

CITY OF BELLEVUE, KENTUCKY

ORDINANCE NO. 2017-08-01

AN ORDINANCE CLOSING AND VACATING A CERTAIN PORTION OF THE UNIMPROVED PUBLIC RIGHT-OF-WAY OF WILSON ROAD LOCATED IN THE CITY OF BELLEVUE, KENTUCKY CONSISTING OF 0.183 ACRES OF REAL ESTATE AS DESCRIBED IN DETAIL ON EXHIBIT "A" AND SHOWN AND DEPICTED ON THE PLAT MARKED AS EXHIBIT "A-1" BOTH ATTACHED HERETO.

WHEREAS, the City of Bellevue has been requested by the adjoining and abutting property owner of said owner's property which presently abuts that portion of the unimproved public right of way of Wilson Road located in the City of Bellevue , Kentucky consisting of 0.183 acres of real estate as described in detail on Exhibit "A" attached hereto and shown and depicted on the plat attached hereto and marked as Exhibit "A-1" both of which are incorporated by reference and being that portion of said unimproved public right of way to be closed and vacated by this Ordinance; and

WHEREAS, the Board of Council of the City of Bellevue desires to close and vacate that portion and section of the unimproved public right of way of Wilson Road located in the City of Bellevue, Kentucky consisting of 0.183 acres of real estate as described in detail on Exhibit "A" attached hereto and shown and depicted on the plat attached hereto and marked as Exhibit "A-1" both of which are incorporated by reference except and subject to any public and/or private utilities located therein shall be permitted to remain in place and easements shall be retained for such utilities; and

WHEREAS, the portion and section of the unimproved public right of way of Wilson Road as described in detail in Exhibit "A" serves no useful municipal purpose.

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

SECTION 1

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 owner(s) in or abutting that portion and section of the unimproved public right of way of Wilson Road that is to be closed have been identified.
2. Written notice of the proposed closing has been given to all property owner(s) in or abutting that portion and section of the public right of way of Wilson Road that is to be closed.

3. All property owner(s) in or abutting that portion and section of the public right of way of Wilson Road that is to be closed has given his/her notarized consent to the closing of said right of way, and a copy of the consent is attached hereto.

SECTION 2

The Board of Council of the City of Bellevue, Kentucky has determined that the owners of property who abuts that portion and section of the unimproved public right-of-way of Wilson Road located in the City of Bellevue, Kentucky consisting of 0.183 acres as described in detail on Exhibit "A" attached hereto and shown and depicted on the plat attached hereto and marked as Exhibit "A-1" both of which are incorporated by reference that is closed and vacated by this Ordinance are Kristin Goltra, Kenneth Warden, Tami and Dennis Haigis, and Charles and Angela Allen.

SECTION 3

The City of Bellevue, Kentucky has provided written notice to Kristin Goltra, Kenneth Warden, Tami and Dennis Haigis, and Charles and Angela Allen, as the adjoining and abutting property owners of that portion and section of the right-of-way of Wilson Road located in the City of Bellevue, Kentucky consisting of 0.183 acres and described in detail on Exhibit "A" attached hereto and shown and depicted on the plat attached hereto and marked as Exhibit "A-1" both of which are incorporated by reference, that this Ordinance concerning the closing and vacation of that portion and section of Wilson Road located in the City of Bellevue, Kentucky consisting of 0.183 acres and described in detail on Exhibit "A" attached hereto and shown and depicted on the plat attached hereto and marked as Exhibit "A-1" both of which are incorporated by reference, would be heard by the Board of Council of the City of Bellevue, Kentucky on August 9, 2017. A true and correct copy of the receipt of Notice and notarized consent by and agreement of both Kristin Goltra, Kenneth Warden, Tami and Dennis Haigis, and Charles and Angela Allen to said vacation and closure of that portion and section of the public right of way of Wilson Road located in the City of Bellevue, Kentucky consisting of 0.183 acres and described in detail on Exhibit "A" attached hereto and shown and depicted on the plat attached hereto and marked as Exhibit "A-1" both of which are incorporated by reference is attached hereto and marked as "Exhibit B" and is incorporated by reference.

