

COMMISSIONERS' ORDINANCE NO. 0-23-19

AN ORDINANCE CLOSING A PORTION OF THE FIRST ALLEY EAST OF AND RUNNING PARALLEL TO BAKEWELL STREET PURSUANT TO KRS 82.405.

* * * *

WHEREAS, KRS 82.405(1) provides a method for a municipality to close a public way; and

WHEREAS, the Board of Commissioners determined that a portion of the public way located within the City of Covington, consisting of the first alley east of and running parallel to Bakewell Street, should be closed; and

WHEREAS, all property owners who abut a portion of the public way to be closed have agreed to the closing of said public way; and

WHEREAS, written notice of the proposed closing was given to or waived by all property owners in or abutting a portion of the public way to be closed;

WHEREAS, the closing of the public way is necessary to accommodate the construction of the John R. Green development, and required by the Development Agreement authorized by Commissioners' Order No. ORD-53-18.

NOW, THEREFORE,
BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY
OF COVINGTON, KENTON COUNTY, KENTUCKY:

Section 1

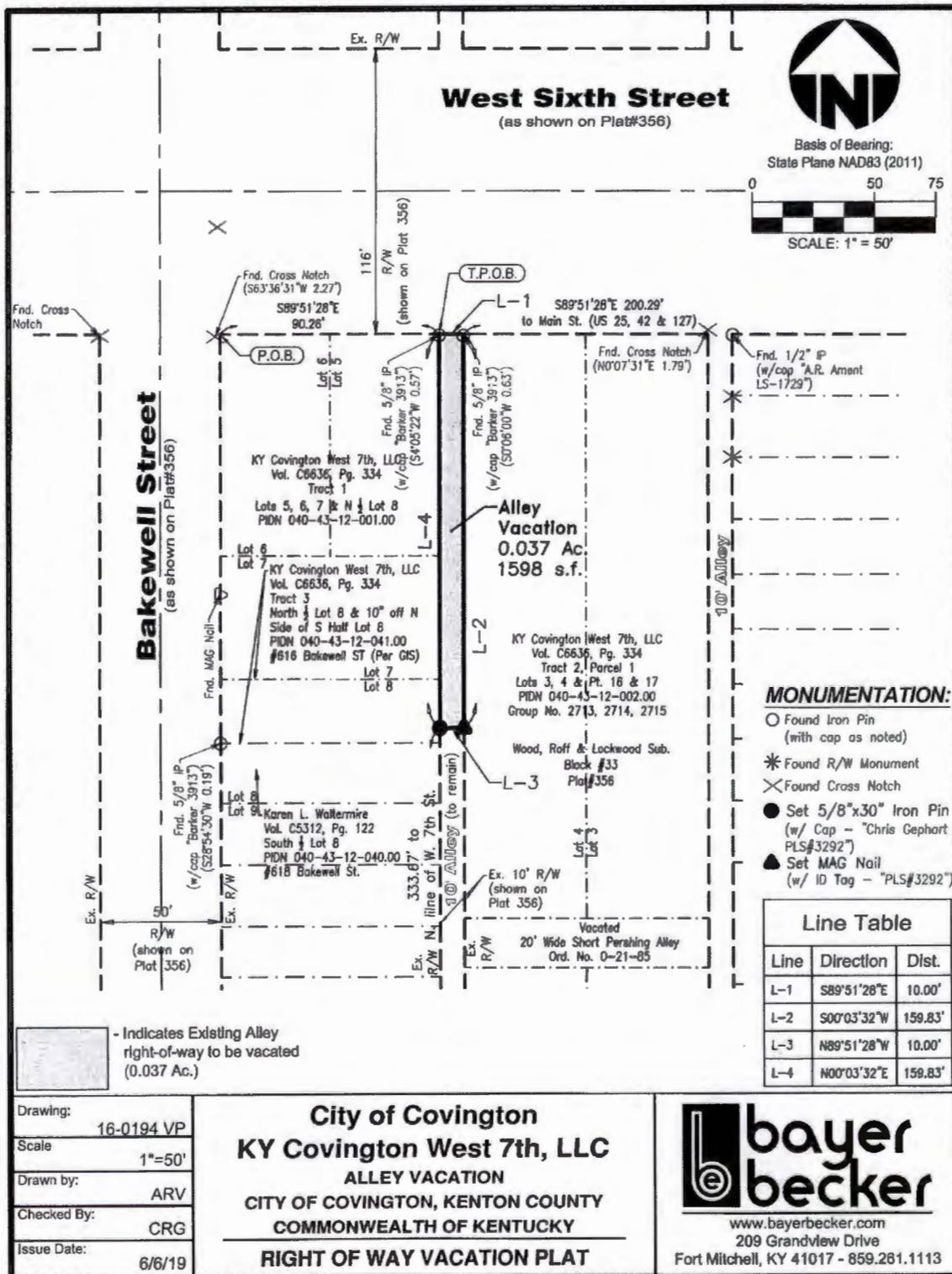
A pictorial and legal description of the portion of the right-of-way to be closed is attached hereto and incorporated by reference as Exhibit A.

