

ORDINANCE 4-2021

AN ORDINANCE CLOSING A PORTION OF TWO (2) RIGHT-OF-WAYS; AN ALLEY RIGHT-OF-WAY LOCATED BETWEEN 713-719 FOUST AVENUE AND 710-718 GRACIAN STREET AND A STREET RIGHT-OF-WAY LOCATED BETWEEN 710-718 GRACIAN STREET AND 1620 WEST 7TH STREET IN THE CITY OF OWENSBORO, KENTUCKY, AT THE REQUEST OF LOCAL PROPERTY HOLDINGS, LLC.

WHEREAS, Local Property Holdings, LLC has petitioned the City of Owensboro, pursuant to KRS 82.405(2) for the closing of two (2) right-of-ways; a portion of an approximately 10 foot wide alley right-of-way located between 713-719 Foust Avenue and 710-718 Gracian Street; and the closing of street right-of-way, being 30 foot wide, between 710-718 Gracian Street and 1620 West 7th Street, Owensboro, Kentucky, plats of which are attached hereto and incorporated by reference as Exhibit "A"; and

WHEREAS, the only adjoining and abutting property owner CDKE Properties, LLC, has given their written notarized consent to the closing of said portion of street right-of-way located between 710-718 Gracian Street and 1620 West 7th Street, as evidenced in the *Consent of Abutting Property Owner to Closure of Public Right-of-Way* heretofore filed, a copy of which is attached and incorporated by reference as Exhibit "B"; and

WHEREAS, the Petitioner understands and agrees to retain a public utility easement in favor of Atmos Energy and Regional Water Resource Agency over the portion of Gracian Street proposed to be closed between 710-718 Gracian Street and 1620 W. 7th Street as shown on Exhibit "A"; and

WHEREAS, pursuant to KRS 82.405(2), the Board of Commissioners of the City of Owensboro, Kentucky, makes the following findings:

1. That Local Property Holdings, LLC, the Petitioner herein, is the only property owner abutting the public right-of-way alley located between 713-719 Foust Avenue and 710-718 Gracian Street sought to be closed, and has given written, notarized consent to the closure.
2. That Local Property Holdings, LLC, the Petitioner herein, and CDKE Properties, LLC are the only property owners abutting and adjoining the portion of the public street right-of-way located between 710-718 Gracian Street and 1620 West 7th Street sought to be closed, and have given written, notarized consent to the closure.
3. That the closing of the two (2) public right-of-ways to be abandoned herein would be in the best interest of the residents of the City of Owensboro, Kentucky, and will not create a hardship on any of the adjoining property owners or any person with any interest therein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF OWENSBORO, KENTUCKY, AS FOLLOWS:

Section 1. That the findings of fact recited hereinabove are hereby adopted, affirmed and incorporated by reference herein.

Section 2. The hereinafter described two (2) public right-of-ways be, and are hereby ordered to be officially closed and abandoned pursuant to the provisions of KRS 82.405(2):

Alley right-of-way located between 713-719 Foust Avenue and 710-718 Gracian Street; being approximately 10 foot wide and described below:

The proposed alley right of way is described as beginning at a calculated point being the northeast corner of the Local Property Holdings, LLC. property as recorded in

deed book 1040, at page 681 in the Office of the Daviess County Clerk and being in the west right-of-way line of an existing alley; thence severing said right-of-way North 85 Degrees 59 Minutes 43 Seconds East, a distance of 9.60 feet to a calculated point being the northwest corner of the Local Property Holdings, LLC. property as recorded in deed book 1040, at page 593 in said clerk's office; thence with the west property line of said Local Property Holdings, LLC. property South 03 Degrees 08 Minutes 49 Seconds East, passing through the southwest corners of the Local Property Holdings, LLC. properties as recorded in deed book 1040, at page 593 and deed book 1034, at page 996, both in said Clerk's Office and continuing on said course for a total distance of 199.46 feet to a calculated point being in the north right-of-way line of L & N Railroad; thence with said north right-of-way line South 86 Degrees 28 Minutes 28 Seconds West, a distance of 9.30 feet to a calculated point being the southeast corner of the Local Property Holdings, LLC. property as recorded in deed book 1038, at page 286 in said clerk's office; thence with the east property line of said Local Property Holdings, LLC. property, passing through the southeast corner of the Local Property Holdings, LLC. property as recorded in deed book 1040, at page 681 in said Clerk's Office and continuing on said course for a total distance of 199.38 feet to the point of beginning and containing 1,884 square feet or 0.043 acres.

