

ORDINANCE NO. 2000-10

AN ORDINANCE OF THE CITY OF RUSSELLVILLE, KENTUCKY,
CLOSING A PORTION OF AN UNUSED AND UNIMPROVED ALLEY
LOCATED OFF OF RUSSELL STREET, WITH THE SEVERABILITY
AND REPEALER CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Russellville has made a determination that it is appropriate to close a portion of an unimproved alley which is not in use which is off Russell Street, and

WHEREAS, said alley has, to the best determination of the City Council of the City of Russellville, never been in use and is overbuilt by an existing tobacco warehouse;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF RUSSELLVILLE, THAT:

SECTION I. That the portion of the unimproved and unused alley off of Russell Street designated on the attached survey plat, crossing what is Tract I on said plat, is closed as a public way, to the extent that it crosses Tract I.

SECTION II. In the event any provision of this ordinance is invalid for any reason, such invalidity shall not affect any validity of any other provision.

SECTION III. All portions of any section of any ordinance or rule of regulation and conflict herewith are hereby repealed to the extent that they conflict only.

SECTION IV. This Ordinance shall be effective after its passage and publication according to law.

FIRST READING conducted this the 6th day of June, 2000.

SECOND CONDUCTED AND PASSAGE by roll call vote this the 20 day of June, 2000.

AYES:

NAYES:

ABSENT:

ABSTAINING:

Howard Wren

None

None

None

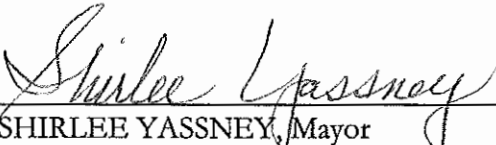
Jean Hankins

Pat Bell

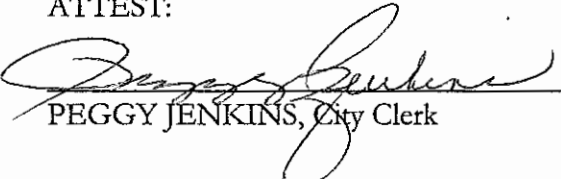
Gerald Chapman

Russell Jones

Morris L. Kisselbaugh


SHIRLEE YASSNEY, Mayor

ATTEST:


PEGGY JENKINS, City Clerk

AND TWO NEW ADJACENT PARCELS ALSO A PART OF EVANS HIGHLAND ADDITION AS RECORDED IN DEED BOOK 90 PAGE 95 LOGAN COUNTY KENTUCKY COURT CLERK RECORDS

FOR: JESSE L. RILEY AND SONS REALTY AND AUCTION, RUSSELLVILLE, KENTUCKY

SOURCE OF TITLE: LOT 8 DEED BOOK 320 PAGE 810
LOGAN COUNTY KENTUCKY COURT CLERK RECORDS
PRESENT OWNER; OSCAR RAY ROGERS

SOURCE OF TITLE TRACT 1 AND TRACT 2: DEED BOOK 212 PAGE 710
LOGAN COUNTY KENTUCKY COURT CLERK RECORDS
PRESENT OWNERS: RUSSELLVILLE LOOSE LEAF FLOORS, INC.

DATE: MAY 15, 2000

SURVEYORS NOTES:

ALLEYS SHOWN ON RECORD PLAT AS A 10 FOOT WIDTH; REFERRED TO IN ADJOINING DEEDS AS BOTH 12 FEET AND 16 FEET WIDE.

NASHVILLE ROAD R/W SHOWN ON OLD SANBORN FIRE MAPS OF RUSSELLVILLE AS A 50' FOOT WIDTH. FIELD OCCUPATION SUGGESTS A 60 FOOT TOTAL R/W. PLAT LOT LINES FOR EVANS HIGHLAND SUBDIVISION DO NOT APPEAR TO BE CENTERED ON PRESENTLY TRAVELED CENTERLINE.

FIELD MONUMENTS FOR EVANS HIGHLAND ADDITION ARE NON EXISTENT. FIELD MONUMENTS FOR THE CITY OF RUSSELLVILLE PROPERTY AND THE ANNE FUQUA HARR LOT ARE NEITHER CALLED IN DEED OR EXISTING ON GROUND.

