

ORDINANCE NO. 06 - 2024

AN ORDINANCE OF THE CITY OF BERE, KENTUCKY, VACATING AND CLOSING A CERTAIN PLATTED RIGHT-OF-WAY WITHIN THE CITY OF BERE, KENTUCKY, KNOWN AS OAK STREET ALLEY.

WHEREAS, the City Council has considered the request of Arbor Woods, LLC, FAHE Holding Company, LLC, and Larry Helton, being all of the property owners in or abutting the portion of Oak Street Alley, as described on Exhibit A attached hereto; and

WHEREAS, Oak Street alley appears on a plat recorded in the Office of the Madison County Clerk in Plat Book 1 at page 61; and

WHEREAS, the City Council finds that (1) all of the property owners abutting the alley to be closed have requested this closure; (2) Written notice has been sent to Arbor Woods, LLC, FAHE Holding Company, LLC, and Larry Helton, being all of the property owner in or abutting the portion of Oak Street Alley to be closed; and (3) all property owners in or abutting the right-of-way being closed have given written consent; and

WHEREAS, FAHE Holding Company, LLC, has agreed to convey by quitclaim deed any ownership interest in the closed Oak Street Alley to Arbor Woods, LLC, for consolidation with its property for the purpose of development of Harvest Park Subdivision; and

WHEREAS, the City Council finds that the public interest of the City of Berea would be advanced by closing the Oak Street Alley as described in the attachment hereto;

NOW, THEREFORE, the City Council of the City of Berea, Kentucky, does ordain as follows:

SECTION ONE

The following described Oak Street Alley in the City of Berea, Kentucky be and is hereby closed:

The alley to be closed, and the property to be combined with the abutting property owner, as described in the attached Exhibit "B"

SECTION TWO

Pursuant to KRS 82.405, and the findings of fact set out in the preamble to this Ordinance, the right of way described in Section One of this Ordinance be and the same is hereby CLOSED AND VACATED, and the land delineated in the right-of-way shall revert to the abutting property owners as shown on Exhibit A.

SECTION THREE

All ordinances or parts of ordinances in conflict herewith are hereby repealed. This Ordinance shall be recorded in the Office of the Madison County Clerk and be published according to law.

FIRST READING: February 6, 2024.

SECOND READING & ENACTMENT February 20, 2024.

APPROVED:



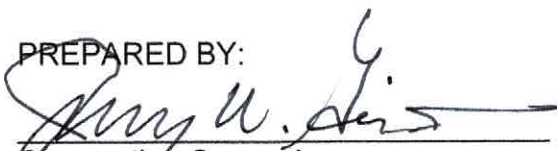
Bruce Fraley, Mayor

CITY OF BEREA, KENTUCKY

ATTEST:


Clerk of the City Council

PREPARED BY:



Corporation Counsel