Street right of way being between 710-718 Gracian Street and 1620 W. 7th Street, being 30 foot wide and described below:

The proposed street right of way is described as beginning at a calculated point being the southeast corner of the Jessie L. Carter property as recorded in deed book 774, at page 343 in the Office of the Daviess County Clerk and being in the west right-of-way line of Gracian Street, said right-of-way being 30 feet in width; thence severing said right-of-way North 85 Degrees 59 Minutes 43 Seconds East, a distance of 30.00 feet to a calculated point being in the west property line of the CDKE Properties, LLC. property as recorded in deed book 914, at page 31 in said Clerk's Office; thence with said west property line South 03 Degrees 37 Minutes 21 Seconds East, a distance of 210.49 feet to a calculated point being in the north right-of-way line of L & N Railroad, said right-of-way varies in width; thence with said north right-of-way line South 86 Degrees 28 Minutes 30 Seconds West, a distance of 30.00 feet to a calculated point; thence continuing with said north right-of-way line North 03 Degrees 37 Minutes 21 Seconds West, passing through the southeast corners of the Local Property Holdings, LLC. properties as recorded in deed book 1034, at page 996 and deed book 1040, at page 593, both in said Clerk's Office and continuing on said course for a total distance of 210.24 feet to the point of beginning and containing 6,311 square feet or 0.145 acres.

Section 3. The Petitioner shall dedicate by Deed of Easement or Plat a public utility easement in favor of Atmos Energy and Regional Water Resource Agency. These

access easements relate only to the existing Gracian Street right-of-way between 710-718 Gracian Street and 1620 W. 7th Street as described herein.

Section 4. A copy of this Ordinance shall be recorded in the Office of the Daviess County Court Clerk.

Section 5. That all ordinances or parts of ordinances in conflict herewith, are to the extent of such conflict, hereby repealed.

INTRODUCED AND PUBLICLY READ ON FIRST READING, this 16th day of February, 2021.

PUBLICLY READ AND FINALLY APPROVED ON SECOND READING, this 2nd day of March, 2021.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk

CERTIFICATION

I, Beth Davis, City Clerk of the City of Owensboro, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance 4-2021 duly adopted by the Board of Commissioners of the City of Owensboro, Kentucky, on the 2nd day of March, 2021, the original of which is on file in the Office of the City Clerk, on this the _____ day of _____, 2021.

Beth Davis, City Clerk

CITY OF OWENSBORO

COMMISSION MEETING DATE: 2/16/2021

**AGENDA REQUEST AND SUMMARY SUBMITTED BY: City Engineering Department
– Michael Hamilton**

TITLE: PROPOSED CLOSING OF A PORTION OF TWO RIGHTS OF WAYS; AN ALLEY RIGHT OF WAY BETWEEN 713-719 FOUST AVENUE AND 710-718 GRACIAN STREET AND STREET RIGHT OF WAY BETWEEN 710-718 GRACIAN STREET AND 1620 WEST 7TH STREET

Ordinance Prepared by: ☒ City Staff ☐ Other Preparer **Attachments:** Request for Closure of Public Right of Way Form, Consent of Abutting Property Owner to Closure of Public Right of Way Forms, Ordinance for Closure, Alley Description and Exhibit Plat

