

CITY OF PARK HILLS, KENTUCKY
ORDINANCE NO. 2015- 11

AN ORDINANCE CLOSING AND VACATING A CERTAIN PORTION OF THE UNIMPROVED PUBLIC RIGHT-OF-WAY OF SOUTH ARLINGTON ROAD AS DESCRIBED IN DETAIL IN “EXHIBIT A” ATTACHED HERETO.

WHEREAS, the City of Park Hills, having considered and approved a development plan which requires the closure of the section of the right-of-way of South Arlington Road as described in detail in “Exhibit A” attached hereto; and

WHEREAS, the City Council of the City of Park Hills desires to close, vacate and cause a transfer of ownership of the section of the right-of-way of South Arlington Road as described in detail in “Exhibit A” attached hereto; and

WHEREAS, pursuant to KRS 82.405(2), the City Council of the City of Park Hills, Kentucky, makes the following findings of fact:

1. All property owners in or abutting the sections of the right-of-way of South Arlington Road that is to be closed have been identified.
2. Written notice of the proposed closing has been given to these property owners.
3. All property owners have given their written notarized consent to the closing, and copies of the consents are attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PARK HILLS, KENTUCKY, THAT:

SECTION 1

The City Council of the City of Park Hills has determined that the section of the right-of-way of South Arlington Road as described in detail in “Exhibit A” attached hereto should be closed, vacated and transferred according to applicable state and local regulations.

SECTION 2

The City has determined that the owners of property who abut this section of the right-of-way of South Arlington Road as described in detail in “Exhibit A” attached hereto are: (1) Shane Johnson, unmarried and Chris Toepfert, unmarried; (2) Ron Zimmerman and Patsy Zimmerman, husband and wife and (3) Arlington Townhomes, LLC, a Kentucky limited liability company.

SECTION 3

The City of Park Hills has provided written notice to the adjoining property owners of the section of the right-of-way of South Arlington Road to be closed and described in detail in "Exhibit A" attached hereto. Said adjoining property owners are (1) Shane Johnson, unmarried and Chris Toepfert, unmarried; (2) Ron Zimmerman and Patsy Zimmerman, husband and wife and (3) Arlington Townhomes, LLC, a Kentucky limited liability company.

A receipt of these are attached hereto as "Exhibits A, B and C" respectively, and incorporated by reference.

SECTION 4

The owners of property abutting this section of the right-of-way of South Arlington Road described in detail in "Exhibit A" attached hereto to be closed and vacated, namely are: (1) Shane Johnson, unmarried and Chris Toepfert, unmarried; (2) Ron Zimmerman and Patsy Zimmerman, husband and wife and (3) Arlington Townhomes, LLC, a Kentucky limited liability company have given their written notarized consent to the closing and vacation of said rights-of-ways and copies of the consent are attached hereto marked as "Exhibit B", "Exhibit C," and "Exhibit D", respectively, and incorporated by reference.

SECTION 5

The section of the right-of-way of South Arlington Road as described in detail in "Exhibit A" attached hereto is declared closed and vacated without any further action pursuant to KRS 82.405(1) and (2).

SECTION 6

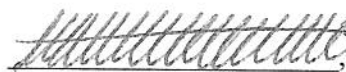
This ordinance shall be recorded in the Kenton County Clerk's Office.

SECTION 7

This ordinance shall be effective when read, passed and advertised according to law.

ATTEST:

 Julie A. Alig, City Clerk

, Mayor
Matt Mattone

1st reading 5/11/15
2nd reading 6/8/15
Publication _____