

COMMONWEALTH OF KENTUCKY
HARDIN COUNTY FISCAL COURT

RESOLUTION NO. 2003 - 108

WHEREAS, the proposed closing of an approximately 5,600 foot section of the existing roadway and right-of-way of Jagers Road, Hardin County, Kentucky, was referred to the Hardin County Planning and Development Commission for review as provided in KRS 100.324(4); and, the Hardin County Planning and Development Commission having adopted a RESOLUTION at its meeting held on 18 November 2003 finding that the closing of this section of the roadway and right-of-way meets the Goals and Objectives of the COMPREHENSIVE DEVELOPMENT GUIDE, a photocopy of the said RESOLUTION (Number 19, Series 2003) are attached hereto and made a part hereof; and

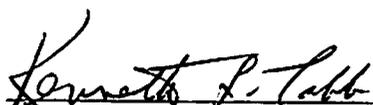
WHEREAS, pursuant to KRS Chapter 178, the Hardin County Fiscal Court held a public hearing on Tuesday, 25 November 2003, on the proposed closing of an approximately 5,600 foot section of the existing roadway and right-of-way of Jagers Road to receive testimony from the public and the report of two viewers, Danny Allen and Chris Hunsinger, a photocopy of said report is attached hereto and made a part hereof.

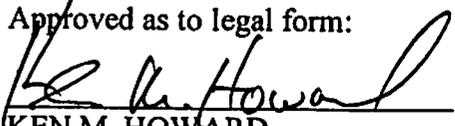
NOW THEREFORE, BE IT RESOLVED, by the Hardin County Fiscal Court, Commonwealth of Kentucky as follows:

1. The closing of the approximately 5,600 foot section of the existing roadway and right-of-way established for Jagers Road as more particularly described in the Summary Report and Exhibits, which by reference is made a part hereof, will not cause any inconvenience, nor will it result in a hardship for any person or property to gain ingress or egress, and traffic patterns and the general health, safety and welfare of the public will be improved.
2. That the approximately 5,600 foot section of roadway and right-of-way of Jagers Road as illustrated is hereby closed, discontinued and removed from public use and the Hardin County Road Maintenance System as provided in KRS Chapter 178.
3. Pursuant to Jones vs. Avondale Heights Co., 47 S. W. 2d 949 (KY. 1932) and other applicable case law, the closed or discontinued right-of-way established for Jagers Road, shall revert to the County of Hardin, Kentucky as it is the adjoining property owner on either side of the centerline of the former right of way as provided in a Deed of Consolidation dated January 15, 2003 and of record in Deed Book 1061, Page 233 in the office of the Hardin County Court Clerk, Elizabethtown, Kentucky.

This RESOLUTION, is hereby adopted, by the Hardin County Fiscal Court, Commonwealth of Kentucky, on this 25th day of November, 2003.


HARRY L. BERRY
HARDIN COUNTY JUDGE/EXECUTIVE

Attested by: 
KENNETH L. TABB
HARDIN COUNTY COURT CLERK

Approved as to legal form:

KEN M. HOWARD
HARDIN COUNTY ATTORNEY