

CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2019-# 19

AN ORDINANCE CLOSING AND ABANDONING AN .08 ACRE
UNIMPROVED PORTION OF SILVER STREET.

WHEREAS, the City Council finds that it has identified all of the property owners in or abutting the unimproved portion of Silver Street as described by this ordinance to be closed;

WHEREAS, those property owners are: (a) Jennifer and Mark Glassmeyer, 1112 Locust Avenue, PIDN 999-99-08-494.01 (Deed Book 725/Page 57); and (b) Tim Rechten, 1021-1025 Edwards Avenue, PIDN 999-99-08-444.00 (Deed Book 791/Page 545);

WHEREAS, the City Council finds that written notice and notarized consent to the closing was given to the property owners prior to institution of action to close the unimproved portion of Silver Street (attached and incorporated herein as Exhibit A); and

WHEREAS, the City of Dayton Planning Commission met on October 2nd, 2019 to consider the vacation of the unimproved portion of Silver Street and approved closure of the same.

BE IT ORDAINED BY THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY
AS FOLLOWS:

Section I. That the .08 Acre unimproved portion of Silver Street (the plat of which is attached hereto as Exhibit B and made part hereof by reference pursuant to KRS 83A.060(9)) is hereby ordered closed and abandoned without further action. That said right-of-way is more particularly described in the legal descriptions marked Exhibit C which is attached hereto and incorporated herein.

Section II. Having made the findings above, said right-of-way is deemed closed and abandoned without further action pursuant to KRS 82.405(2). Also, pursuant to KRS 82.405(2), the City Attorney is directed and authorized to record a copy of this ordinance with all its attachments including the plat and waivers/consents with the Campbell County Clerk's office.

Section III. Once this ordinance closing the said right-of-way is recorded, the City shall convey one-half (1/2) of the right of way to each abutting property owner as determined by law.

Section IV. Once this ordinance closing the said right-of-way is recorded, all plats and maps of the City of Dayton, Kentucky, including the official zoning map and all maps of the comprehensive plan of the City shall be considered amended to reflect said closing.

Section V. This ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, published, and shall be in effect at the earliest time provided by law.

First Reading: 11-5-19
Second Reading: 12-3-19


MAYOR BEN BAKER

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER