

CITY OF HIGHLAND HEIGHTS
ORDINANCE NO. 02-2005

AN ORDINANCE CLOSING A PORTION
OF A PUBLIC WAY WITHIN THE CITY
OF HIGHLAND HEIGHTS CURRENTLY
KNOWN AS HILL ROAD 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 a portion of Hill Road 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 a portion of Hill Road 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 3rd day of May, 2005.

Second reading of this 17th day of May, 2005.


MAYOR CHARLES ROETTGER, III

ATTEST:


JEAN RAUF
CITY CLERK/TREASURER

Ord05.02

PUBLISH: CCR 05-26-2005

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

The undersigned hereby acknowledges written notice of the City of Highland Heights' intention to close a portion of the right of way known as Hill Road and as an abutting property owner gives their written consent.

Helen J. Jordan

COMMONWEALTH OF KENTUCKY
COUNTY OF CAMPBELL

Subscribed and sworn to before me a Notary Public this 3rd
day of May, 2005.

Steve Frung
NOTARY PUBLIC

My Commission Expires: 12-06-06

EXHIBIT "A"

LEGAL DESCRIPTION

April 22, 2005


A certain tract of land lying and being in Campbell County, Kentucky in the Highland Baby Farms Subdivision, Section 2 and particularly described as follows; to-wit:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a 18" long by 1/2 " diameter rebar with a yellow cap stamped "LS 3191". All bearings herein are referred to the plat of record.

Description of proposed road closure

Beginning at an iron pin set in the East right of way line of Hill Road, a common corner to lots 227 & 228 of the Highland Baby Farms, Section 2; thence S 80°23'00" W --- 50.00 feet to an iron pin set at the common corner of Lots 97 & 98; thence along the West right of way line of Hill Road, N 09°37'00" W --- 80.00 feet to an iron pin set; thence N 48°09'31" E --- 59.10 feet to a point in the West line of Lot 227 and the East right of way line of Hill Road; thence with the West line of Lot 227, S 09°37'00" E --- 111.52 feet to the place of beginning containing 4,787.92 square feet more or less exclusive of all rights of way and easements of record.

The above description is according to a survey made Otey C. Brabston, Registered Land Surveyor # 3191 on April 21, 2005. This being part of Hill Road, a paper street as shown in Plat Book 56, Page 245 of the Campbell County Court Clerk's Records at Newport, Kentucky.