Summary & Background:

A request has been received from Local Property Holdings, LLC, for consideration to close a section of alley right of way and street right of way. Alley right of way being between 713-719 Foust Avenue and 710-718 Gracian Street, being approximately 10 foot wide and described below:

The proposed alley right of way is described as beginning at a calculated point being the northeast corner of the Local Property Holdings, LLC. property as recorded in deed book 1040, at page 681 in the Office of the Daviess County Clerk and being in the west right-of-way line of an existing alley; thence severing said right-of-way North 85 Degrees 59 Minutes 43 Seconds East, a distance of 9.60 feet to a calculated point being the northwest corner of the Local Property Holdings, LLC. property as recorded in deed book 1040, at page 593 in said clerk's office; thence with the west property line of said Local Property Holdings, LLC. property South 03 Degrees 08 Minutes 49 Seconds East, passing through the southwest corners of the Local Property Holdings, LLC. properties as recorded in deed book 1040, at page 593 and deed book 1034, at page 996, both in said Clerk's Office and continuing on said course for a total distance of 199.46 feet to a calculated point being in the north right-of-way line of L & N Railroad; thence with said north right-of-way line South 86 Degrees 28 Minutes 28 Seconds West, a distance of 9.30 feet to a calculated point being the southeast corner of the Local Property Holdings, LLC. property as recorded in deed book 1038, at page 286 in said clerk's office; thence with the east property line of said Local Property Holdings, LLC. property, passing through the southeast corner of the Local Property Holdings, LLC. property as recorded in deed book 1040, at page 681 in said Clerk's Office and continuing on said course for a total distance of 199.38 feet to the point of beginning and containing 1,884 square feet or 0.043 acres.

Street right of way being between 710-718 Gracian Street and 1620 W. 7th Street, being 30 foot wide and described below:

The proposed street right of way is described as beginning at a calculated point being the southeast corner of the Jessie L. Carter property as recorded in deed book 774, at page 343 in the Office of the Daviess County Clerk and being in the west right-of-way line of Gracian Street, said right-of-way being 30 feet in width; thence severing said right-of-way North 85 Degrees 59 Minutes 43 Seconds East, a distance of 30.00 feet to a calculated point being in the west property line of the CDKE Properties, LLC. property as recorded in deed book 914, at page 31 in said Clerk's Office; thence with said west property line South 03 Degrees 37 Minutes 21 Seconds East, a distance of 210.49 feet to a calculated point being in the north right-of-way line of L & N Railroad, said right-of-way varies in width; thence with said north right-of-way line South 86 Degrees 28 Minutes 30 Seconds West, a distance of 30.00 feet to a calculated point; thence continuing with said north right-of-way line North 03 Degrees 37 Minutes 21 Seconds West, passing through the southeast corners of the Local Property Holdings, LLC. properties as recorded in deed book 1034, at page 996 and deed book 1040, at page 593, both in said Clerk's Office and continuing on said course for a total distance of 210.24 feet to the point of beginning and containing 6,311 square feet or 0.145 acres.

Jason Baker, Local Property Holdings, LLC., owner of property at 710, 714, 715 and 718 Gracian Street and 713 and 719 Foust Ave. has signed and submitted a Request for Closure Form and the Consent of Abutting Property Owner Form for the proposed closings. Rick Thomas, representing CDKE Properties, LLC, owner of 1620 West 7th Street, the only other abutting property to the proposed street closings has signed and submitted Consent of Abutting Property Owner forms for the proposed street closing.

The request has been forwarded to all City departments and City Utilities. No objections were noted to the closing of the public alley or street right of way closing. An easement was requested and will be retained by Regional Water Resource Agency and Atmos Energy over the existing Gracian Street right of way between 710-718 Gracian Street and 1620 W. 7th Street.

