

ORDINANCE 23-09

AN ORDINANCE AUTHORIZING THE FORMAL CLOSING, DECLARING SURPLUS, AND DISPOSAL TO THE SURROUNDING PROPERTY OWNER THE PART OF THE UNDEVELOPED CITY STREET CALLED "TARTER DRIVE" IN THE AREA OF WEST HIGHWAY 80, MARION DRIVE, AND THURMAN ROAD.

WHEREAS, the following described street bed has been dedicated as a public street by reference to same in Plat Cabinet A, Slide 29 and possibly other records filed and of record in the Pulaski County Court Clerk's Office, but having never been developed and constituting a real estate encumbrance,

WHEREAS, the City of Somerset desires to acknowledge the dedication of said street so that same may be legally closed, declared surplus, and disposal by conveyance to the surrounding property owner as herein provided; and,

WHEREAS, all property owners who abut the public street, alley or way have consented in writing to the proposed closing of the street; and,

NOW, THEREFORE, BE IT ORDAINED, by the City of Somerset, Kentucky, the following findings of fact are made with reference thereto:

1. The street to be closed is and described as follows: The undeveloped "Tarter Drive" (See Exhibit A) if dedicated properly to the City of Somerset is deemed and found to be surplus;
2. Written notice of the proposed closing was given by the property owner in or abutting the public street (See Exhibit B); and,
3. The property owners abutting the public street, being closed has given their written consent to the closing and a copy of the written consent is attached hereto (See Exhibit B); and,

Accordingly, based upon the findings of fact herein, it is hereby ORDERED and ORDAINED the public street, alley or way described is hereby CLOSED, FOUND TO BE SURPLUS PROPERTY WITH NO USE TO THE CITY OF SOMERSET, AND MAY BE DISPOSED OF BY CONVEYANCE TO THE SURROUNDING PROPERTY OWNER. A copy of this Ordinance shall be filed of record in the Pulaski County Clerk's Office as required by KRS 82.405(2).

The foregoing Ordinance was read and presented to a regular meeting of the City Council of Somerset, Kentucky for the first reading on the 26th day of June 2023.

Motion by Councilperson Burdine, seconded by Councilperson J. Eastham, that the Ordinance be adopted as the law of the City of Somerset, Kentucky, to be effective immediately upon publication thereof as required by law.

FIRST READING: June 26, 2023

SECOND READING: July 10, 2023

APPROVED:


ALAN L. KECK, MAYOR
CITY OF SOMERSET, KY

ATTEST:


NICK BRADLEY, CITY CLERK

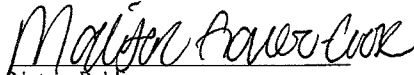
CONSENT TO CLOSURE OF A PORTION OF A UNCONSTRUCTED PUBLIC WAY KNOWN AS
TARTER AVENUE
FROM MARION DRIVE TO THURMAN ROAD, SOMERSET KY

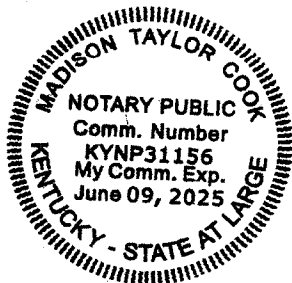
The undersigned, Barbara Sue Hampton, unmarried of 200 Marion Drive, Somerset, KY 42503, a property owner of a tract of property as described in Deed Book 680, Page 313, which passed to her by survivorship upon the death of her husband, Garnett Hampton and adjoining an unconstructed street known as Tarter Drive as set forth on a plat of record in Plat Cabinet A, Slide 29, and more particularly set forth on a plat of Neal Shoemaker dated September 2018 and hereby consents to the closing of said street. The undersigned hereby consents to the closing of the unconstructed portion of Tarter Drive adjoining the real property owned by her. Said property of undersigned being the property adjoining Tarter Drive and being the same property conveyed unto Garnett Hampton and Barbara Sue Hampton by deed unto Garnett Hampton and Barbara Sue Hampton by deed dated July 24, 2001 and filed of record in Deed Book 680, Page 313 Pulaski County Clerk's office. Garnett Hampton is now deceased and his interest passed unto Barbara Sue Hampton by survivorship. The undersigned does further waive notice of the action of the Common Counsel of the City of Somerset, Kentucky to close the above mentioned street, pursuant to KRS 82.405(2)


BARBARA SUE HAMPTON

COMMONWEALTH OF KENTUCKY
COUNTY OF PULASKI

Subscribed and sworn to before me by Barbara Sue Hampton on this the 4 day of June, 2023
by Barbara Sue Hampton.

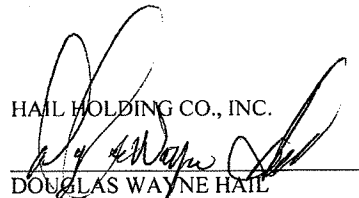

Notary Public
My Commission Exp:
Notary No.



CONSENT TO CLOSURE OF A PORTION OF A UNCONSTRUCTED PUBLIC WAY KNOWN AS
TARTER AVENUE
FROM MARION DRIVE TO THURMAN ROAD, WAIVER OF NOTICE AND ENTRY OF
APPEARANCE

The undersigned, Douglas Wayne Hail, as a duly authorized officer of Hail Holding Co., Inc. of 70 Lindrick Drive, Somerset KY 42503, an adjoining property owner of a tract of property as described Deed Book 390, Page 405, and adjoining an unconstructed street known as Tarter Drive as set forth on a plat of record in Plat Cabinet A, Slide 29, and more particularly set forth on a plat of a plat of Neal Shoemaker dated September 2018 and hereby consents to the closing of said street. The undersigned hereby consents to the closing of the unconstructed portion of Tarter Drive adjoining the real property owned by it. The undersigned does further enter the appearance of Hail Holding Co., Inc. in in action brought in the Pulaski Circuit Court regarding the closing of Tarter Drive


HAIL HOLDING CO., INC.


