

**CITY OF ELSMERE, KENTUCKY
ORDINANCE NO. 1770-2019**

**AN ORDINANCE ORDERING THE RIGHT OF WAY CLOSING OF A 0.27 ACRE
PORTION OF BEDINGER AVENUE IN THE CITY OF ELSMERE, KENTUCKY**

WHEREAS, K.R.S. 82.405 provides a procedure for the closure in whole or in part of a public way within the City of Elsmere, Kentucky, and

WHEREAS, in Plat 293 of the Kenton County Clerk's Records in Covington, Kentucky, a public right-of-way known as Bedinger Avenue was dedicated for public use; and

WHEREAS, the City Council for the City of Elsmere, Kentucky has determined that it is necessary for a portion of Bedinger Avenue located in the City of Elsmere, Kentucky be closed;

WHEREAS, the City of Elsmere, Kentucky identified all of the property owners abutting the portion of the public way; and

WHEREAS, written notice of the proposed closing was given to all property owners in or abutting the portion of the public way being closed; and

WHEREAS, all property owners in or abutting the portion of the public way have now given their written, notarized consent to the closing, and copies of the consents are attached hereto and marked cumulative *Exhibit "A"*

**NOW, THEREFORE BE IT ORDAINED BY THE CITY OF ELSMERE,
KENTUCKY AS FOLLOWS:**

SECTION I

That the City Council having met all of the requirements as provided in K.R.S. 82.405 hereby declares the 0.27 acre portion of Bedinger Avenue as shown on Plat 293 of the Kenton County Clerk's Records hereby closed, as more fully described in **Exhibit "B"**, attached hereto

describing the closed portion of Bedinger Avenue as if fully incorporated herein. All other portions of Bedinger Avenue not affected herewith shall remain open to the public.

SECTION II

This Ordinance shall be in effect upon passage and publication as required, and shall be recorded in the Kenton County Clerk's Office at Covington, Kentucky as required by K.R.S. 82.405 (2)(c).

SECTION III

FIRST READING APPROVED: June 4, 2019

SECOND READING APPROVED: June 11, 2019

APPROVED:


HON. MARTY LENHOF, MAYOR

ATTEST:


MISTY EZELL, CITY CLERK

May 16, 2019

**Right of Way Closing
Bedinger Avenue
Elsmere, Kentucky**

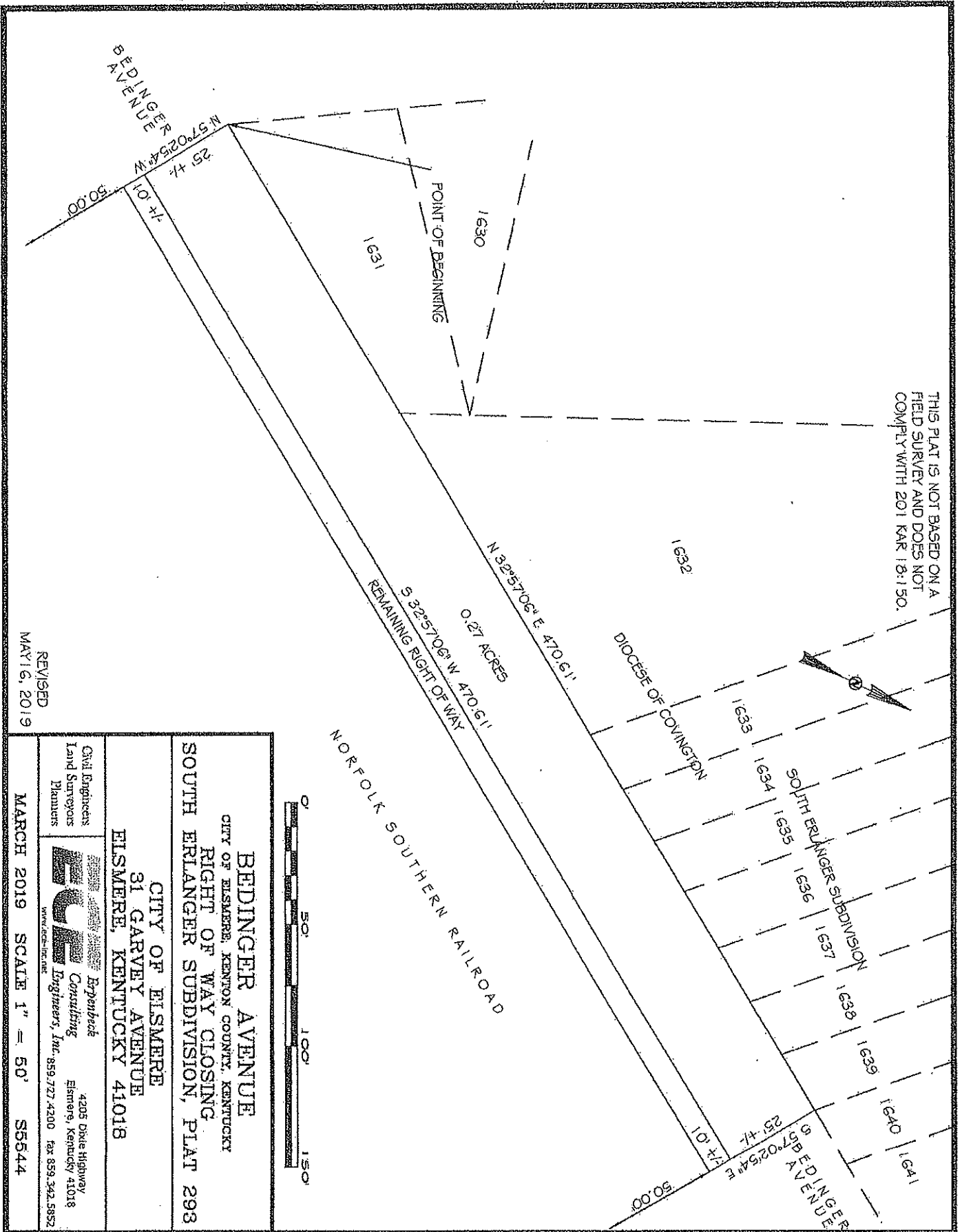
Being in the City of Elsmere, Kenton County, Kentucky and being part of a right of way of Bedinger Avenue, as shown on South Erlanger Addition, as recorded on Plat 293 of the Kenton County Clerk's Office at Covington, Kentucky and being more particularly described as follows:

Beginning at the intersection of the northly right of way line of Vine Street and the westerly right of way line of Bedinger Avenue and being the most southerly corner of lot 1631, South Erlanger Addition, Plat 293; thence with said westerly right of way line of Bedinger Avenue, N 32°57'06" E, 470.61 feet more or less to the most southerly corner of Lot 1640, of said South Erlanger Addition; thence leaving said westerly right of way line of Bedinger Avenue, at a right angle, S 57°02'54" E, 25 feet more or less to a point, said point being 10.00 feet from the easterly right of way line of said Bedinger Avenue; thence leaving said point and along a line being parallel to and 10.00 feet from said existing easterly right of way line of Bedinger Avenue, S 32°57'06" W, 470.61 feet more or less to a point; thence leaving said easterly right of way line, N 57°02'54" W, 25 feet more or less to the point of beginning and containing 0.27 acres more or less.

The easterly 10.00 feet of the Bedinger Avenue right of way is being retained as a public way and is not intended to be closed.


A utility easement, 20 feet in width, is being retained for all existing public utility located within the right of way being closed. Said easement shall be centered on the centerline of the existing utility.

This description is not based on a field survey and does not comply with 201KAR 18:150.



THIS PLAT IS NOT BASED ON A FIELD SURVEY AND DOES NOT COMPLY WITH 201 KAR 18:150.

REVISED
MAY 16, 2019

BEDINGER AVENUE CITY OF ELSMERE, KENTON COUNTY, KENTUCKY RIGHT OF WAY CLOSING SOUTH ERLANGER SUBDIVISION, PLAT 293 CITY OF ELSMERE 31 GARVEY AVENUE ELSMERE, KENTUCKY 41018	
Civil Engineers Land Surveyors Planners	 ERM Engineers, Inc. 4205 Dixie Highway Elsmere, Kentucky 41018 859.727.4200 fax 859.342.5852
MARCH 2019 SCALE 1" = 50' S5544	