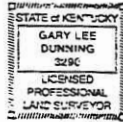
A PORTION OF THE BUILDING ON TRACT 1 AND LAND TO THE SOUTH OF TRACT 1 ENCOMPASS A RECORD PLAT ALLEY. THIS BUILDING HAS BEEN SITUATED ON SAID LOCATION SINCE THE LATE 1950'S. RECORD VACATION OF ALLEY UNKNOWN TO UNDERSIGNED. ALLEY IN AREA SHOWN IS UNIMPROVED AND NO LONGER IN USE AS A PUBLIC ALLEY.

RECORD PLAT FOR EVANS HIGHLAND ADDITION DATED 1910 DOES NOT CONTAIN BEARINGS OR DIRECTIONAL CALLS. LOT LINE LOCATIONS BASED ON EXISTING LOCATION OF LONG ESTABLISHED IMPROVEMENTS AND STREETS.

LOT 27 NOT INCLUDED IN PRESENT CHAIN OF TITLE; RECORD OWNERSHIP IS UNCERTAIN AT TIME OF SURVEY. A QUIET TITLE ACTION IS TO BE PURSUED TO CLEAR TITLE TO LOT 27 AND THE PORTIONS OF THE PLAT ALLEY WHICH ARE COVERED BY THE WAREHOUSE ON TRACT 1 AND THE PORTION OF THE ALLEY SOUTH OF THE WAREHOUSE SITUATED ON TRACT 1.

CLIENT ADDRESS: 270 SOUTH MAIN STREET RUSSELLVILLE, KENTUCKY 42276

- DENOTES IRON PIN SET UNLESS SHOWN OTHERWISE
- DENOTES MEANDER CORNER; MONUMENT NOT SET



SUBJECT TO ALL LEGAL CONDITIONS AND EASEMENTS OF RECORD.

THIS SURVEY SUBJECT TO ALL FACTS WHICH WOULD BE DISCLOSED BY A COMPLETE TITLE SEARCH.

THIS PROPERTY DOES NOT LIE IN A FLOOD PRONE AREA PER LATEST F.L.R.M. MAPPING.

IRON PINS SET THIS SURVEY ARE 5/8" x 18" REBARS WITH YELLOW PLASTIC IDENTIFICATION CAP STAMPED "DUNNING 3290"
THIS SURVEY MEETS THE REQUIREMENTS OF A CLASS A SURVEY AS DEFINED BY 201 K.A.R. 18: 1850.

