

COMMISSIONERS' ORDINANCE NO. 0-12-19

AN ORDINANCE VACATING A PORTION OF NEW AMSTERDAM ROAD
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 has determined that a portion of the public way known as New Amsterdam Road should be closed; and

WHEREAS, Condoview, LLC, the City of Covington, and the City of Park Hills have been identified as the only property owners in or abutting the portion of the public way to be closed; and

WHEREAS, all property owners in or abutting the public way have provided written notarized consent agreeing 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.

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

Section 1

That the Board of Commissioners hereby gives written consent to the vacation of the portion New Amsterdam Road described in Exhibit A.

Section 2

That the Board of Commissioners hereby makes the following findings of fact:

- a) Condoview, LLC, the City of Covington, and the City of Park Hills have been identified as the only property owners in or abutting the portion of New Amsterdam Road being closed;
- b) Written notice was given to all property owners in or abutting the portion of New Amsterdam Road being closed; and
- c) All property owners in or abutting the portion New Amsterdam Road being closed have given their written notarized consent to the closing. The written consents are made part of this ordinance.

Section 3

That the Board of Commissioners hereby vacates the portion of New Amsterdam Road described and depicted in Exhibit A.

Section 4

That this ordinance shall take effect and be in full force when passed and recorded according to law.


MAYOR

ATTEST:

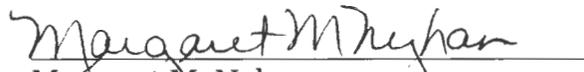

CITY CLERK

Passed: 5-14-19 (Second Reading)

4-23-19 (First Reading)

COMMONWEALTH OF KENTUCKY :
: SS
COUNTY OF KENTON :

On this day May 14, 2019, before me personally appeared Joseph U. Meyer, who did execute the foregoing instrument on behalf of the City of Covington in his capacity as Mayor, and he acknowledged that he voluntarily executed the same.


Margaret M. Nyhan
Notary Public # 565387
My Commission Expires: 10/2/2020

Meeting Date:

ORD.: 1ST

2ND

OR:

	1 Bowman	Downing	Smith	2 Williams	Meyer
Yeas	✓	✓	✓	✓	✓
Nays					
Present, not Voting					



CLOSURE - 1.1651 ACRES

North: 6261.1455 East: 4085.5270
 Curve Length: 461.13 Radius: 444.30
 Delta: 59-27-57 Tangent: 253.76
 Chord: 440.71 Course: N 58-43-59 E
 Course In: S 60-59-59 E Course Out: N 01-32-02 W
 RP North: 6045.7427 East: 4474.1195
 End North: 6489.8854 East: 4462.2276
 Line Course: S 65-35-59 E Length: 130.33
 North: 6436.0450 East: 4580.9168
 Line Course: S 17-54-23 W Length: 19.95
 North: 6417.0613 East: 4574.7829
 Line Course: N 88-11-59 W Length: 88.95
 North: 6419.8558 East: 4485.8768
 Curve Length: 410.26 Radius: 374.30
 Delta: 62-48-00 Tangent: 228.47
 Chord: 390.03 Course: S 60-24-01 W
 Course In: S 01-48-01 W Course Out: N 60-59-59 E
 RP North: 6045.7405 East: 4474.1179
 End North: 6227.2053 East: 4146.7467
 Line Course: S 29-00-01 W Length: 387.46
 North: 5888.3260 East: 3958.9008
 Line Course: N 16-42-01 E Length: 328.59
 North: 6203.0565 East: 4053.3261
 Line Course: N 29-00-01 E Length: 66.40
 North: 6261.1310 East: 4085.5177

Perimeter: 1893.06 Area: 50,752 Sq. Ft. 1.1651 Acres

Mapcheck Closure - (Uses listed courses and chords)
 Error Closure: 0.0172 Course: S 32-51-49 W
 Error North: -0.01442 East: -0.00932
 Precision 1: 107,698.84

APPROVAL CERTIFICATE

APPROVED FOR ATTACHMENT TO DEED AND CONVEYANCE PURPOSES BY THE KENTON COUNTY PLANNING COMMISSION. THIS APPROVAL DOES NOT CONSTITUTE A GUARANTEE THAT THE RESULTING PARCEL(S) COMPLIES WITH ANY OTHER REGULATORY AGENCY'S REQUIREMENTS.
 THIS _____ DAY OF _____, 20____.

