

RESOLUTION 19-02

CITY OF COLD SPRING, CAMPBELL COUNTY, KENTUCKY

A RESOLUTION OF THE CITY OF COLD SPRING, CAMPBELL COUNTY, KENTUCKY, TERMINATING A PERMANENT EASEMENT LOCATED IN THE TOWN CENTER SUBDIVISION AND AUTHORIZING THE MAYOR TO SIGN ANY AND ALL INSTRUMENTS ON BEHALF OF THE CITY TO TERMINATE SAID EASEMENT

Whereas, Cold Spring Development Company, LLC, a Kentucky limited liability company, as successor in interest to James R. Huesing and Michael T. Brandy, the owners and developers of Town Center Subdivision, as shown on the plat recorded in Plat Cabinet E, Slide 206B of the Campbell County Clerk's records at Newport, Kentucky, executed a certain Dedication Plat which is recorded in Plat Cabinet E, Slide 283B of said records; and

Whereas, Cold Spring Development Company, LLC, through said Dedication Plat, which is attached hereto as **Exhibit A**, granted to the City of Cold Spring a 40' wide Permanent Easement as depicted by the hatched area shown on **Exhibit A**; and

Whereas, the Campbell County Public Library District Board of Trustees, Inc. has presented to the City proposed plans for the expansion of the Cold Spring Library branch which include the construction of improvements upon the property subject to the City's Permanent Easement; and

Whereas, to facilitate such expansion of the Cold Spring Library branch, the Campbell County Public Library District Board of Trustees, Inc. has requested that the City terminate said Permanent Easement; and

Whereas, Cold Spring Development Company, LLC has agreed to convey all of its ownership, right, title, and interest in and to the property making up the Permanent Easement to the Campbell County Public Library District Board of Trustees, Inc. upon the City terminating said Permanent Easement; and

Whereas, the City Council for the City of Cold Spring finds that construction of a road or other public way upon the Permanent Easement would be cost-prohibitive, impractical and of limited benefit to the City; and

Whereas, the City Council for the City of Cold Spring finds that the Library's proposed use of the Permanent Easement property constitutes a productive use of that property, and that termination of said Permanent Easement for such purposes is in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLD SPRING, KENTUCKY, as follows:

Section 1.

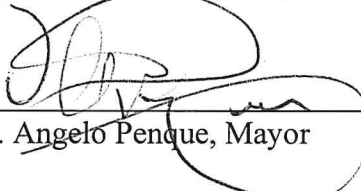
That the City Council for the City of Cold Spring authorizes the Mayor to execute the Termination and Quitclaim of Easement attached hereto as **Exhibit B** terminating said Permanent Easement and releasing the City's interest therein.

Section 2.

That this resolution shall take effect and be in full force when passed and recorded according to law.

This the 25th day of March, 2019.

CITY OF COLD SPRING

By: 
D. Angelo Penque, Mayor

ATTEST:


City Clerk

3/25/19
Date