Steve Lynn - DRAFTED THE ORDINANCE FOR CLOSURE

REQUEST FOR CLOSURE OF PUBLIC RIGHT-OF-WAY

CITY ENGINEER:

The undersigned hereby requests that the right-of-way described below be closed and that the City Engineer's office make inquiry of all necessary City departments and utilities to

determine if there are any reasons why the right-of-way located at:

Gracian Street right-of-way in front of 710 Gracian Street, 714 Gracian Street, 715 Gracian Street, and 718 Gracian Street and alley right-of-way located between 713 & 719 Foust Avenue and 710-718 Gracian Street

I understand that if I do not own all the land abutting the right-of-way proposed to be closed, I will obtain the consent of all other adjoining landowners on the appropriate form provided by the City. I also agree to provide the City with the names and addresses of all abutting or otherwise affected landowners by the proposed closure.

Once the appropriate consent forms have been executed by all fee simple property owners abutting the right-of-way proposed to be closed, and have been filed with the City, I understand and agree that it shall be my responsibility to obtain and pay for the services of a licensed attorney to prepare the legal documents necessary to close public right-of-way in accordance with KRS 82.405, subject to the approval of the City Attorney.

SIGNED BY: _____

(PRINTED NAME) Jason Baker

DATE: 1/1/2021

ADDRESS: Local Property Holdings, 1535 Frederica Street, Owensboro, Ky 42301

STATE OF KENTUCKY

COUNTY OF DAVIESS

The foregoing instrument was duly signed and acknowledged before me in my said County and State by

Jason Baker, on this the 14th day of January, 2021.

Brigitte R. Cook
Notary Public, State of Kentucky at Large
My commission expires: January 22, 2021
#571014

**CONSENT OF ABUTTING PROPERTY OWNER (S)
TO CLOSURE OF PUBLIC RIGHT-OF-WAY**

I (We), Local Property Holdings, LLC.

, do Solemnly swear and affirm that I am (we are) the fee simple owner (s) of real property
located at and known as 713-719 Foust Avenue and 710-718 Gracian Street

, part or all of which property abuts a part or all of public right-of-way that the City of
Owensboro, Kentucky, proposes to abandon and close in conformity with **KRS 82.405**, which
right-of-way is more particularly described as follows:

Gracian Street right-of-way in front of 710 Gracian Street, 714 Gracian Street, 715
Gracian Street, and 718 Gracian Street and alley right- of-way located between 713 &
719 Foust Avenue and 710-718 Gracian Street

I (We), as fee simple owner (s) of property in or abutting the portion of public right-of-way to
proposed to be closed, do knowingly, voluntarily, and expressly waive my (our) right to written
notice of the proposed closing otherwise required by **KRS 82.405 (2) (b)**, and hereby consent to,
and join in the request for, the closure of said public right-of-way as proposed herein. I (We)
further understand that I (we) are not required to consent to the closure of public right-of-way
and may object to same. However, I (we) expressly waive any and all rights to object to the
proposed closure.

I (We) further understand and acknowledge, that upon the enactment and publication of an
ordinance by the Owensboro Board of Commissioners closing subject right-of-way, unless
otherwise agreed, I (we) as abutting landowner (s), will receive by operation of law as my (our)
own property, that portion of the right-of-way abutting my (our) property up to the center line of
said right-of-way.

I further understand and acknowledge that if other fee simple owner (s) of property in or
abutting the public right-of-way proposed to be closed does (do) not approve of the proposed

closure, the City reserves the right to withdraw from consideration any ordinance, or dismiss any lawsuit prosecuted herein, unless any one or all of the fee simple owner (s) of property in or abutting the right-of-way proposed to be closed, agrees (agree) to indemnify and hold the city of Owensboro harmless from any and all damages assessed against it by virtue of the initiation of eminent domain proceedings pursuant to **KRS 82.405 (3) and (4)**.

