Ex: M

RESOLUTION NO. 2013-084
ROAD CLOSING – Hardin County Fairground Road
(60-foot Right-of-Way)

This Resolution duly made and adopted this 11th day of June 2013, by the Hardin County Fiscal Court, County of Hardin, and Commonwealth of Kentucky.

WHEREAS, a request has been made by Larry Jaggers (Applicant) on behalf of the Hardin County Community Fair Board to close a deeded right-of-way of Hardin County Fairground Road, as recorded in the Hardin County Clerk's Office, in Deed Book 392, Page 353. The closure allows for the Hardin County Community Fair Board to use the lane for private use ;

WHEREAS, the proposal was submitted to the Hardin County Planning and Development Commission for review as provided in KRS 100.324(4); and the Commission having adopted RESOLUTION 2013-002 at its meeting held on the 21st of May, 2013 finding that the closing of the right-of-way meets the Goals and Objectives of the COMPREHENSIVE DEVELOPMENT GUIDE, 2008, a photocopy of the said RESOLUTION is 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, 11 June 2013, on the proposed Road Closing and to receive the Viewers Report and testimony from the public,

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

1. The closing of the deeded right of way of Hardin County Fairground Road as shown in Deed Book 392, Page 353, 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, and traffic patterns and the general health, safety and welfare of the public will be improved.
2. That the deeded right-of-way 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 deeded right-of-way shall be removed from the county road maintenance system and revert back to private use by the Hardin County Community Fair Board.

HARRY L. BERRY
HARDIN COUNTY
JUDGE /EXECUTIVE

JENNIFER B. OLDHAM
HARDIN COUNTY ATTORNEY