BY: _____

CHAIRMAN, KENTON COUNTY PLANNING COMMISSION

SURVEYOR ACKNOWLEDGMENT:

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 1:91,068 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 NAD-83, KENTUCKY STATE PLANE COORDINATE SYSTEM - NORTH ZONE BASED ON GPS OBSERVATIONS OF THE NORTHERN KENTUCKY CONTROL NETWORK. 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.

_____ DATE
 STEPHEN L. CAHILL
 KENTUCKY LICENSED PROFESSIONAL
 LAND SURVEYOR NO. #3001

OWNER:
 COMMONWEALTH OF KENTUCKY
 200 MERO STREET
 FRANKFORT, KENTUCKY 40622

CLIENT:
 CONDOVIEW, LLC
 8044 MONTGOMERY ROAD
 CINCINNATI, OHIO 45236



VICINITY MAP

OWNERS CERTIFICATE:

WE THE UNDERSIGNED, DO HEREBY ADOPT THIS PLAT AND CONSENT AND ACCEPT ALL EASEMENTS AND MATTERS SHOWN HEREON AND FURTHER CERTIFY THAT THE TITLE TO THE PROPERTY SHOWN HEREON IS PART OR ALL OF THE SAME PROPERTY CONVEYED TO US BY DEED DATED 6-1-1954 AND RECORD IN D.B. 438, PAGE 277 OF THE KENTON COUNTY RECORDS AT COVINGTON KENTUCKY.

OWNERS SIGNATURE: _____

PRINTED NAME: _____

TITLE: _____

Date: 12-16-18
 Drawn By: G.R.
 Scale: 1" = 200'

SHEET THIS IDENTIFICATION PLAT
 PARK POINTE
 CITY OF COVINGTON
 KENTON COUNTY, KENTUCKY

Abercrombie & Associates, Inc.
 Civil Engineering + Surveying
 3077 Campson Road, Suite 150 - Cincinnati, Ohio 45231
 615-282-8137 - www.aber-associates.com

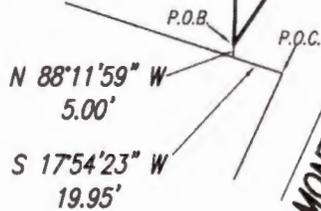
SHEET NO.: 17-0182 / 2

REV. 3-26-19
 REV. 4-24-18

08-18001

NORTH RELATIVE TO NAD-83 KENTUCKY STATE PLANE COORDINATE SYSTEM-NORTH ZONE BASED ON GPS OBSERVATIONS OF KENTON COUNTY, KENTUCKY GEODETIC CONTROL MONUMENTS

DETAIL "A"



L1 S 17°54'23" W 19.95'
 L2 N 88°11'59" W 5.00'
 L3 N 88°11'59" W 83.95'
 L4 S 55°57'28" E 129.80'

C1
 Delta=62°48'00"
 R=374.30'
 L=410.26'
 Chd.=390.03'
 S 60°24'01" W

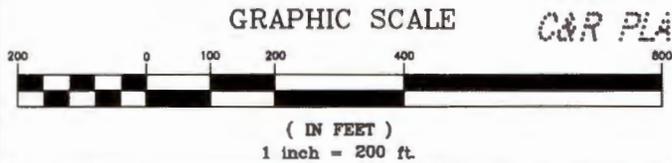
C2
 Delta=59°27'57"
 R=444.30'
 L=461.13'
 Chd.=440.71'
 N 58°43'59" E