I (We) further understand and acknowledge that the City of Owensboro reserves the right to deny or qualify any request for closure of public right-of-way, if upon inquiry from all necessary City departments, utilities, and all abutting or affected property owners, it is determined that it is not in the best interest of the city to close public right-of-way or the retention of public or private utility easements or required to accommodate municipal services.

In testimony whereof, witness my (our) signature (s) on this 13th Day of January, 2021

PROPERTY OWNER (S) :

James J. Baker MEMBER

STATE OF KENTUCKY)

COUNTY OF DAVIESS)

The foregoing instrument was signed and acknowledged before me by James J. Baker
On this the 14th day of January, 2021.

Brigitte A. Cook

NOTARY PUBLIC, State at Large

My Commission expires: January 27, 2021
571016

**CONSENT OF ABUTTING PROPERTY OWNER (S)
TO CLOSURE OF PUBLIC RIGHT-OF-WAY**

I(We), CDKE Properties LLC , do Solemnly swear and affirm that I am (we are) the fee simple owner (s) of real property located at and known as 1620 West 7th Street ,part or all of which property abuts a part or all of public right-of-way that the City of Owensboro, Kentucky, proposes to abandon and close in conformity with **KRS 82.405**, which right-of-way is more particularly described as follows: Gracian Street right-of-way in front of 710 Gracian Street, 714 Gracian Street, 715 Gracian Street, and 718 Gracian Street

I (We), as fee simple owner (s) of property in or abutting the portion of public right-of-way to proposed to be closed, do knowingly, voluntarily, and expressly waive my (our) right to written notice of the proposed closing otherwise required by **KRS 82.405 (2) (b)**, and hereby consent to, and join in the request for, the closure of said public right-of-way as proposed herein. I (We) further understand that I (we) are not required to consent to the closure of public right-of-way and may object to same. However, I (we) expressly waive any and all rights to object to the proposed closure.

I (We) further understand and acknowledge, that upon the enactment and publication of an ordinance by the Owensboro Board of Commissioners closing subject right-of-way, unless otherwise agreed, I (we) as abutting landowner (s), will receive by operation of law as my (our) own property, that portion of the right-of-way abutting my (our) property up to the center line of said right-of-way.

I further understand and acknowledge that if other fee simple owner (s) of property in or abutting the public right-of-way proposed to be closed does (do) not approve of the proposed closure, the City reserves the right to withdraw from consideration any ordinance, or dismiss any lawsuit prosecuted herein, unless any one or all of the fee simple owner (s) of property in or abutting the right-of-way proposed to be closed, agrees (agree) to indemnify and hold the city of

Owensboro harmless from any and all damages assessed against it by virtue of the initiation of eminent domain proceedings pursuant to **KRS 82.405 (3) and (4)**.

I (We) further understand and acknowledge that the City of Owensboro reserves the right to deny or qualify any request for closure of public right-of-way, if upon inquiry from all necessary City departments, utilities, and all abutting or affected property owners, it is determined that it is not in the best interest of the city to close public right-of-way or the retention of public or private utility easements or required to accommodate municipal services.

In testimony whereof, witness my (our) signature (s) on this 11 Day of January, 2021

PROPERTY OWNER (S) :

[Signature]

STATE OF KENTUCKY)

COUNTY OF DAVIESS)

The foregoing instrument was signed and acknowledged before me by Rick THOMAS
On this the 11th day of January, 2021.

[Signature] #605784

NOTARY PUBLIC, State at Large

My Commission expires: 7-30-2022

1708 W. 7th STREET
JESSIE L. CARTER
D.B. 774, PG. 343
PVA PARCEL 5-5-6-1

710 GRACIAN STREET
LOCAL PROPERTY
HOLDINGS, LLC.
D.B. 1040, PG. 593
PVA PARCEL 5-5-6-2

714 GRACIAN STREET
LOCAL PROPERTY
HOLDINGS, LLC.
D.B. 1040, PG. 593
PVA PARCEL 5-5-6-2A

715 GRACIAN STREET
LOCAL PROPERTY
HOLDINGS, LLC.
D.B. 1034, PG. 996
PVA PARCEL 5-5-6-3

718 GRACIAN STREET
LOCAL PROPERTY
HOLDINGS, LLC.
D.B. 1034, PG. 996
PVA PARCEL 5-5-6-4

GRACIAN
STREET

N 85°59'43" E

30.00'

