

AN ORDINANCE CLOSING A PORTION OF CAMPBELL LANE; DETERMINING THAT THE PROPERTY OWNERS ABUTTING THE PORTION OF THE STREET TO BE CLOSED HAVE BEEN IDENTIFIED, PROVIDED WITH WRITTEN NOTICE OF THE PROPOSED CLOSING, AND CONSENTED THERETO IN WRITING; AND AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE A QUITCLAIM DEED TRANSFERRING THE FORMER RIGHT-OF-WAY TO THE ABUTTING OWNERS, SUBJECT TO THE RESERVATION OF EASEMENTS AND RESTRICTIONS.

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WHEREAS, the Urban County Government has the exclusive authority, pursuant to Chapter 67A and Section 82.405 of the Kentucky Revised Statutes, to close a public way or any part thereof within its jurisdiction; and

WHEREAS, the Urban County Government Divisions of Police, Fire & Emergency Services, Waste Management, Water Quality, Streets & Roads, Engineering, Traffic Engineering, and Planning, and affected public utilities, have reviewed the proposed closing of a portion of Campbell Lane; and

WHEREAS, the owners of the abutting properties have received written notice of the proposed closing and have given written, notarized consent thereto;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:


Section 1 – That, pursuant to KRS 82.405(2), all property owners abutting the portion of Campbell Lane to be closed have been provided written notice of the proposed closing and have given their written, notarized consent to the closing, copies of which consent certificates are attached hereto as Exhibit A and incorporated herein by reference.

Section 2 – That, pursuant to the powers granted to the Lexington-Fayette Urban County Government under Chapter 67A and Section 82.405 of the Kentucky Revised Statutes, the portion of Campbell Lane which is shown on the attached Exhibit B be and hereby is closed as a public way of the Lexington-Fayette Urban County Government.

Section 3 – That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized to execute quitclaim deeds and any other documents necessary to transfer the former right-of-way to the abutting owners, subject to the reservation of easements and restrictions.

Section 4 – That this Ordinance shall become effective on the date of its passage and shall be recorded in the Office of the Fayette County Clerk pursuant to KRS 82.405(2).

PASSED URBAN COUNTY COUNCIL: December 6, 2016

  
\_\_\_\_\_  
MAYOR

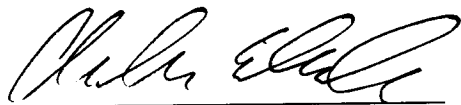
ATTEST:

  
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CLERK OF URBAN COUNTY COUNCIL

Published: December 8, 2016-1t

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PREPARED BY:

  
\_\_\_\_\_  
CHARLES E. EDWARDS III

Attorney  
Lexington-Fayette Urban County Government  
Department of Law, 11th Floor  
200 East Main Street  
Lexington, Kentucky 40507  
(859) 258-3500


CONSENT CERTIFICATE

The Affiant, D. Ray Ball, Jr., Administrative Partner for RML Construction, LLP, the sole member of Helmsdale 2, LLC, which has its primary place of business at 3609 Walden Drive, Lexington, Kentucky 40517, after being duly sworn, states as follows:

1. Helmsdale 2, LLC, is the owner of certain real property located at 852 Campbell Lane in Lexington, Kentucky, that abuts a portion of Campbell Lane, a public right-of-way, that is proposed for closing.
2. The Affiant, on behalf of Helmsdale 2, LLC, has received written notice of the proposed closing from the Lexington-Fayette Urban County Government and a depiction of the area to be closed.
3. After being duly informed of the proposed closing, the Affiant, on behalf of Helmsdale 2, LLC, as an abutting owner, consents to the proposed closing and provides this certificate as evidence thereof.

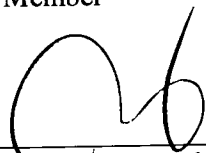
**IN TESTIMONY WHEREOF**, witnesseth the signature of Helmsdale 2, LLC, by and through its duly authorized officer, on this 7<sup>th</sup> day of November, 2016.

**RML CONSTRUCTION, LLP,**  
a Kentucky limited liability partnership

By:   
D. Ray Ball, Jr, its Administrative Partner

**HELMSDALE 2, LLC,**  
a Kentucky limited liability company

By: **RML CONSTRUCTION, LLP,**  
a Kentucky limited liability partnership, its  
Sole Member

By:   
D. Ray Ball, Jr. its Administrative Partner







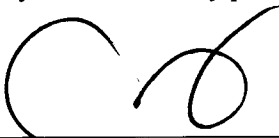
CONSENT CERTIFICATE

The Affiant, D. Ray Ball, Jr., Administrative Partner for RML Construction, LLP, sole member of Helmsdale, LLC, which has its primary place of business at 3609 Walden Drive, Lexington, Kentucky 40517, after being duly sworn, states as follows:

1. Helmsdale, LLC, is the owner of certain real property located at 3050 Helmsdale Place in Lexington, Kentucky, that abuts a portion of Campbell Lane, a public right-of-way, that is proposed for closing.
2. The Affiant, on behalf of Helmsdale, LLC, has received written notice of the proposed closing from the Lexington-Fayette Urban County Government and a depiction of the area to be closed.
3. After being duly informed of the proposed closing, the Affiant, on behalf of Helmsdale, LLC, as an abutting owner, consents to the proposed closing and provides this certificate as evidence thereof.