NO:	PID#:	Owner:	Recording Information:
1	040-42-00-023.01	City Of Park Hills	C2804, Pg. 6
2	040-42-00-023.00	City Of Park Hills	C2535, Pg. 339
3	040-42-00-029.00	Condoview, LLC	C6405, Pg. 82
4	040-42-00-027.00	Phelps, Donald W. & Edythe E.	D.B. 1277, Pg. 1
5	040-42-00-028.00	City Of Park Hills	C3586, Pg. 43
6	040-42-03-001.00	Lang, David M. & Kelly A.	C1971, Pg. 167
7	040-42-03-002.00	OLT Properties, LLC	C2736, Pg. 107
8	040-42-03-003.00	Sharp, Michael Brandon	C6416, Pg. 219
9	040-42-03-004.00	Richardson, Satina M.	C2367, Pg. 222
10	040-42-03-005.00	Couch, Lee V. Sr. & Margaret R.	C3007, Pg. 40
11	040-20-00-001.00	Covington, City Of (Devou Park)	
12	040-44-02-029.03	Unknown Owner	

PID# 041-30-00-014.00
 Condoview, LLC
 C6174, Pg. 9

Right of Way To Be Vacated
 1.1315 Acres

LOT 169
 CASEY AND KENNEDY
 SUBDIVISION
 C&R PLAT 27



Denotes Set 5/8"x30"
 Iron Pin W/Cop (#3001)
 Unless Otherwise Noted

Date:	12-18-18
Drawn By:	G.R.
Scale:	1" = 200'
Sheet Title:	IDENTIFICATION PLAT
Project Title:	PARK POINT CITY OF COVINGTON KENTON COUNTY, KENTUCKY
Client:	Abercrombie & Associates, Inc. Civil Engineering • Surveying 1877 Columbia Street, Suite 130 • Cincinnati, Ohio 45201 615-385-6157 www.aberconline.com
Job No.:	17-0182
REV:	3-26-19 4-04-19

17-0182
 2/2



NOTICE OF CONSENT TO VACATE

We, the undersigned property owner, being adjacent to the property to be vacated along the northbound lane of Amsterdam Rd., do hereby consent to the vacation.

CondoView LLC
8044 Montgomery Rd., Ste 300
Cincinnati, OH 45236

By: Paul Zeltwanger
Printed: Paul Zeltwanger
Title: Authorized Member

Legal Description of signer's property -- Recorded as Parcel # 041-30-00-014.00 in Kenton County and described as:

18.575 acres north of US 25 & south of Amsterdam Rd. near Montague Rd.

STATE OF Ohio

COUNTY OF Warren

On this day of 22nd January, 2019, before me personally appeared Paul Zeltwanger

To me known to be the person described in and who executed this foregoing instrument and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

My term of office as a Notary Public will expire: 12/21/2020
Mugdha
Notary Public



Mugdha Godbole
Notary Public, State of Ohio
My Commission Expires 12-21-20

CONSENT TO CLOSING
OF A PUBLIC WAY
(New Amsterdam Road)

WHEREAS, Park Hills is the owner of certain real estate abutting New Amsterdam Road (the "Owner's Property") as seen on the attached Exhibit A; and

WHEREAS, the portion of New Amsterdam Road (the "Road") to be vacated by the City of Covington abuts the Owner's Property. Said Road is depicted on the attached Exhibit A; and

WHEREAS, the Owner has obtained all necessary approvals and consents to execute this Consent to the closure.

NOW THEREFORE, the Owner hereby consents to the closure as described below.

Legal Description of Road and Survey attached as Exhibit A

Commonwealth of Kentucky
County of Kenton

Before me, did personally appear Kathy Zimbeck, Mayor of who did execute the foregoing in his/her capacity as MAYOR, as his/her voluntary act and deed.

My Commission Expires: 2/23/23
10 # 617291

Juliet A. DeJ
Notary Public, Comm. At Large