

**CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE 2008-18**

AN ORDINANCE TO CLOSE A PORTION OF 12th STREET IN THE CITY OF RUSSELLVILLE, KENTUCKY; PROVIDING FOR A SEVERABILITY CLAUSE, REPEALER CLAUSE AND AN EFFECTIVE DATE

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WHEREAS, the original plat of the Town of Russellville laid out the streets of the City, including 12th Street; and

WHEREAS, there is a portion of land where 12th Street was platted to be, yet it remains unimproved; and

WHEREAS, a landowner whose property abuts 12th Street desires to gain title to this property, and her neighbors do not object, as shown by affidavits attached to this Ordinance;

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

1. That certain portion of 12th Street, consisting of a 50 foot wide strip, as shown by plat dated August 14, 2008, and being more fully described in a metes and bounds description attached to this Ordinance, all of which has been prepared by Dunning Land Surveying, and all of which is attached hereto and incorporated by reference as if fully rewritten herein, is hereby closed, as well as any alleys or easements appurtenant thereto.
2. Severability Clause - If any clause, provision or section of this ordinance shall be ruled void or unenforceable by any court of competent jurisdiction, the remainder hereof is intended to be enacted and shall be in force and effect notwithstanding.

3. Repealer Clause - All ordinances or parts of ordinances in conflict herewith now in effect are hereby repealed.
4. Effective Date - This ordinance shall be effective upon its passage and publication as required by law.

FIRST READING conducted on the 21st day of October, 2008.

SECOND READING AND PASSAGE on the 4th day of November, 2008.



GENE ZICK, MAYOR

ATTEST:



BOB RIGGS, CITY CLERK

Ayes: Davenport, Lanny; Jones, Russell; McPherson, Lanny; Phillips, Chuck; Stratton, Mark; Whipple, Jack.

Nays: none.

Absent: none.

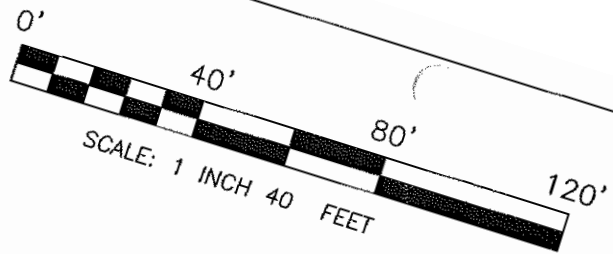
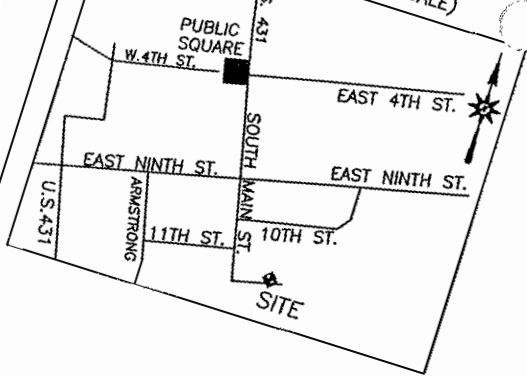
Abstaining: none.

Dunning Land Surveying

Description of a 0.20 acre tract (unimproved portion of East 12th Street)

The following paragraph describes a tract of land in Logan County Kentucky in the City of Russellville, off South Main Street; a portion of the property known as the unimproved portion of East 12th Street and a portion of the property conveyed to the City of Russellville by deed of record as recorded in Deed Book 113 Page 246 of the public records of the Logan County Clerk's Office; said premises being more particularly described as follows:

Beginning at an iron pin set at the location of a found bent pin #2189 in the easterly right of way of South Main Street (approximately 27.5 feet from centerline) in the northerly right of way of the unimproved portion of East 12th Street, also the southwesterly corner of Elnora Heiser (Deed Book 265 Page 404); thence along the northerly right of way of the unimproved portion of East 12th Street with the line of Elnora Heiser North 72 degrees 32 minutes 00 seconds East a distance of 77.25 feet to an iron pin found #2314 at a corner with Beverly Terry (Deed Book 341 Page 574); thence continuing along the northerly right of way of the unimproved portion of East 12th Street with the southerly line of Beverly Terry, North 72 degrees 32 minutes 00 seconds East a distance of 95.66 feet to an iron pin found #2314 in the line of David Stanley (Deed Book 380 Page 489); thence along the easterly line of the unimproved portion of East 12th Street with the line of David Stanley, South 18 degrees 15 minutes 54 seconds East a distance of 50.00 feet to an iron pin set; thence along the southerly right of way of the unimproved portion of East 12th Street (50 ft. r/w per City of Russellville) South 72 degrees 32 minutes 00 seconds West a distance of 175.47 feet to an iron pin set in the easterly right of way of South Main Street; thence along the easterly right of way of South Main Street, and the City of Russellville property as described in Deed Book 113 Page 246, North 15 degrees 20 minutes 06 seconds West a distance of 50.03 feet to the point of beginning. Containing 0.20 acre more or less and subject to all legal conditions and easements of record. This description based on an actual field survey performed by Gary Lee Dunning, Kentucky State Registered Land Surveyor #3290 in August of 2008. Basis of bearing for this description is a magnetic observation on the traveled centerline of South Main Street.



SOUTH MAIN STREET

TO EAST NINTH ST.