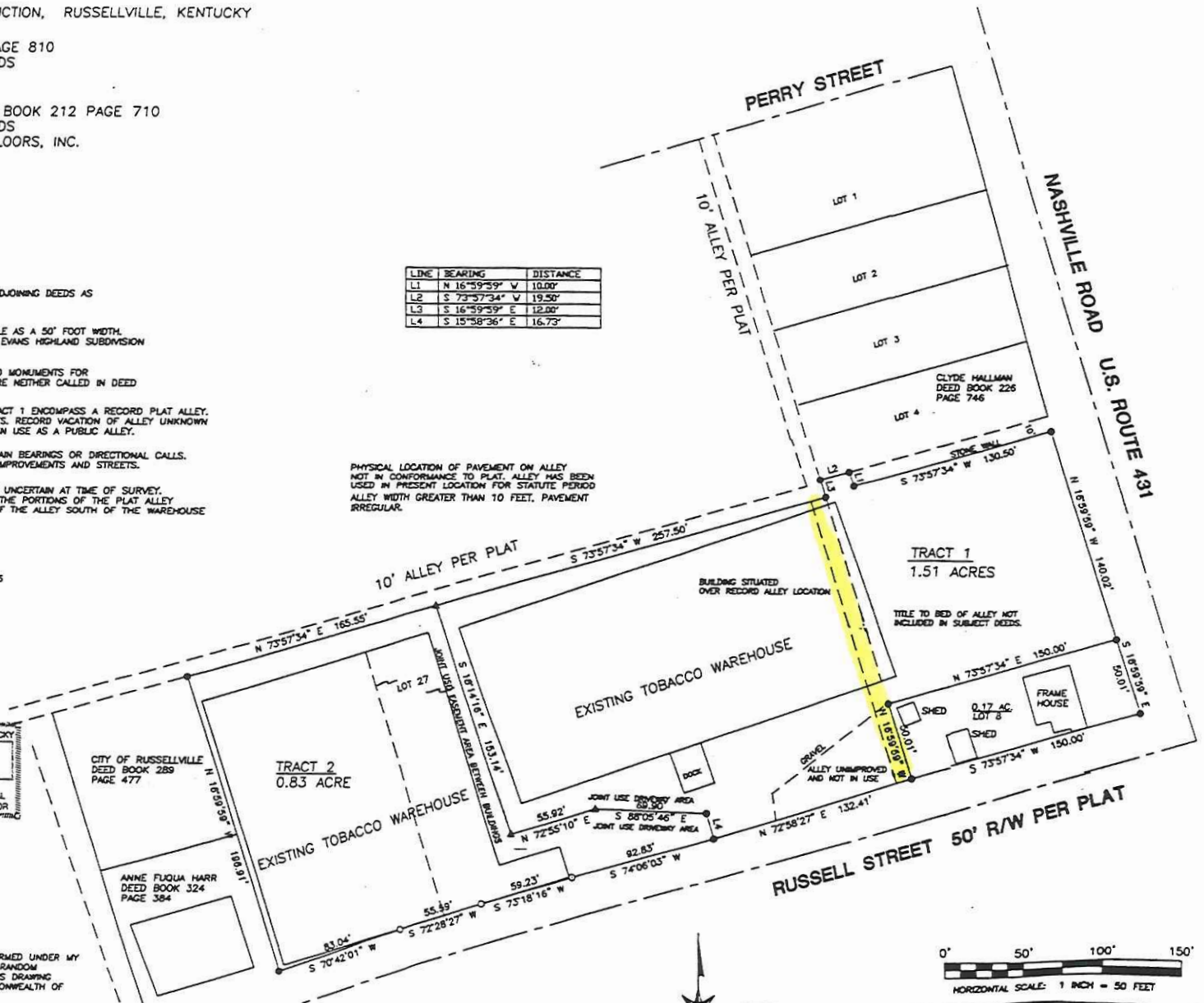
I CERTIFY THAT THIS DRAWING REPRESENTS AN ACTUAL FIELD SURVEY PERFORMED UNDER MY DIRECT SUPERVISION IN MAY OF 2000. METHOD OF SURVEY IS BY CLOSED RANDOM TRAVERSE WITH AN UNADJUSTED CLOSURE EXCEEDING 1 : 10,000 FEET. THIS DRAWING MEETS OR EXCEEDS THE STANDARDS FOR BOUNDARY SURVEYS IN THE COMMONWEALTH OF KENTUCKY AS SET BY GOVERNING AUTHORITIES.

GARY LEE DUNNING
KENTUCKY REGISTERED LAND SURVEYOR #3290
DATE SIGNED: 5-16-2000

TITLE: RUSSELLVILLE LOOSE LEAF FLOOR
DATE: 5-14-2000

LINE	BEARING	DISTANCE
L1	N 16°59'39" W	10.00'
L2	S 73°37'34" W	19.50'
L3	S 16°59'39" E	12.00'
L4	S 15°58'36" E	16.73'

PHYSICAL LOCATION OF PAVEMENT ON ALLEY NOT IN CONFORMANCE TO PLAT. ALLEY HAS BEEN USED IN PRESENT LOCATION FOR STATUTE PERIOD ALLEY WIDTH GREATER THAN 10 FEET. PAVEMENT IRREGULAR.



PLAT LOCATION OF RUSSELL STREET AS A 50 FOOT R/W IS NOT IN CONFORMANCE WITH PHYSICAL PAVEMENT LOCATION AND TRAVELED USE OF STREET WEST OF TRACT 1. IRON PINS SET THIS SURVEY ARE 25 FEET FROM TRAVELED CENTERLINE.

BASIS OF BEARING: A MAGNETIC OBSERVATION

DUNNING LAND SURVEYING

107 EAST CEDAR STREET
FRANKLIN, KENTUCKY 42134