DOUGLAS WAYNE HAIL

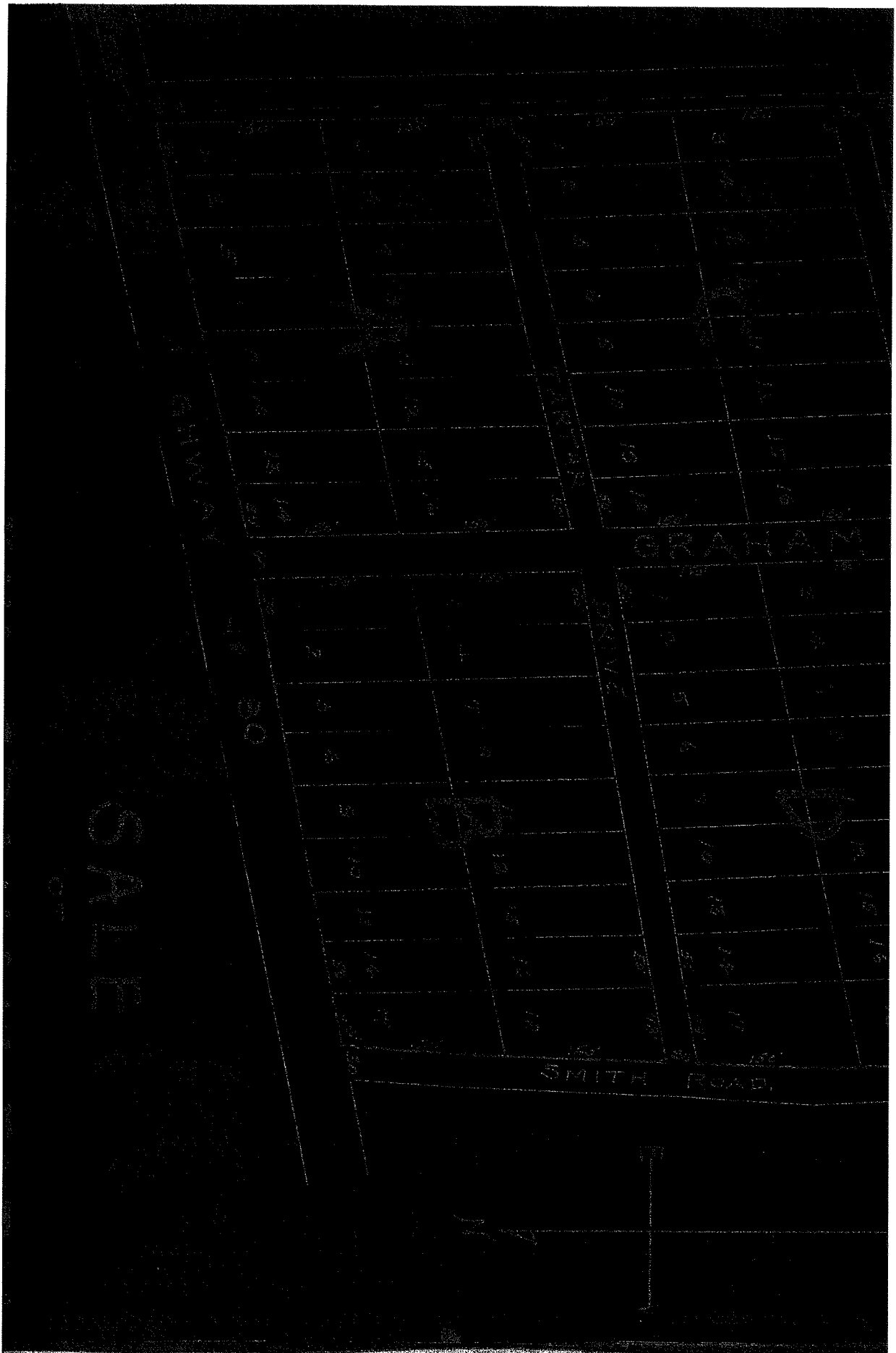
COMMONWEALTH OF KENTUCKY

COUNTY OF PULASKI

Subscribed and sworn to before me by Douglas Wayne Hail as the duly authorized officer of Hail Holding Co., Inc. on this the 24 day of June 2023 by Douglas Wayne Hail as duly authorized officer of Hail Holding Co., Inc.


Notary Public
My Commission Exp:
Notary No.





THE UNIVERSITY OF CHICAGO PRESS

1997

12

10

101

URBANCE

REMOVE
12" CM

6

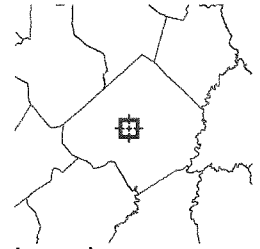
CALL 7 WED
DAYS BEFO
YOU GO
CALL 7 511






Pulaski County, KY PVA



Overview



Legend

-  Parcels
-  Roads
-  Land hook

Parcel ID	049-7-2-34	Mailing Address	HAIL HOLDING COMPANY INC	Total Value	\$100,000	Last 2 Sales			
Class	COMMERCIAL		70 LINDRICK DRIVE			Date	Price	Reason	Qual
Taxing District	21		SOMERSET, KY 42503			1/1/1900			Q
Acres/Lot	2.25	Physical Address	1147 W HWY 80						
			Somerset Cross Sect						

Brief Tax Description 2.25 AC W HWY 80
(Note: Not to be used on legal documents)

Date created: 7/1/2023

Last Data Uploaded: 6/30/2023 8:11:24 PM

Developed by  **Schneider**
GEOSPATIAL