

COMMONWEALTH OF KENTUCKY
HARDIN COUNTY FISCAL COURT

RESOLUTION NO. 2004-099

This Resolution duly made and adopted this 23rd day of November, 2004, by the Hardin County Fiscal Court, County of Hardin, Commonwealth of Kentucky.

WHEREAS, the proposed closing of an approximately 910 foot "15 ft Alley Way" section of the platted but not constructed alley and right-of-way as shown in Deed Book 63, Page 190, starting at Jagers Road, approximately 210 feet East of Shipp Lane and extending South and parallel to Shipp Lane for a distance of 700 feet then continuing 210 feet West to Shipp Lane in 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 16 November 2004 finding that the closing of this section of the alley and right-of-way meets the Goals and Objectives of the COMPREHENSIVE DEVELOPMENT GUIDE, a photocopy of the said RESOLUTION (Number 012, Series 2004) are attached hereto and made a part hereof; and

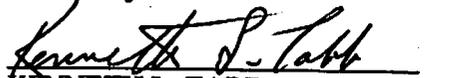
WHEREAS, pursuant to KRS Chapter 178, the Hardin County Fiscal Court held a public hearing on Tuesday, 23 November 2004, on the proposed closing of an approximately 910 foot section of the platted but not constructed alley and right-of-way to receive testimony from the public and the report of two viewers, 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 approximately 910 foot "15 ft Alley Way" section of the platted but not constructed alley and right-of-way as shown in Deed Book 63, Page 190, starting at Jagers Road, approximately 210 feet East of Shipp Lane and extending South and parallel to Shipp Lane for a distance of 700 feet then continuing 210 feet West to Shipp Lane in Hardin County, Kentucky, as 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 910 foot "15 ft Alley Way" section of the platted but not constructed alley and right-of-way as shown in Deed Book 63, Page 190, starting at Jagers Road, approximately 210 feet East of Shipp Lane and extending South and parallel to Shipp Lane for a distance of 700 feet then continuing 210 feet West to Shipp Lane in Hardin County, Kentucky is hereby closed, discontinued and removed from public use 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 alley and right-of-way shall revert to the adjoining lots of the C. H. Craig Farm Subdivision in the County of Hardin, Kentucky and of record in Deed Book 63, Page 190 in the office of the Hardin County Court Clerk, Elizabethtown, Kentucky.


HARRY L. BERRY
HARDIN COUNTY JUDGE/EXECUTIVE

Attested by:


KENNETH L. TABB
HARDIN COUNTY COURT CLERK