GRACIAN STREET
(PORTION TO BE CLOSED)

N 03°37'21" W

210.24'

S 03°37'21" E

210.49'

1620 W. 7th STREET
CDKE PROPERTIES, LLC.
D.B. 914, PG. 31
PVA PARCEL 5-5-5-3

DESCRIPTION FOR CLOSING:

BEGINNING AT A CALCULATED POINT BEING THE SOUTHEAST CORNER OF THE JESSIE L. CARTER PROPERTY AS RECORDED IN DEED BOOK 774, AT PAGE 343 IN THE OFFICE OF THE DAVIESS COUNTY CLERK AND BEING IN THE WEST RIGHT-OF-WAY LINE OF GRACIAN STREET, SAID RIGHT-OF-WAY BEING 30 FEET IN WIDTH; THENCE SEVERING SAID RIGHT-OF-WAY NORTH 85 DEGREES 59 MINUTES 43 SECONDS EAST, A DISTANCE OF 30.00 FEET TO A CALCULATED POINT BEING IN THE WEST PROPERTY LINE OF THE CDKE PROPERTIES, LLC. PROPERTY AS RECORDED IN DEED BOOK 914, AT PAGE 31 IN SAID CLERK'S OFFICE; THENCE WITH SAID WEST PROPERTY LINE SOUTH 03 DEGREES 37 MINUTES 21 SECONDS EAST, A DISTANCE OF 210.49 FEET TO A CALCULATED POINT BEING IN THE NORTH RIGHT-OF-WAY LINE OF L & N RAILROAD, SAID RIGHT-OF-WAY VARIES IN WIDTH; THENCE WITH SAID NORTH RIGHT-OF-WAY LINE SOUTH 86 DEGREES 28 MINUTES 30 SECONDS WEST, A DISTANCE OF 30.00 FEET TO A CALCULATED POINT; THENCE CONTINUING WITH SAID NORTH RIGHT-OF-WAY LINE NORTH 03 DEGREES 37 MINUTES 21 SECONDS WEST, PASSING THROUGH THE SOUTHEAST CORNERS OF THE LOCAL PROPERTY HOLDINGS, LLC. PROPERTIES AS RECORDED IN DEED BOOK 1034, AT PAGE 996 AND DEED BOOK 1040, AT PAGE 593, BOTH IN SAID CLERK'S OFFICE AND CONTINUING ON SAID COURSE FOR A TOTAL DISTANCE OF 210.24 FEET TO THE POINT OF BEGINNING AND CONTAINING 6,311 SQUARE FEET OR 0.145 ACRES.

CLIENT

LOCAL PROPERTY HOLDING, LLC.
1535 FREDERICA STREET
OWENSBORO, KY 42301

6,311 S.F.
0.145 ACRES

30.00'

S 86°28'30" W

L&N RAILROAD
RIGHT-OF-WAY VARIES
(PER CITY OF OWENSBORO ENGINEERING, DEPT.)

PURPOSE:

TO SHOW AND DESCRIBE THE PROPOSED STREET
CLOSING.

SURVEYOR NOTES:

THE PROPERTY AND DESCRIPTION SHOWN HEREON DOES
NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT
BE USED FOR THE TRANSFER OF REAL PROPERTY.

COMPLIES WITH 201 KAR18:150 SECTION 13.
NOT A BOUNDARY SURVEY.
NOT FOR TRANSFER OF REAL PROPERTY.