SECTION 4

The Board of Council of the City of Bellevue, Kentucky has determined and does hereby declare that the portion and section of the unimproved public right of way of Wilson Road located in the City of Bellevue, Kentucky consisting of 0.183 acres of real estate as described in detail on Exhibit "A" attached hereto and shown and depicted on the plat attached hereto and marked as Exhibit "A-1" both of which are incorporated by reference is hereby closed and vacated without any further action pursuant to KRS 82.405(1) and (2) and shall revert in fee simple to the abutting property owner according to applicable state and local laws and regulations except and subject to any public and/or private utilities located therein shall be permitted to remain in place and said easements shall be retained for such utilities.

SECTION 5

This ordinance shall be recorded in the Campbell County Clerk's Office in Newport, Kentucky.

SECTION 6

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

ATTEST:

Ed Riehl, Mayor

Mary H. Scott, City Clerk

1st reading _____

2nd reading _____

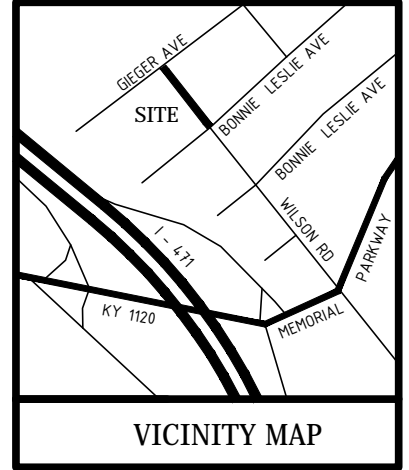
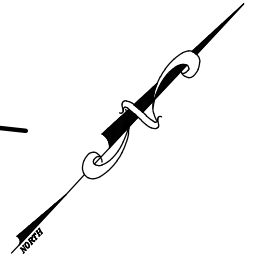
Publication _____

LEGEND

- -Denotes found monument in good condition unless otherwise noted
- -Denotes set 5/8" iron pin with an yellow plastic cap stamped "KEYSTONE 3423" 30" in length.
- - - Boundary line coincident with right-of-way line

GEIGER AVE. 50' R/W

NORTH & BEARING SYSTEM BASED ON KENTUCKY STATE PLANE COORDINATE NORTH ZONE NAD 83.



KRISTIN GOLTRA
 DB 609 PG 934
 999-99-06-467.00

KENNETH W. WARDEN
 DB 566 PG 405
 999-99-08-197.00

P.O.B.
 0.040 AC.

S50° 51' 09"W 15.00'
 N50° 51' 09"E 15.00'

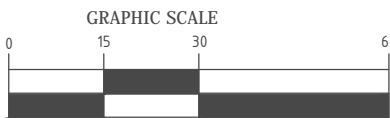
TAMI M. HAIGIS &
 DENNIS M. HAIGIS
 DB 769 PG 62
 999-99-05-909.00

P.O.B.
 0.057 AC.

CHARLES E. & ANGELA
 ALLEN
 DB 548 PG 584
 999-99-05-876.00

P.O.B. 0.034 AC.
 P.O.C. 0.052 AC.,
 0.040 AC. & 0.057 AC.

FND 5/8" IRON PIN 0.75' S. OF R/W
 FND IRON PIN AND CAP #1370 & #2186 274.93'



(IN FEET)
 1 inch = 30 ft.

15.03'
 S47° 31' 40"W

P.O.B.
 0.052 AC..

15.03'
 S47° 31' 40"W

**BONNIE LESLIE AVE.
 50' R/W**

**WILSON RD
 50' R/W**

SCALE 1"=30'	DATE 07/12/17
DRAWN BY MSAB	CHECKED BY JBER
PROJECT NO. ALLEN	FILE PLAT
SHEET 1 OF 1	

DRAWING TITLE
VACATION EXHIBIT "A"

