

## ORDINANCE #620.2

### AMENDED ORDINANCE NO. 137

AN ORDINANCE OF THE CITY OF EUBANKS, KENTUCKY CLOSING A A STREET WHICH IS UNNAMED, LOCATED ON THE SOUTH SIDE OF HIGHWAY 70, APPROXIMATELY 0.01 MILES GROM THE JUNCTION OF HIGHWAY 1247, IN THE CITY OF EUBANKS, KENTUCKY

Be it ordained by the Commissioners of the City of Eubanks, Kentucky as follows:

1. It is hereby determined that the portion of the unnamed street sought to be closed is unnamed, and serves no public purpose.
2. That all property owners in or abutting the portion of the public street sought to be closed have been provided with written notice of the proposed closing or have waived their right to written notice.
3. The property owners abutting or adjoin the portion of the street to be closed are Harold Sandidge and the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways.
4. That Harold Sandidge and the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways, all of the property owner adjoining or abutting the portion of the public way sought to be closed, have given their written, notarized consent to the closing, and a copy of the consents is attached hereto.
5. That a portion of a plated street that is unnamed, located on the south side of Highway 70 in Pulaski County, Kentucky approximately 0.01 miles from the junction of Highway 1247, is not open and is not in use and is legally described as follows:

A CERTAIN TRACT OR PARCEL OF LAND LOCATED ON THE SOUTH SIDE OF HIGHWAY 70 IN PULASKI COUNTY, KENTUCKY APPROXIMATELY 0.01 MILES FROM THE JUNCTION OF HIGHWAY 1247.

BEGINNING ON A RIGHT OF WAY MARKER ON THE SOUTH SIDE OF HIGHWAY 70 (RIGHT OF WAY VARIES);  
THENCE WITH THE SOUTH RIGHT OF WAY OF HIGHWAY 70 SOUTH 89 DEGREES 23 MINUTES 37 SECONDS EAST FOR A DISTANCE OF 99.78 FEET TO A CAPPED IRON PIN SET ON THE SOUTH RIGHT OF WAY HIGHWAY 70, WHICH IS THE TRUE POINT OF BEGINNING, SAID PIN BEING A CORNER WITH GEORGE SANDIDGE (DEED BOOK 119 PAGE 457);  
THENCE WITH THE SOUTH RIGHT OF WAY HIGHWAY 70 SOUTH 84 DEGREES 22 MINUTES 11 SECONDS EAST FOR A DISTANCE OF 30.99 FEET TO A CAPPED IRON PIN SET ON THE SOUTH RIGHT OF WAY OF HIGHWAY 70, SAID PIN BEING A CORNER WITH HAROLD SANDIDGE (DEED BOOK 446 PAGE 217);  
THENCE WITH THE LINE OF HAROLD SANDIDGE SOUTH 09 DEGREES 50 MINUTES 27 SECONDS WEST FOR A DISTANCE OF 119.46 FEET TO A CAPPED IRON

PIN SET, SAID PIN BEING A CORNER WITH HAROLD SANDIDGE (DEED BOOK 257 PAGE 169), AND IN THE LINE OF GEORGE SANDIDGE (DEED BOOK 119 PAGE 457); THENCE WITH THE LINE OF GEORGE SANDIDGE NORTH 68 DEGREES 55 MINUTES 39 SECONDS WEST FOR A DISTANCE OF 30.59 FEET TO A CAPPED IRON PIN SET, SAID PIN BEING A CORNER IN THE LINE OF GEORGE SANDIDGE (DEED BOOK 119 PAGE 457); THENCE WITH THE LINE OF GEORGE SANDIDGE NORTH 09 DEGREES 22 MINUTES 24 SECONDS EAST FOR A DISTANCE OF 111.24 FEET TO A CAPPED IRON PIN SET WHICH IS THE POINT OF BEGINNING AND HAVING AN AREA OF 0.0806 ACRES AS SURVEYED BY BOBBY HUDSON, LPLS1253 ON 12/30/2010.

ALL CORNERS OR WITNESS MONUMENTS REFERRED TO HEREIN AS IRON PINS SET ARE ONE-HALF INCH REBAR 18 INCHES LONG AND CAPPED WITH A PINK CAP MARKED LS 1253, EXCEPT AS OTHERWISE NOTED. ALL BEARINGS ARE REFERENCED TO THE MERIDIAN.

IT IS THEREFORE ORDAINED by the Council of the City of Eubanks, Kentucky that the undeveloped un-named street described above shall be closed and abandoned. This Ordinance shall take effect upon its passage, publication (in whole or in summary), and recorded as provided by law. The Ordinance, with its attachments, shall be recorded in the Pulaski County Court Clerk's Office, pursuant to the provisions of KRS 82.405.

APPROVED:

  
FREY TODD, MAYOR

ATTEST:

  
CITY CLERK

FIRST READING: July 20, 2011

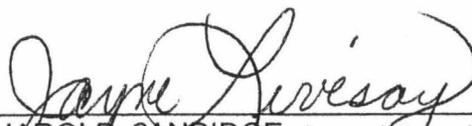
SECOND READING: July 21, 2011

DATE OF PUBLICATION: July 27, 2011

CONSENT

Comes now **HAROLD SANDIDGE**, by and through his duly appointed Attorneys-in-Fact, Jane Livesay ~~and Bruce Sandidge~~, and does hereby waive any objection to and consents to the closing of a small, unnamed public way which may adjoin Kentucky Highway 70 located in Eubank, Kentucky and further waives formal service of the notice of the City of Eubank's intention to close said roadway. The unnamed roadway to which the Commonwealth consents to being closed is set forth on the plat attached hereto.