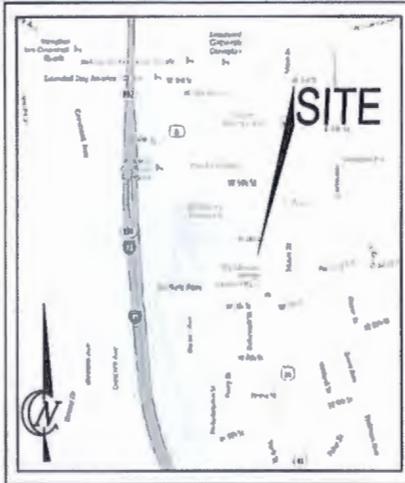
Section 2

That the Board of Commissioners hereby vacates and closes a portion of said public way along consisting of the first alley running east of and parallel to Bakewell Street, and makes the following findings of fact:

- a) The only property owner abutting the portion of the public way to be closed is KY Covington West 7th, LLC.
- b) Written notice of the proposed closing was given to all property owners in or abutting a portion of the public way to be closed.

Meeting Date:					
ORD.: 1ST	2ND				
OR:					
	Borman	Downing	Smith	Williams	Meyer
Yeas	✓	✓	✓	✓	✓
Nays					
Present, not Voting					





VICINITY MAP
(not to scale)

SURVEYOR'S CERTIFICATE

I hereby certify that the survey depicted by this plat was done by persons under my direct supervision by the method of random traverse with sideshots. The unadjusted precision ratio of the traverse was 1:20,995, and the directions and distances shown on the plat are based on a traverse that was adjusted. The reference meridian basis shown hereon is from NAD83 (2011) Kentucky State Plane Coordinates, North Zone (1801). This survey is an Urban Survey and the accuracy and precision of said survey meets all the specifications of this class and complies with 201 KAR 18:150. The completion date of the survey was June 6, 2019.

Signature Chris R. Gephart 6-6-19
Chris R. Gephart, PLS#3292 in the Commonwealth of Kentucky



Date _____

NOTES:

- This plat is subject to all easements and rights-of-ways of record.
- All references are to the Kenton County Clerk's Records at Covington, unless noted otherwise.

Note: This plat represents a boundary survey and complies with 201 KAR 18:150.

Owner:
City of Covington, Kentucky
20 West Pike Street
Covington, KY 41011

Client:
KY Covington West 7th, LLC
201 Riverplace, Suite 400
Greenville, SC 29601

Drawing: 16-0194 VP
Scale: n/a
Drawn by: ARV
Checked By: CRG
Issue Date: 6/6/19

City of Covington
KY Covington West 7th, LLC
ALLEY VACATION
CITY OF COVINGTON, KENTON COUNTY
COMMONWEALTH OF KENTUCKY
RIGHT OF WAY VACATION PLAT



www.bayerbecker.com
209 Grandview Drive
Fort Mitchell, KY 41017 - 859.261.1113



Chris R.
6-6-19

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DESCRIPTION: Alley Vacation
KY Covington West 7th, LLC

LOCATION: City of Covington, Kenton County, Kentucky

DATE: June 6, 2019

Situated in the City of Covington, County of Kenton, Commonwealth of Kentucky, lying on the South side of West Sixth Street (116' R/W), and being a portion of the existing 10 foot wide alley, being the first Alley East of Bakewell Street, as set out on the plat of Wood, Roff & Lockwood Subdivision, as recorded in Copied and Restored Plat 356 of the Kenton County Clerk's records at Covington, Kentucky and being more particularly described as follows:

Begin at the intersection of the existing South right-of-way line of said West Sixth Street with the existing East right-of-way line of Bakewell Street (50' R/W) as set out on said plat of Wood, Roff & Lockwood Subdivision, (Found Cross Notch - S63°36'31"W 2.27') said intersection also being the Northwest corner of Lot 6 of said subdivision, and being conveyed to KY Covington West 7th, LLC in Volume C6636, Page 334; thence, departing said Bakewell Street, and with the existing South right-of-way line of said West Sixth Street and the North line of Lots 5 and 6 of said subdivision, South 89°51'28" East, 90.26 feet to the Northeast corner of said Lot 5 (found 5/8" iron pin with cap "Barker 3913" - S04°05'22"W 0.57') and the TRUE POINT OF BEGINNING;

thence, from the TRUE POINT OF BEGINNING, departing said Lot 5, and with the eastward extension of the South line of said West Sixth Street, South 89° 51' 28" East, 10.00 feet to the Northwest corner of Lot 4 of said subdivision, said corner also on the existing South right-of-way line of West Sixth Street (found 5/8" iron pin with cap "Barker 3913" - S00°06'00"W 0.63');

thence, departing said West Sixth Street, and with the West line of said Lot 4, South 00° 03' 32" West, 159.83 feet to a set MAG nail;

thence, departing said Lot 4, and with a new division line through said Alley, North 89° 51' 28" West, 10.00 feet to a set iron pin on the East line of Lot 8 of said subdivision, as conveyed to the same KY Covington West 7th, LLC in Volume C6636, Page 334;

thence, with the East line of Lots 5, 7 and 8 of said subdivision, North 00° 03' 32" East, 159.83 feet to the TRUE POINT OF BEGINNING.

Containing 0.037 acres of land and subject to all easements and rights-of-way of record.

All set corners are 5/8" x 30" iron pins with a plastic cap stamped "Chris Gephart PLS 3292" or a Mag nail with identification tag stamped "PLS 3292" unless otherwise noted. The reference meridian is based on NAD83 Kentucky State Plane coordinates, North Zone (1601).

The above description was prepared from a survey completed on June 6, 2019 under the direction of Chris R. Gephart, Licensed Professional Land Surveyor #3292 in the Commonwealth of Kentucky.

Prior Instrument Reference: Copied and Restored Plat 356 (Kenton County Clerk's Records at Covington).

6900 Tylersville Road, Suite A
Mason, OH 45040
513-336-6600

110 South College Ave, Suite 101
Oxford, OH 45056
513-523-4270

1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
850-261-1113

<http://www.bayerbecker.com>

CONSENT TO CLOSING
OF A PUBLIC WAY

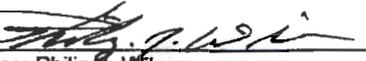
WHEREAS, KY Covington West 7th, LLC, a South Carolina limited liability company, is, the owner of real estate located on 6th Street, between Bakewell Street and Main Street, Covington, Kentucky, which is in or abuts the public way or a portion thereof proposed to be closed, described on Exhibit A attached hereto.

Whereas, KY Covington West 7th, LLC, acting by an through its authorized Manager, Philip J. Wilson, hereby consents to said closure as described:

Legal Description of the Portion of the Street and Alley to be Closed is attached hereto as Exhibit "A".

The undersigned does further waive written notice of the proposed closing and requests the Board of Commissioners of the City of Covington, Kentucky, to adopt an appropriate ordinance closing the public right of way as described herein.

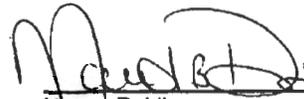
KY Covington West 7th, LLC

By: 
Name: Philip J. Wilson
Its: Manager

State of South Carolina

County of Greenville

Before me, did personally appear, PHILIP J. WILSON, Manager of KY Covington West 7th, LLC, who did execute the foregoing on behalf of KY Covington West 7th, LLC, as his and its voluntary act and deed.


Notary Public

