

CITY OF HIGHLAND HEIGHTS

ORDINANCE NO. 06-2013

AN ORDINANCE CLOSING A 15' RIGHT OF WAY ON THE NORTHEAST SIDE OF MAIN AVENUE WITHIN THE CITY OF HIGHLAND HEIGHTS AND MORE FULLY DESCRIBED ON 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 15' right of way on the northeast side of Main 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, the City of Highland Heights is the only property owner abutting the right of 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 15' right of way on the northeast side of Main Avenue within the City of Highland Heights, Kentucky a public way and more accurately depicted in the legal description as follows:

Being located in the Commonwealth of Kentucky, County of Campbell, City of Highland Heights, and being a portion of the Right of Way of Main Avenue northeast of Baker Road along a portion of Lot 20 of the Fort Thomas Land Company Third Subdivision, and being more particularly described as follows:

Beginning at a point being common to the northeasterly ROW of Baker Road and the northwesterly right of way of Main Avenue, said point also being the southerly corner of Lot 20 of the Fort Thomas Land Company, Third Subdivision as shown in Plat Cabinet A, Slide 193B of the records at the Campbell County Clerk's Office in Newport, Kentucky, and being the southerly corner of Parcel 1, Tract 4 of the property described in Deed Book 703, Page 788, and

said point being located 40' from the centerline of Main Avenue ;

THENCE along the existing right of way of Main Avenue and along the front line of Tract 4 as described in Deed Book 703, Page 788 having a bearing of N 53-11'30 E, for a distance of 308.10 feet to a point being common with Tract 4 and Tract 5;

THENCE along the existing right of way of Main Avenue and along the front line of Tract 5 as described in Deed Book 703, Page 788 having a bearing of N 53-11'30 E, for a distance of 100.00 feet to a point being common with the southeast corner of the land belonging to Frank & Rose Beckerich as described in Deed Book 398, Page 381;

THENCE along a line having a bearing of S 36-48-30 E, for a distance of 15.00 feet to a point being located 25 feet from the centerline of Main Avenue;

THENCE along a line being parallel and 25 feet offset from the centerline of Main Avenue having a bearing of S 53-11-30 W, a distance of 408.10 feet to a point;

THENCE along a line having a bearing of N 36-48-30 W, for a distance of 15.00 feet to the POINT OF BEGINNING for this description.

Said parcel being containing 6,121.5 square feet and being a strip of land 15 feet in width along the frontage of Parcel 1, Tracts 4 & 5 of the property described in Deed Book 703 Page 788.

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.

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 2nd day of April, 2013.

Second reading of this 16th day of April, 2013.


MAYOR GREGORY V. MEYERS

ATTEST:


JEAN RAUF
CITY CLERK/TREASURER

Ord13.06