

RELEASE OF CONDITION AND RESTRICTION

WHEREAS, on September 9, 2010, James A. Caskey, a single person, granted and conveyed, by a Grant Deed In Trust (Grant Deed), to James A. Caskey and Bette D. Caskey, Trustees of the Caskey Family Trust, dated September 9, 2010, all of his interest in and to that certain real property situated in Douglas County, Kansas, described as follows:

Lot Eleven(11), in Block C in Lawrence Heights, an addition to the City of Lawrence, Douglas County, Kansas, commonly known and referred to as 722 Lawrence Avenue, Lawrence, Kansas 66046;

WHEREAS, Grant Deed was recorded September 20, 2010, in Book 1066, Pages 0035-0036, Office of the Register of Deeds, Douglas County, Kansas was made, executed and acknowledged subject to restrictions, reservations and easements of record and the following condition and restriction, to-wit:

The grantee and all future assigns of the above-described real estate are hereby noticed that the basement of the home occupying said real estate is subject to sanitary sewer backup and flooding. That any use of said basement shall be at the user's risk of loss for any and all damages that might arise from any future sewer backup or flooding of the basement resulting from the same or similar causes of the past sewer backups and flooding. That this statement of exception shall be and remain in full force and effect until and unless the City of Lawrence, Kansas shall file a written and acknowledged release of such requirement with the Office of the Register of Deeds, Douglas County, Kansas.

WHEREAS, This Release is in no way intended to relieve the current or any future owner(s) of the above-described real estate from the obligation to truthfully and fully respond to a request or an agreement to disclose known defects, past and present, in the subject property, together with the disclosure of all means taken or attempted to correct such defects.

FURTHER, by this Release, the City of Lawrence, Kansas, does not represent or warrant that there are no defects in the sanitary sewer system servicing the above-described property, or other defects of any kind; and

WHEREAS, James A. Caskey and Bette D. Caskey, the sole and only Trustees of the Caskey Family Trust, dated September 9, 2010, have, and do by their execution and acknowledgement of this Release of Condition and Restriction ("Release") request and authorize the City of Lawrence, Kansas, to make, execute, acknowledge and record Release, thereby removing the impediment of title in and to the above – described real estate imposed by said Grant Deed In Trust.

IN WITNESS WHEREOF, this Release of Condition and Restriction is executed and acknowledged by the parties hereto on the date(s) shown.

City of Lawrence, Kansas,
a municipal corporation

By: _____
Michael Dever
Mayor

Date: _____

ATTEST:

Jonathan Douglass
City Clerk

Date: _____

Caskey Family Trust, dated
September 9, 2010

By: _____
James A. Caskey, Trustee

Date: _____

By: _____
Bette D. Caskey, Trustee

Date: _____

ACKNOWLEDGMENT

STATE OF KANSAS)
)
COUNTY OF DOUGLAS)

ss:

This instrument was acknowledged before me on the _____ day of _____, 2013, by Michael Dever, as Mayor of the City of Lawrence, Kansas, on whose behalf this instrument was executed.

Notary Public

SEAL

My Appointment Expires:_____

ACKNOWLEDGEMENT

STATE OF _____)
)
COUNTY OF _____)

ss:

This instrument was acknowledged before me on the _____ day of _____, 2013, by James A. Caskey and Bette D. Caskey, as sole Trustees of the Caskey Family Trust, dated September 9, 2010, on whose behalf this instrument was executed.

Notary Public

SEAL

My Appointment Expires:_____