

CITY OF HIGHLAND HEIGHTS

ORDINANCE NO. 01-2013

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

WHEREAS, the City of Highland Heights council has determined that it is in the best interest of the City of Highland Heights to close 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 plat labeled Exhibit "A" to this ordinance is closed, as shown on the attached plat and description, and shall revert to private ownership of the adjoining property owners pursuant to KRS82.405(2).

SECTION II

That the Highland Heights City Council and Planning and Zoning Commission have 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 in a manner consistent with the Official Comprehensive Plan.

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.

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 15th day of January, 2013.

Second reading of this 5th day of February, 2013.


MAYOR GREGORY V. MEYERS

ATTEST:


JEAN RAUF
CITY CLERK/TREASURER
Ord13.01

PUBLISH : CCR

FEB 14 2013

Situated in The City of Highland Heights, Campbell County, Kentucky and being more particularly described as follows:

COMMENCING at an existing concrete right of way monument at the intersection of the east line of U.S. 27 and the west line of Old Alexandria Pike; Thence with the east line of U.S. 27, North $23^{\circ}50'56''$ West, 4.08 feet to an existing concrete right of way monument; Thence North $37^{\circ}53'06''$ West, 26.80 feet to an existing concrete right of way monument; Thence North $23^{\circ}50'56''$ West, 196.32 feet to an existing concrete right of way monument at intersection of the east line of US 27 and the south line of Myrtle Avenue and the **POINT OF BEGINNING**; Thence continuing with the east line of U.S. 27, North $23^{\circ}50'56''$ West, 50.15 feet to an existing concrete right of way monument at the intersection of the east line of US 27 and the north line of Myrtle Avenue; Thence with the north line of Myrtle Avenue, North $70^{\circ}37'43''$ East, 168.95 feet to a set iron pin at the intersection of the north line of Myrtle Avenue and the west line of Old Alexandria Pike passing an existing $3/4''$ pipe at 69.47 feet; Thence leaving the said north line of Myrtle Avenue, South $02^{\circ}34'01''$ West, 53.90 feet to the intersection of the west line of Old Alexandria Pike and the south line of Myrtle Avenue; Thence with the south line of Myrtle Avenue, South $70^{\circ}37'43''$ West, 146.74 feet to the **POINT OF BEGINNING**.

CONTAINING 0.1822 ACRES.

WRITTEN NOTICE AND CONSENT TO CLOSING OF A PUBLIC RIGHT OF WAY

The undersigned hereby acknowledges written notice of the City of Highland Heights' intention to close the right of way know as Myrtle Avenue and as an abutting property owner gives their written consent.

ALEXANDRIA PIKE HIGHLAND HEIGHTS, LLC

By: _____

PAUL M. THRIFT, MANAGER

STATE OF INDIANA
~~COMMONWEALTH OF KENTUCKY~~
COUNTY OF CAMPBELL VI 60

Subscribed and sworn to before me a Notary Public by Paul M. Thrift this 6th day of ~~January~~, 2013.
February

Notary Public

Tami L. Robertson
Tami L. Robertson

My Commission Expires: 8-29-17

