

ORIGINAL

**COMMONWEALTH OF KENTUCKY
COUNTY OF CAMPBELL
CITY OF COLD SPRING
ORDINANCE NO. 24-1090**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLD SPRING, KENTUCKY, CLOSING HARVEST TRAIL AT US 27 IN ACCORDANCE WITH THE PROVISIONS OF KRS 82.405 (ALEXANDRIA PIKE)

Whereas, Kentucky Revised Statute 82.405 sets forth the procedure for closing a public way; and

Whereas, the proposed development of the Cold Spring Pointe renders all portions of Harvest Trail useless; and

Whereas, the prerequisites of KRS 82.405 have been met.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF COLD SPRING, CAMPBELL COUNTY, COMMONWEALTH OF KENTUCKY AS FOLLOWS:

Section I

That the City of Cold Spring, Campbell County, Kentucky closes all portions of the public way known as "Harvest Trail" from a point where Harvest Trail and US 27 (Alexandria Pike) intersects to a point where Harvest Trail terminates, and as more specifically outlined on "Exhibit A" attached hereto.

Furthermore, the City of Cold Spring, Campbell County, Kentucky makes the following findings of fact:

1. All abutting property owners to the public way subject to closure have been identified.
2. Written notice of the proposed closing has been given to each.
3. All abutting property owners have given their written notarized consent to the closing, with copies of the consent attached hereto as "Exhibit B".

Section II

Any section or provision of this Ordinance which is declared invalid by a court of competent jurisdiction for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance.

Section III

That this ordinance shall take effect and be in full force from and after its passage, publication and recording, according to law.

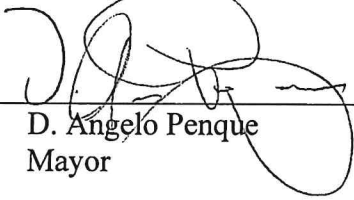
Adopted this 26 day of February, 2024.

1st Reading - February 22, 2024

2nd Reading - February 26, 2024

City of Cold Spring, Kentucky

By: _____


D. Angelo Penque
Mayor

Attest:

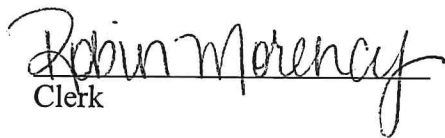

Clerk

Exhibit A

DESCRIPTION:	Harvest Trail
LOCATION:	US 27 & Harvest Trail
DATE:	January 24, 2024

Group No. 70380/Z and 70402/Z

Situated in the City of Cold Spring, County of Campbell, Commonwealth of Kentucky, lying on the Northeast side of US 27 (Alexandria Pike) South of KY Hwy 9 (AA Highway) and being all of Harvest Trail, a portion of what was formerly known as Old State – Visalia Road, and shown on the David Leitch Patent of 13,800 Acres and recorded on Plat Cabinet D, Slide 433B; also the 25-foot wide strip of right-of-way shown on the plat attached to the deed to Robert N. & Deborah Rottman in Deed Book 165, Page 154 and the 25-foot wide strip of right-of-way shown on the deed to John C. & Lisa Cavanaugh in Deed Book 209, Page 285, all of the Campbell County Clerk's Records at Alexandria, Kentucky.

Harvest Trail begins approximately 1,800 feet South of the centerline intersection of US 27 and the AA Highway, at a point in the existing Northeast right-of-way line of US 27, 171.58 feet right of US 27 centerline station 264+63.86, as shown on Kentucky Department of Transportation plans for Alexandria-Cold Spring Road, and runs in a North and Northwest direction approximately 870 feet to its terminus on the existing Northeast right-of-way line of US 27, 155.87 feet right of US 27 centerline station 271+34.76. No record was found dedicating or documenting a uniform right-of-way width for Harvest Trail.

Prior Instrument Reference:	Deed Book 165, Page 154 Deed Book 209, Page 285 Plat Cabinet D, Slide 433B
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Exhibit B

**Consent of Abutting Property Owners to the
Closure of Harvest Trail**

**ACKNOWLEDGMENT AND AGREEMENT TO CITY
OF COLD SPRING CLOSURE OF HARVEST TRAIL**

MIDLAND CSP VENTURE, LLC a Delaware limited liability company, whose address is 8044 Montgomery Road, Suite 370, Cincinnati, OH 45236 and who is the owner of the following described real property (located at/around Harvest Trail) situated in Campbell County, Kentucky (the "Property") hereby consents to the ordinance proposed by the City of Cold Spring to close those certain portions of Harvest Trail.

1045 Rocky View Drive (PIDN 999-99-17-910.00)
1041 Rocky View Drive (PIDN 999-99-17-908.00)
17.996 acres of vacant land PIDN 999-99-17-907.12
6669 Harvest Trail (PIDN 999-99-19-782.00)
6649 Harvest Trail (PIDN 999-99-17-883.00)
1.127 acres of vacant land PIDN 999-99-20-515.00
5401 Alexandria Pike (PIDN 999-99-18-446.00)
6635 Harvest Trail (PIDN 999-99-17-831.00)
6629 Harvest Trail (PIDN 999-99-20-519)
6621 Harvest Trail (PIDN 999-99-14-993)
11.012 acres of vacant land PIDN 999-99-33-906.00
5315 Alexandria Pike (PIDN 999-99-17-951.00)
.652 acres of vacant land PIDN 999-99-19-128.00

All Property outlined herein includes all property in or abutting the public way of Harvest Trail.

[Signature Pages Follow.]

OWNER:
MIDLAND CSP VENTURE, LLC

STATE OF OHIO)
)
COUNTY OF HAMILTON)

Given under my hand this the 16th day of February 2024.

My Commission Expires: 8.15.26

The seal is circular with a double-lined border. The words "NOTARIAL SEAL" are arched across the top, and "STATE OF OHIO" is arched across the bottom. The center features a landscape with a sun rising over hills, a river, and two sheaves of wheat. Two five-pointed stars are positioned on the left and right sides, separating the top and bottom text.

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