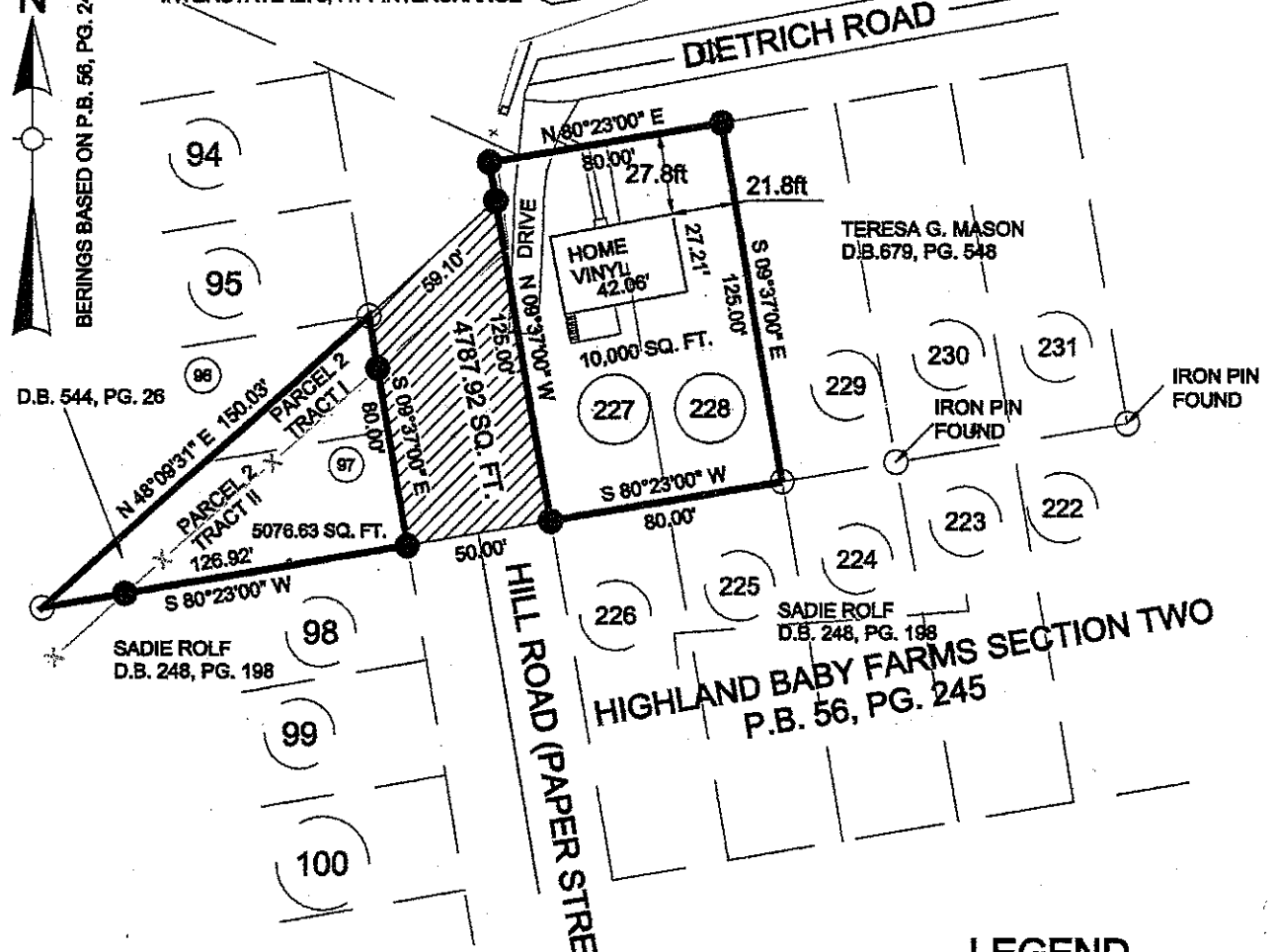

Otey C. Brabston
Registered Land Surveyor
Lic. # 3191





BERINGS BASED ON P.B. 56, PG. 245

COMMONWEALTH OF KENTUCKY
INTERSTATE I275, I471 INTERCHANGE



I HEREBY CERTIFY THAT I AM A DULY QUALIFIED AND LICENSED KENTUCKY SURVEYOR IN ACCORDANCE WITH KRS 322 AND THAT THIS PLAT DEPICTS A SURVEY PERFORMED BY ME, OR UNDER MY DIRECT SUPERVISION, IN ACCORDANCE WITH THE CODE OF PROFESSIONAL PRACTICE AND CONDUCT FOR PROFESSIONAL PRACTICE AND CONDUCT FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS, BY THE METHOD OF RANDOM TRAVERSE. THE UNADJUSTED PRECISION RATIO OF THE TRAVERSE WAS 1: 18,261, THE SURVEY SHOWN HEREON IS A CLASS A SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL THE SPECIFICATIONS OF THIS CLASS. THIS PLAT MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS OF 201 KAR 18.150.

Otey C. Brabston

OTEY C. BRABSTON
REGISTERED LAND SURVEYOR
REG. NO. 3191

DATE 4/21/2005

SURVEYOR'S NOTES:
 1) LOTS 227 & 228 ARE IN D.B. 670, PG. 605
 2) PARTS OF LOTS 96 & 97 ARE IN D.B. 544, PG. 26
 30 THE PAPER STREET (HILL ROAD) IS SHOWN IN PB. 56, PG. 245

LEGEND

- 18" LONG IRON PIN SET WITH PLASTIC CAP STAMPED "LS 3191" UNLESS OTHERWISE NOTED.
- MAG NAIL FOUND
- △ PK NAIL FOUND



STATE OF KENTUCKY
 OTEY C. BRABSTON
 3191
 LICENSED
 PROFESSIONAL
 LAND SURVEYOR

IDENTIFICATION PLAT	
FOR DAVID A. HERSH PROPERTY 134 DIETRICH ROAD HIGHLAND HEIGHTS, KY	
SURVEYING ALL OF THE DAVID A. HERSH PROPERTY 134 DIETRICH ROAD HIGHLAND HEIGHTS, KY	
SCALE: 1"= 100'	OTEY C. BRABSTON, LS 220 GRANTLAND DRIVE DRY RIDGE, KY 41035 PHONE (859)428-1265 CELL (513) 545-3764
DATE: 4/20/2005	
DWN BY: OCB	
JOB NO.: JOB #: 0509DH	