Done under my hand on this 9<sup>th</sup> day of May 2011.



HAROLD SANDIDGE, by and through his duly appointed Attorneys-in-Fact, Jane Livesay ~~and Bruce Sandidge~~. For authority of Jane Livesay ~~and Bruce Sandidge~~ to act as Attorneys-in-Fact, see Power of Attorney filed of record in POA Book 160, Page 97, Pulaski County Clerk's Office, Somerset, Kentucky.

COMMONWEALTH OF KENTUCKY:

COUNTY OF PULASKI:

I hereby certify that the foregoing **CONSENT** was subscribed, acknowledged and sworn to before me on this 9<sup>th</sup> day of May 2011 by Harold Sandidge, by and through his duly appointed Attorney-in-Fact, Jane Livesay and Bruce Sandidge.



NOTARY PUBLIC, STATE-AT-LARGE

My commission expires: Jan-5-2012

FEET

TIE LINE  
S 89°23'37" E  
99.78'

HIGHWAY 70 (ROW VARIES)

KDOT  
DB 687/004

S 84°22'11" E  
30.99'

RAILROAD STREET

CNO & TP RAILROAD

RMK

GEORGE SANDIDGE  
DB 119/457-T2

N 09°22'24" E  
111.24'

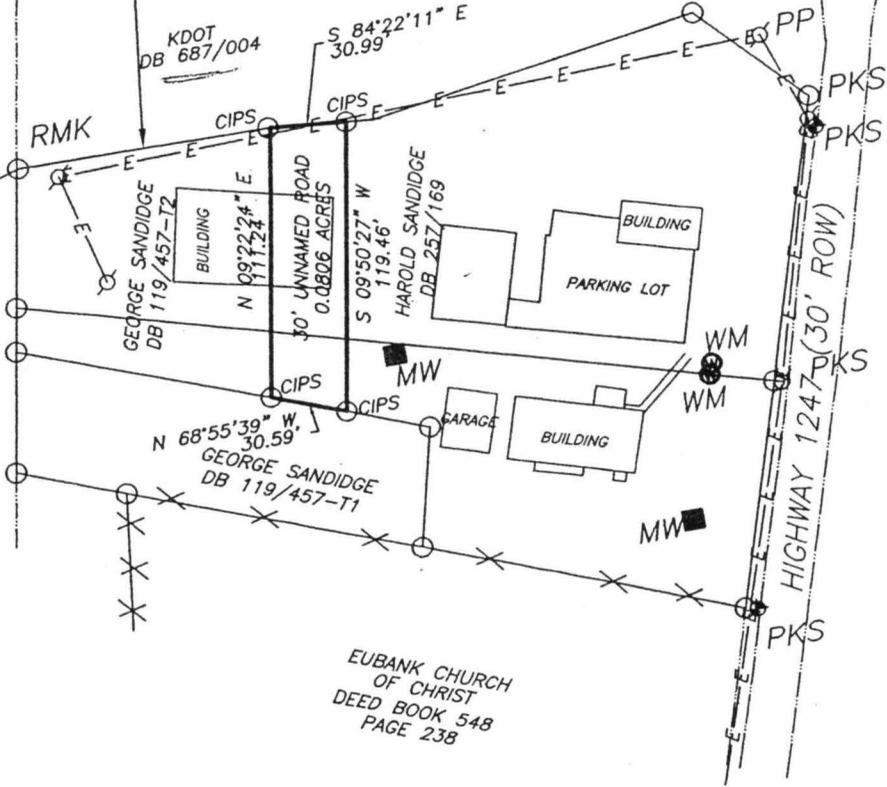
30' UNNAMED ROAD  
0.0806 ACRES

S 09°50'27" W  
119.46'

HAROLD SANDIDGE  
DB 257/169

N 68°55'39" W  
30.59'  
GEORGE SANDIDGE  
DB 119/457-T1

EUBANK CHURCH  
OF CHRIST  
DEED BOOK 548  
PAGE 238



**CONSENT**

Comes now Lisa Miracle, duly authorized representative of the Commonwealth of Kentucky and does hereby waive any objection to and consents to the closing of a small, unnamed public way which may adjoin Kentucky Highway 70 located in Eubank, Kentucky and further waives formal service of the notice of the City of Eubank's intention to close said roadway. The unnamed roadway to which the Commonwealth consents to being closed is set forth on the plat attached hereto.

Done under my hand on this 18<sup>th</sup> day of April 2011 as a duly authorized representative of the Commonwealth of Kentucky.

Commonwealth of Kentucky

By: Lisa Miracle

**COMMONWEALTH OF KENTUCKY:**

COUNTY OF Pulaski :

I hereby certify that the foregoing **CONSENT** was subscribed, acknowledged and sworn to before me on this 18<sup>th</sup> day of April 2011 by Lisa Miracle on behalf of the Commonwealth of Kentucky as its duly authorized representative.

Barbara Keener  
NOTARY PUBLIC, STATE-AT-LARGE

My commission expires: 5/12/2012

FEET

TIE LINE  
S 89°23'37" E  
99.78'

HIGHWAY 70 (ROW VARIES)

KDOT  
DB 687/004

S 84°22'11" E  
30.99'

RAILROAD STREET

CNO & TP RAILROAD

RMK

GEORGE SANDIDGE  
DB 119/457-T2

UNNAMED ROAD  
0.0806 ACRES

HAROLD SANDIDGE  
DB 257/169

GEORGE SANDIDGE  
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