

CITY OF BELLEVUE, KENTUCKY

ORDINANCE NO. 2004-04-02

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

WHEREAS, the City of Bellevue Planning Commission, on or about April 8, 2004, considered and approved the Stage II Development Plan for Bora Development which requires the closure of the section of the right-of-way of Lake Street as described in detail in “Exhibit A” attached hereto; and

WHEREAS, the City of Bellevue on April 14, 2004, considered and approved the Stage II Development Plan for Bora Development which requires the closing, vacation and transfer of ownership of the section of the right-of-way of Lake Street as described in detail in “Exhibit A” attached hereto to Bora Development; and

WHEREAS, the Board of Council of the City of Bellevue desires to close, vacate and transfer ownership of the section of the right-of-way of Lake Street as described in detail in “Exhibit A” attached hereto; and

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

1. All property owners in or abutting the sections of the right-of-way of Lake Street 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 consent are attached hereto.

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

SECTION 1

The Board of Council of the City of Bellevue has determined that the section of the right-of-way of Lake Street 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 Lake Street as described in detail in “Exhibit A” attached hereto are The City of Bellevue, Kentucky (a Municipal Corporation of the fourth class), Bellevue Urban Renewal and Community Development Agency and Jane Kriege (a natural person).

SECTION 3

The City of Bellevue has provided written notice to the adjoining property owners of the section of the right-of-way of Lake Street to be closed and described in detail in "Exhibit A" attached hereto. Said adjoining property owners are The City of Bellevue, Kentucky (a Municipal Corporation of the fourth class), Bellevue Urban Renewal and Community Development Agency and Jane Kriege (a natural person). A receipt of these are attached hereto as "Exhibit B" and "Exhibit C," respectively, and incorporated by reference.

SECTION 4

The owners of property abutting this section of the right-of-way of Lake Street described in detail in "Exhibit A" attached hereto to be closed and vacated, namely The City of Bellevue, Kentucky (a Municipal Corporation of the fourth class), Bellevue Urban Renewal and Community Development Agency and Jane Kriege (a natural person), 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" and "Exhibit C," respectively, and incorporated by reference.

SECTION 5

The section of the right-of-way of Lake Street 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 Campbell County Clerk's Office.

SECTION 7

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

ATTEST:

John D. Meyer, Mayor

Mary H. Scott, City Clerk

1st reading _____

2nd reading _____

Publication _____

NOTICE OF PROPOSED STREET CLOSING

AND CONSENT OF CLOSING

The undersigned acknowledges written notice of the closing and vacation of a section of Lake Street as more particularly described in detail in Exhibit "A" that is attached hereto and herein incorporated by reference.

The undersigned hereby gives written notarized consent to the closing of the street.

Jane Kriege

NOTARY

Sworn to and subscribed in my presence on this _____ day of _____, 2004.

Notary Public

NOTICE OF PROPOSED STREET CLOSING

AND CONSENT OF CLOSING

The undersigned acknowledges written notice of the closing and vacation of a section of Lake Street as more particularly described in detail in Exhibit "A" that is attached hereto and herein incorporated by reference.

The undersigned hereby gives written notarized consent to the closing of the street.

By Jerry Schnelle
BURCDA Chairman

NOTARY

Sworn to and subscribed in my presence on this _____ day of _____, 2004.

NOTICE OF PROPOSED STREET CLOSING

AND CONSENT OF CLOSING

The undersigned acknowledges written notice of the closing and vacation of a section of Lake Street as more particularly described in detail in Exhibit "A" that is attached hereto and herein incorporated by reference.

The undersigned hereby gives written notarized consent to the closing of the street.

By John D. Meyer
Mayor of Bellevue

NOTARY

Sworn to and subscribed in my presence on this _____ day of _____, 2004.

Notary Public