PROJECT TITLE
**VACATION OF WILSON ROAD
 FOR THE CITY OF BELLEVUE,
 CAMPBELL COUNTY, KENTUCKY**

CLIENT
 CHARLES & ANGELA ALLEN
 101 BONNIE LESLIE AVE.
 BELLEVUE, KY 41073

GROUP NUMBER: 129

OWNER
 CITY OF BELLEVUE
 616 POPLAR STREET
 BELLEVUE, KY. 41073



© 2017 KEYSTONE SURVEYING AND MAPPING
 3826 WINSTON AVENUE, SUITE #300
 CONVINGTON, KENTUCKY 41015
 OFFICE: 859-291-5397

**LEGAL DESCRIPTION
A PORTION OF VACATED WILSON ROAD
0.057 AC.**

- Situated in the City of Bellevue, Commonwealth of Kentucky, Campbell County, being a portion of the land dedicated as Wilson Road 30 foot right of way, recorded in Block "E" Bonnie Leslie Subdivision Plat Book 11, Page 44 of the Campbell County deed records on file in Newport, Kentucky, and being more particularly described as follows:
- Commencing** at a found iron pin and cap stamped Keystone 3423 on the northerly right-of-way corner of Bonnie Leslie Avenue 50 feet wide and Wilson Road 30 feet wide, also being the southerly corner of a tract of land conveyed to land conveyed to Charles E. & Angela Allen by deed, recorded in Deed Book 548, Page 584;
- Thence along the northeasterly right-of-way line of said Wilson Road **N39°08'51"W 100.17** feet to a set iron pin and cap stamped Keystone 3423, being the common corner of said Allen's tract and a tract of land conveyed to Kenneth W. Warden by deed, recorded in Deed Book 566, Page 405, witnessed by a found iron pin and cap stamped Keystone 3423 bearing N47°31'40"E 2.86 feet, and being the **principle point of beginning**;
- Thence through said Wilson Road and along the extension of the common line of said Allen's and Warden's tracts **S47°31'40"W 15.03** feet to a set iron pin and cap stamped Keystone 3423;
- Thence along the centerline of said Wilson Road **N39°08'51"W 165.98** feet to a set iron pin and cap stamped Keystone 3423 on the southeasterly right-of-way line of Geiger Avenue;
- Thence along the southeasterly right-of-way line of said Geiger Avenue **N51°27'10"E 15.00** feet to a point on west corner of said Warden Tract;
- Thence along the southwesterly line of said Warden's tract **S39°08'51"E 164.95** feet to the **principle point of beginning**.
- Containing **0.057** acres of land, more or less, subject to easements, conditions, covenants, restrictions, and rights-of-way of record.

**LEGAL DESCRIPTION
A PORTION OF VACATED WILSON ROAD
0.052 AC.**

- Situated in the City of Bellevue, Commonwealth of Kentucky, Campbell County, being a portion of the land dedicated as Wilson Road 30 foot right of way, recorded in Block "D" Bonnie Leslie Addition Plat Book 11, Page 42 and Block "E" Bonnie Leslie Subdivision Plat Book 11, Page 44 of the Campbell County deed records on file in Newport, Kentucky, and being more particularly described as follows:
- Commencing** at a found iron pin and cap stamped Keystone 3423 on the northerly right-of-way corner of Bonnie Leslie Avenue 50 feet wide and Wilson Road 30 feet wide, also being the southerly corner of a tract of land conveyed to Charles E. & Angela Allen by deed, recorded in Deed Book 548, Page 584;
- Thence along the northwesterly right-of-way line of said Bonnie Leslie Avenue **S47°31'40"W 15.03** feet to a set iron pin and cap stamped Keystone 3423 in the centerline of Wilson Road, being the **principle point of beginning**;
- Thence continuing along the northwesterly right-of-way line of said Bonnie Leslie Avenue **S47°31'40"W 15.03** feet to a point on the southeast corner of a tract of land conveyed to Tami M. Haigis and Dennis M. Haigis by deed, recorded in Deed Book 769, Page 62;
- Thence along the south line of said Wilson Road and the southwesterly line of land of said Haigis's tract **N39°08'51"W 152.18** feet to a point at the northwest corner of said Haigis's tract and the southeast corner of a tract of land of Kristin Goltra by deed, recorded in Deed Book 609, Page 934;
- Thence through said Wilson Road and along the extension of the common line of said Haigis's and Goltra's tracts **N50°51'09"E 15.00** feet to a set iron pin and cap stamped Keystone 3423;
- Thence along the centerline of said Wilson Road **S39°08'51"E 151.30** feet to a set iron pin and cap stamped Keystone 3423 at the **principle point of beginning**.
- Containing **0.052** acres of land, more or less, subject to easements, conditions, covenants, restrictions, and rights-of-way of record.