PREPARED BY:

J. William Weikel, Jr. 2-4-21
J. WILLIAM WEIKEL, JR., KY. P.L.S. NO. 2813 DATE

J. WILLIAM
WEIKEL, JR.
2813
LICENSED
PROFESSIONAL
LAND SURVEYOR

EXHIBIT "A" PROPOSED STREET CLOSING

SCALE: 1"=30' / DATE: 12-31-2020



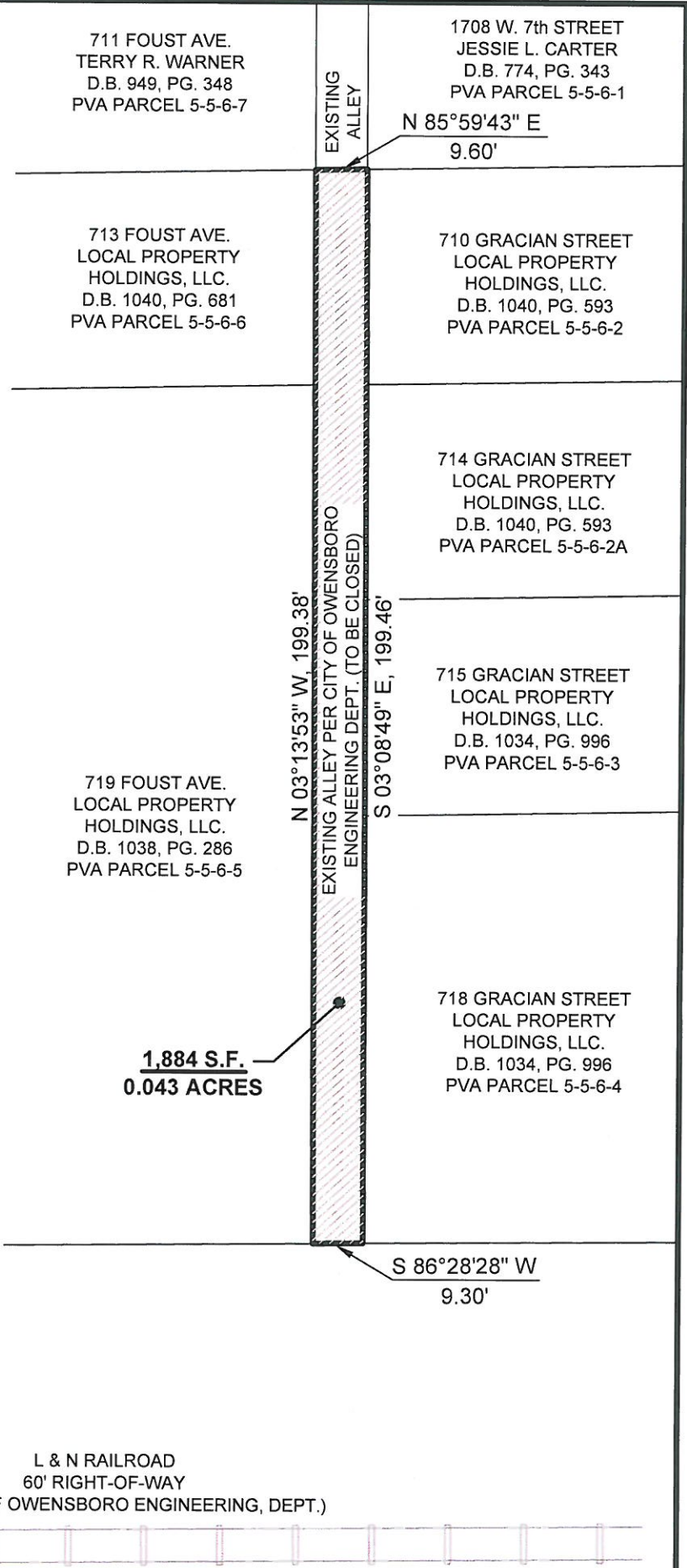
1535 FREDERICA STREET ~ P.O. BOX 21382
OWENSBORO, KENTUCKY 42304
270-685-2811

