

**FISCAL COURT
RESOLUTION NO. 2022 - 154**

**ROAD CLOSING – Cherry Hill Drive (Undeveloped 40’ Right-of-Way)
In Cherry Hill Estates, Elizabethtown, KY**

This Resolution duly made and adopted this 23rd day of August 2022, by the Hardin County Fiscal Court, County of Hardin, and Commonwealth of Kentucky.

WHEREAS, a request has been made by Robert Moore to close an Undeveloped 40’ right-of-way of Cherry Hill Drive, Elizabethtown, KY as illustrated on the Record Plat of Cherry Hill Estates as recorded in the Office of the Hardin County Clerk in Plat Cabinet 1, Sheet 329A. The closed right-of-way will be consolidated into adjoining Lots 1-6 of Cherry Hill Estates via an Amended Subdivision Plat into a single lot.

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 2022-018 at its meeting held on the 19th of July 2022 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

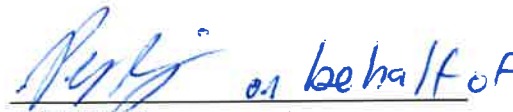
WHEREAS, pursuant to KRS Chapter 178, the Hardin County Fiscal Court held a public hearing on Tuesday, 23 August 2022, on the proposed Road Closing and to receive the Viewers Report and testimony from the public,

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

1. The closing of Cherry Hill Drive (Undeveloped 40’ right-of-way) in Cherry Hill Estates 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 Cherry Hill Estates, Lots 1-6 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 23rd of August 2022.


HARRY L. BERRY
HARDIN COUNTY
JUDGE /EXECUTIVE

 on behalf of
JENNIFER B. OLDHAM
HARDIN COUNTY ATTORNEY

VIEWERS REPORT

ROAD CLOSING

Cherry Hill Drive (Undeveloped 40' Right-of-Way) In Cherry Hill Estates, Elizabethtown, KY

Pursuant to KRS 178.070 the undersigned, Nick Douthitt, Hardin County Engineering Department, Dwight Morgan, Road Supervisor and Adam King, AICP, Director, being the Viewers appointed by Hardin County Fiscal Court pursuant to RESOLUTION No. 2022-143, hereby file this written report.

This report is concerning the proposal to close Cherry Hill Drive “an Undeveloped 40’ right-of-way” east of Hutcherson Lane in Elizabethtown, KY in Cherry Hill Estates, as recorded in the office of the Hardin County Clerk’s Office, Plat Cabinet 1, Sheet 329A. The right-of-way will be consolidated into adjoining Lots 1-6. The owner, Robert Moore, has submitted the Road Closing request.

As required by KRS 178.070, signs giving Public Notice of the Public Hearing on the proposed Road Closing were posted in three (3) public places in the vicinity of the right-of-way proposed to be closed. Said signs were posted on Friday, 22 July 2022 and have remained posted thereon until the date of the hearing this Tuesday, 23 August 2022.

The undersigned, having made a careful inspection and study of the proposed Road Closing, hereby report that no inconvenience would result from the proposed closing. The end result of the closure allows for the 40’ undeveloped right-of-way to be merged with Lots 1-6 of Cherry Hill Estates via an Amended Subdivision Plat into a single lot.

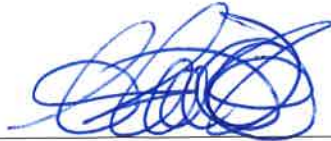
Respectfully submitted this Tuesday, 23 August 2022.



NICK DOUTHITT, GIS Coordinator
Hardin County Engineering Department



DWIGHT MORGAN, Road Supervisor
Hardin County Road Department



ADAM KING, AICP, Director
Hardin County Planning & Development
Commission