

CITY OF HIGHLAND HEIGHTS

ORDINANCE NO. 02-2009

AN ORDINANCE CLOSING A PORTION OF A PUBLIC WAY WITHIN THE CITY OF HIGHLAND HEIGHTS CURRENTLY KNOWN AS MYRTLE AVENUE AND MORE FULLY DESCRIBED BELOW.

WHEREAS, the City of Highland Heights council has determined that it is in the best interest of the City of Highland Heights to close a portion of Myrtle Avenue and;

WHEREAS, the City has determined the identification of all property owners abutting the portion of the public way to be closed and;

WHEREAS, written notice of the proposed closing of the public way has been supplied to all abutting property owners and;

WHEREAS, the abutting property owners have all given their written notarized consent to the closing of the public way.

BE IT HEREBY ORDAINED BY THE CITY OF HIGHLAND HEIGHTS, KENTUCKY AS FOLLOWS:

SECTION I

That Myrtle Avenue within the City of Highland Heights, Kentucky a public way and more accurately depicted in the attached legal description as follows:

This Myrtle Avenue is shown on the Highland Baby Farms Section 9 in Deed Book 56, page 252 Campbell County records at Newport.

The part being closed is described as follows: Beginning at the southeast corner of Lot 93 in the North right of way line of Myrtle Avenue; thence with the North right of way line for Myrtle Avenue and the front of Lot 93 thru 89 to the Southwest corner of Lot 89 and the East right of way line of Lake Avenue (Lake Avenue closed in Miscellaneous Book 10, page 63); thence with the East right of way line for Lake Avenue to the Northwest corner of Lot 86 which is the South right of way line of Myrtle Avenue; thence with the South right of way line of Myrtle and the North side of Lot 86 and part of Lot 85, 164.26' (this distance shown on plat in Cabinet A, slide 181-A) to a point in the West right of way line for a new section of Clara Avenue as shown plat in Cabinet A, slide 181-A; thence crossing Myrtle Avenue to the place of beginning.

Myrtle Avenue is 50' wide (total width) and it is to be noted that portions of Myrtle Avenue to the East have been previously closed in Miscellaneous Book 254, page 688 and Miscellaneous Book 335, page 593 and shall revert to private ownership of the adjoining property owners pursuant to KRS82.405(2).

SECTION II

That the Highland Heights City Council has determined that the closing of this right of way is in the best interest of the City of Highland Heights, and will allow the development of the property.

SECTION III

That the identification of all property owners abutting the public right of way are attached hereto and their written and notarized permission for this procedure is incorporated into this ordinance by reference. The City of Highland Heights is the abutting owner of parcels on either side of this portion of Myrtle Avenue.

SECTION IV

That the City Attorney is authorized to take whatever legal action is necessary to effectuate this street closing.

SECTION V


That this Ordinance shall be signed by the Mayor, attested by the City Clerk/Treasurer, recorded and published. Same shall be in effect at the earliest time provided by law.

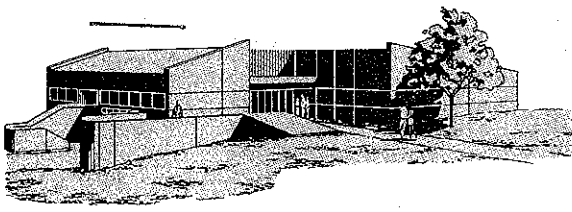
First reading of this 17 day of February, 2009.

Second reading of this 3 day of March, 2009.


MAYOR GREGORY V. MEYERS

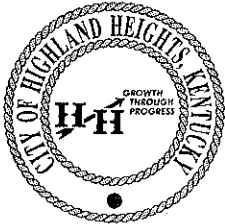
ATTEST:


JEAN RAUF
CITY CLERK/TREASURER
Ord09.02



CITY OF
HIGHLAND HEIGHTS

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CERTIFICATION

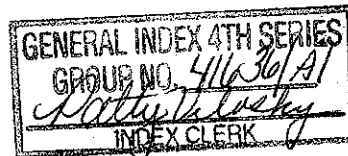
I, JEAN A. RAUF, CITY CLERK TREASURER OF THE CITY OF HIGHLAND HEIGHTS, KENTUCKY, CERTIFY THAT THE ATTACHED IS A TRUE AND EXACT COPY OF ORDINANCE #02-2009.

AN ORDINANCE CLOSING A PORTION OF A PUBLIC RIGHT WAY WITHIN THE CITY OF HIGHLAND HEIGHTS CURRENTLY KNOWN AS MYRTLE AVENUE.

THIS ORDINANCE WAS ADOPTED BY CITY COUNCIL ON THE 3RD DAY OF MARCH, 2009.

GIVEN THIS 12TH DAY OF MARCH, 2009


JEAN A. RAUF
City Clerk/Treasurer, CMC



RECEIVED

MAR 26 2009

City of Highland Hts., KY

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