

RESOLUTION 2004-013

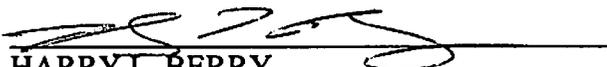
WHEREAS, the proposed closing of the two portions of right-of-way in Cofer Farms, Lot 2, Lot 3A-1 and 3B-1, Hardin County, Kentucky, recorded in the office of the Hardin County Clerk on 26 June 2003 in Plat Cabinet 1 Sheet 3410, was referred to the Hardin County Planning and Development Commission for 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 13 January 2004 finding that the closing of the two portions right-of-way meets the Goals and Objectives of the COMPREHENSIVE DEVELOPMENT GUIDE, a photocopy of the minutes of said meeting and RESOLUTION 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 Monday, 23 February 2004, on the proposed closing of the portions of platted right-of-way 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 portions of right-of-way established on the plat of Cofer Farms, Lot 2, Lot 3A-1 and 3B-1 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 not be altered.
2. That the portions of the platted right-of-way established on the plat of Cofer Farms, Lot 2, Lot 3A-1 and 3B-1 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 portions right-of-way established on the plat of Cofer Farms, Lot 2, Lot 3A-1 and 3B-1, shall revert to the adjoining property owners on either side.
4. An amended subdivision plat of Cofer Farms, Lot 2, Lot 3A-1 and 3B-1 must be prepared, submitted and approved by the Planning Commission.

This RESOLUTION, is hereby adopted, by the Hardin County Fiscal Court, Commonwealth of Kentucky, on this twenty third day of February, 2004.


HARRY L. BERRY
Hardin County Judge/Executive

Attest: 
Kenneth L. Tabb, Clerk
Hardin County Fiscal Court