

**FISCAL COURT
RESOLUTION NO. 2021 - 173**

**ROAD CLOSING – Undeveloped Future Street (50’ Right-of-Way)
North of Rebecca Ann Court at Rosenberger Lane, Elizabethtown, KY
in Serene Oaks Subdivision, Section 2**

This Resolution duly made and adopted this 28th day of September 2021, by the Hardin County Fiscal Court, County of Hardin, and Commonwealth of Kentucky.

WHEREAS, a request has been made by B&B Homes, LLC to close an “Undeveloped Future Street” (50’ right-of-way) north of Rebecca Ann Court, Elizabethtown, KY as illustrated on the Record Plat of Serene Oaks Subdivision, Section 2 as recorded in the Office of the Hardin County Clerk in Plat Cabinet 1, Sheet 3449. The closed right-of-way will be consolidated into adjoining Lots 8 & 9 of Serene Oaks Subdivision, Section 2.

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 2021-010 at its meeting held on the 7th of September 2021 finding that the closing of the right-of-way meets the Goals and Objectives of the COMPREHENSIVE DEVELOPMENT GUIDE, 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, 28 September 2021, 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 “Undeveloped Future Street” (50’ right-of-way) north of Rebecca Ann Court in Serene Oaks Subdivision, Section 2 as illustrated on the attached exhibits, and described in the Summary Report, 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 platted 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 platted right-of-way shall revert to the adjoining property owner and be shown on an Amended Subdivision Plat of Serene Oaks Subdivision, Section 2, Lots 8 & 9 to be submitted by the owner and approved by the Planning Commission and recorded in the office of the Hardin County Court Clerk, Elizabethtown, Kentucky.

ADOPTED by the Hardin County Fiscal Court, Commonwealth of Kentucky, in Regular Meeting, on this 28th of September 2021.

| | |
|--|--|
|  HARRY L. BERRY HARDIN COUNTY JUDGE /EXECUTIVE |  JENNIFER B. OLDHAM HARDIN COUNTY ATTORNEY |
|--|--|