distance of 75.59 feet to a point in the proposed easement corner 160.00 feet right of proposed KY 686 alignment at Station 9+15.00; Thence with the proposed easement line South 06 Degrees 04 Minutes 14 Seconds West a distance of 133.65 feet to a point in the proposed easement corner 190.00 feet right of proposed KY 686 alignment at Station 7+85.00; Thence with the proposed easement line South 87 Degrees 31 Minutes 33 Seconds West a distance of 122.69 feet to a point in the existing KY 686 right of way line 75.86 feet right of proposed KY 686 alignment at Station 7+40.00 and the Point of Beginning. The above described parcel contains 0.343 acres (14,933 sq. ft.).

NOW, THEREFORE, in consideration of the above and the incidental benefits accruing to the property, I hereby consent and agree that the [LPA] may come upon property and do the work as described, and do further agree that I will assert no claim for damages against the [LPA] by reason of said work, but by these presents shall be forever barred. I am aware that I am entitled to an appraisal of that portion of my property used for the above described work. I agree to waive my right to an appraisal of that portion of my property being used. I am aware that I am entitled to just compensation for my property. I agree to waive monetary compensation for the use of the land to do the work described above. I agree that these consents be good through the duration until completion of the project.

Property Owner

Property Owner

Date

Date

Witness
LPA Agent

Witness
LPA Agent