LEGAL DESCRIPTION
A PORTION OF VACATED WILSON ROAD
0.040 AC.

- Situated in the City of Bellevue, Commonwealth of Kentucky, Campbell County, being a portion of the land dedicated as Wilson Road 30 foot right of way, recorded in Block "E" Bonnie Leslie Subdivision Plat Book 11, Page 44 of the Campbell County deed records on file in Newport, Kentucky, and being more particularly described as follows:
- Commencing** at a found iron pin and cap stamped Keystone 3423 on the northerly right-of-way corner of Bonnie Leslie Avenue 50 feet wide and Wilson Road 30 feet wide, also being the southerly corner of a tract of land conveyed to land conveyed to Charles E. & Angela Allen by deed, recorded in Deed Book 548, Page 584;
- Thence along the northwesterly right-of-way line of said Bonnie Leslie Avenue **S47°31'40"W 15.03** feet to a set iron pin and cap stamped Keystone 3423 in the centerline of Wilson Road;
- Thence along the centerline of Wilson Road **N39°08'51"W 151.30** feet to a set iron pin and cap stamped Keystone 3423, being the **principle point of beginning**;
- Thence through said Wilson Road and along the extension of the common line of the tracts of land conveyed to Tami M. Haigis and Dennis M. Haigis by deed, recorded in Deed Book 769, Page 62 and Kristin Goltra by deed, recorded in Deed Book 609, Page 934 **S50°51'09"W 15.00** feet to a point at the common corner of said Haigis's and Goltra's tracts;
- Thence along the south right-of-way line of said Wilson Road and the northeasterly line of said Goltra's tract **N39°08'51"W 115.00** feet to a point on the northeast corner of said Goltra's and the southeasterly right of way line of Geiger Avenue;
- Thence along the southeasterly right-of-way line of said Geiger Avenue **N51°27'10"E 15.00** feet to a set iron pin and cap stamped Keystone 3423 in the centerline of said Wilson Road;
- Thence along the centerline of said Wilson Road **S39°08'51"E 114.84** feet to a set iron pin and cap stamped Keystone 3423 at the **principle point of beginning**.
- Containing **0.040** acres of land, more or less, subject to easements, conditions, covenants, restrictions, and rights-of-way of record.

**LEGAL DESCRIPTION
A PORTION OF VACATED WILSON ROAD
0.034 AC.**

- Situated in the City of Bellevue, Commonwealth of Kentucky, Campbell County, being a portion of the land dedicated as Wilson Road 30 foot right of way, recorded in Block "D" Bonnie Leslie Addition Plat Book 11, Page 42 of the Campbell County deed records on file in Newport, Kentucky, and being more particularly described as follows:
- Beginning** at a found iron pin and cap stamped Keystone 3423 on the northerly right-of-way corner of Bonnie Leslie Avenue 50 feet wide and Wilson Road 30 feet wide, also being the southerly corner of a tract of land conveyed to land conveyed to Charles E. & Angela Allen by deed, recorded in Deed Book 548, Page 584;
- Thence along the northwesterly right-of-way line of said Bonnie Leslie Avenue **S47°31'40"W 15.03** feet to a point in the centerline of Wilson Road;
- Thence along the centerline of Wilson Road **N39°08'51"W 100.17** feet to a set iron pin and cap stamped Keystone 3423;
- Thence through said Wilson Road and along the extension of the southeasterly line of a tract of land conveyed to Kenneth W. Warden as recorded in Deed Book 566 Page 405 **N47°31'40"E 15.03** feet to a point witnessed by a found iron pin and cap stamped Keystone 3423 bearing **N47°31'40"E 2.86** feet;
- Thence along the north line of said Wilson Road and the southwesterly line of land of said Allen's tract **S39°08'51"E 100.17** feet to a found iron pin and cap stamped Keystone 3423 at the **point of beginning**.
- Containing **0.034** acres of land, more or less, subject to easements, conditions, covenants, restrictions, and rights-of-way of record.