DESCRIPTION FOR CLOSING:

BEGINNING AT A CALCULATED POINT BEING THE NORTHEAST CORNER OF THE LOCAL PROPERTY HOLDINGS, LLC. PROPERTY AS RECORDED IN DEED BOOK 1040, AT PAGE 681 IN THE OFFICE OF THE DAVIESS COUNTY CLERK AND BEING IN THE WEST RIGHT-OF-WAY LINE OF AN EXISTING ALLEY; THENCE SEVERING SAID RIGHT-OF-WAY NORTH 85 DEGREES 59 MINUTES 43 SECONDS EAST, A DISTANCE OF 9.60 FEET TO A CALCULATED POINT BEING THE NORTHWEST CORNER OF THE LOCAL PROPERTY HOLDINGS, LLC. PROPERTY AS RECORDED IN DEED BOOK 1040, AT PAGE 593 IN SAID CLERK'S OFFICE; THENCE WITH THE WEST PROPERTY LINE OF SAID LOCAL PROPERTY HOLDINGS, LLC. PROPERTY SOUTH 03 DEGREES 08 MINUTES 49 SECONDS EAST, PASSING THROUGH THE SOUTHWEST CORNERS OF THE LOCAL PROPERTY HOLDINGS, LLC. PROPERTIES AS RECORDED IN DEED BOOK 1040, AT PAGE 593 AND DEED BOOK 1034, AT PAGE 996, BOTH IN SAID CLERK'S OFFICE AND CONTINUING ON SAID COURSE FOR A TOTAL DISTANCE OF 199.46 FEET TO A CALCULATED POINT BEING IN THE NORTH RIGHT-OF-WAY LINE OF L & N RAILROAD; THENCE WITH SAID NORTH RIGHT-OF-WAY LINE SOUTH 86 DEGREES 28 MINUTES 28 SECONDS WEST, A DISTANCE OF 9.30 FEET TO A CALCULATED POINT BEING THE SOUTHEAST CORNER OF THE LOCAL PROPERTY HOLDINGS, LLC. PROPERTY AS RECORDED IN DEED BOOK 1038, AT PAGE 286 IN SAID CLERK'S OFFICE; THENCE WITH THE EAST PROPERTY LINE OF SAID LOCAL PROPERTY HOLDINGS, LLC. PROPERTY, PASSING THROUGH THE SOUTHEAST CORNER OF THE LOCAL PROPERTY HOLDINGS, LLC. PROPERTY AS RECORDED IN DEED BOOK 1040, AT PAGE 681 IN SAID CLERK'S OFFICE AND CONTINUING ON SAID COURSE FOR A TOTAL DISTANCE OF 199.38 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,884 SQUARE FEET OR 0.043 ACRES.

CLIENT

LOCAL PROPERTY HOLDING, LLC.
1535 FREDERICA STREET
OWENSBORO, KY 42301



PURPOSE:

TO SHOW AND DESCRIBE THE PROPOSED ALLEY CLOSING.

SURVEYOR NOTES:

THE PROPERTY AND DESCRIPTION SHOWN HEREON DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE USED FOR THE TRANSFER OF REAL PROPERTY.

COMPLIES WITH 201 KAR18:150 SECTION 13.
NOT A BOUNDARY SURVEY.
NOT FOR TRANSFER OF REAL PROPERTY.

PREPARED BY:

J. William Weikel, Jr. Feb. 4 21
J. WILLIAM WEIKEL, JR., KY. P.L.S. NO. 2813 DATE

EXHIBIT "A"
PROPOSED ALLEY
CLOSING

SCALE: 1"=30' / DATE: 12-31-2020



1535 FREDERICA STREET ~ P.O. BOX 21382
OWENSBORO, KENTUCKY 42304
270-685-2811