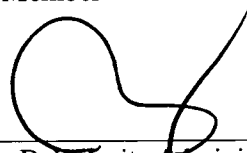
**IN TESTIMONY WHEREOF**, witnesseth the signature of Helmsdale, LLC, by and through its duly authorized officer, on this 7<sup>th</sup> day of November, 2016.

**RML CONSTRUCTION, LLP,**  
a Kentucky limited liability partnership

By:   
D. Ray Ball, Jr, its Administrative Partner

**HELMSDALE, LLC,**  
a Kentucky limited liability company

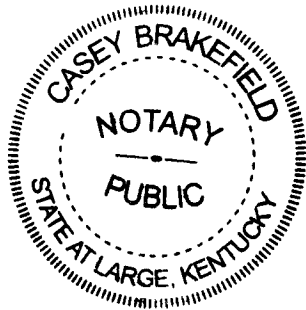
By: **RML CONSTRUCTION, LLP,**  
a Kentucky limited liability partnership, its  
Sole Member

By:   
D. Ray Ball, Jr. its Administrative Partner

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

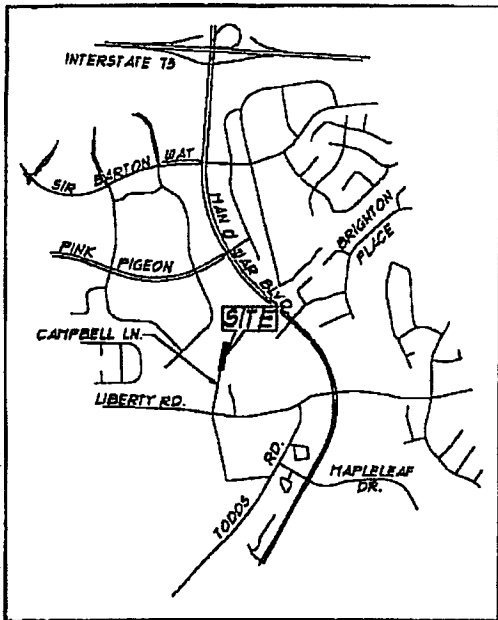
The foregoing Consent Certificate was subscribed, sworn to and acknowledged before me by D. Ray Ball, Jr., Administrative Partner for and on behalf of RML Construction, LLP, on this the 7th day of November, 2016.

My commission expires: 7/29/17



Casey Brakefield #494751  
NOTARY PUBLIC  
KENTUCKY, STATE-AT-LARGE

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VICINITY MAP  
(NOT TO SCALE)

HELMSDALE, LLC  
3050 HELMSDALE PLACE  
D.B. 2849, PG. 298  
P.C. "K", SL. 688

538'06"11"E  
26.16'

PORTION OF CAMPBELL LANE  
TO BE CLOSED

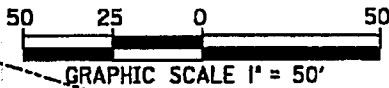
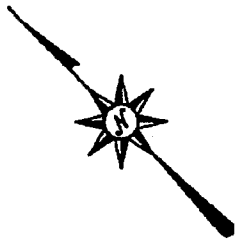
RML CONSTRUCTION, RLLP  
857 CAMPBELL LANE  
D.B. 2531, PG. 333  
P.C. "N", SL. 501

GENTRY FAMILY ENTERPRISES, LLC  
2833 LIBERTY ROAD  
D.B. 3314, PG. 15

N62°39'31"E - 312.40'  
CAMPBELL LANE

S87°28'43"W - 818.77'

ODELL VANDERPOOL  
836 CAMPBELL LANE  
D.B. 2511, PG. 566



POINT OF BEGINNING

CORKY M. DONNELLY  
831 CAMPBELL LANE  
D.B. 3005, PG. 522

N28°22'30"W  
31.35'

POINT OF COMMENCING

**EA Partners, PLLC**



CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS  
3111 WALL STREET  
LEXINGTON, KENTUCKY 40513  
PHONE (859) 298-9889  
FACSIMILE (859) 298-9887

ROADWAY CLOSURE  
CAMPBELL LANE

(a portion of)  
LEXINGTON, FAYETTE COUNTY, KENTUCKY  
MARCH 2016

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