

ORDINANCE NO. 01-2025

AN ORDINANCE OF THE CITY OF FT. WRIGHT, KENTUCKY, CLOSING THAT CERTAIN PUBLIC RIGHT OF WAY AS DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, PURSUANT TO KRS 82.405.

WHEREAS, KRS 82.405 provides a method for a municipality to close a public right of way; and

WHEREAS, the City of Ft. Wright, Kentucky has considered and approved the closing of the public right of way as described in Exhibit "A" attached hereto; and

WHEREAS, the City of Ft. Wright, Kentucky deems it desirable and beneficial to close and transfer its ownership of the public right of way as described in Exhibit "A" attached hereto to DMG Rentals 14, LLC, being the sole property owner in or abutting the right of way to be closed;

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

SECTION I

The City of Ft. Wright, Kentucky has considered and approved the closing of the public right of way as described in Exhibit "A" attached hereto.

SECTION II

Pursuant to KRS 82.405(2), the City of Ft. Wright, Kentucky makes the following Findings of Fact:

1. All property owners in or abutting the public right of way to be closed have been identified. The sole property owner in or abutting the right of way to be closed is:
 - a. DMG Rentals 14, LLC
2500 Stapleton Court
Cincinnati, Ohio 45240
2. The City of Ft. Wright, Kentucky has provided written notice to all property owners in or abutting the public right of way to be closed. The sole owner in or abutting the public right of way to be closed is DMG Rentals 14, LLC. A receipt of the written notice to DMG Rentals 14, LLC is attached hereto as Exhibit "B" and incorporated herein by reference.
3. DMG Rentals 14, LLC, the sole owner of property in or abutting the public right of way to be closed, has given its written notarized consent to the closing, and a copy of that consent is attached hereto as Exhibit "B" and incorporated herein by reference.

SECTION III

The public right of way as described in Exhibit "A" attached hereto is declared closed without further action pursuant to KRS 82.405, and all title in the real property described in Exhibit "A" shall pass to DMG Rentals 14, LLC, as the sole owner of property in or abutting the public right of way to be closed.

SECTION IV

All prior ordinances, municipal orders, or policies or parts thereof in conflict herewith, are to the extent of such conflict, hereby repealed.

SECTION V

That the statements set forth in the Preamble to this Ordinance are hereby incorporated in this Ordinance by reference, the same as if set forth at length herein.

SECTION VI

The provisions of this Ordinance are severable and the invalidity of any provision of this Ordinance shall not affect the validity of any other provisions hereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of that provision determined to be invalid.

SECTION VII

Upon its passage, this Ordinance shall be published according to law, and said publication may be in summary form.

SECTION VII

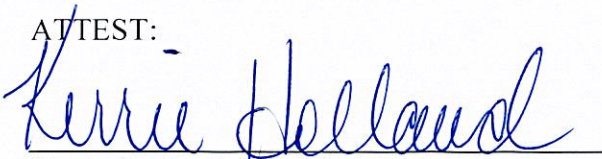
This Ordinance shall be in full force and effect when passed, recorded, and published according to law. Said publication may be in summary form.

CITY OF FORT WRIGHT, KENTUCKY

By: _____

DAVE HATTER- Mayor

ATTEST:


Kerrie Holland, City Clerk

FIRST READING:

SECOND READING:

PUBLICATION:

1-15-25
2-19-25
2-21-25

EXHIBIT "A"

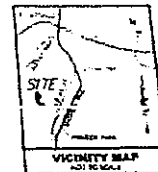
DESCRIPTION OF PUBLIC RIGHT OF WAY TO BE CLOSED

A portion of Williams Creek Way in Ft. Wright, Kentucky, from the point where Williams Creek Way intersects with Alex Court, west approximately 300 feet, as depicted on the Williams Creek, Phase 1, Plat B per Slide A-859, recorded in the Kenton County Clerk's records in Covington, Kentucky.

A copy of Slide A-859 is attached hereto and incorporated herein by reference.

A-859

A-859

[illegible]

DEBATE CERTIFICATE

[illegible]

COUNTY CLERK'S CERTIFICATE

LAND SURVEYOR'S CERTIFICATION

[illegible][illegible]

RECORD PLAT

WILLIAMS CREEK, PHASE 1, PLAT B
CITY OF FT WRIGHT
KENTON COUNTY, KENTUCKY

11:J.J:fll

James H. ...
James H. ...
James H. ...
James H. ...

EXHIBIT "B"

RECEIPT OF WRITTEN NOTICE/
CONSENT TO CLOSING OF A PUBLIC RIGHT OF WAY

**RECEIPT OF WRITTEN NOTICE/
CONSENT TO CLOSING OF A PUBLIC RIGHT OF WAY**

(A portion of Williams Creek Way in Ft. Wright, Kentucky, from the point where Williams Creek Way intersects with Alex Court, west approximately 300 feet, as depicted on the Williams Creek, Phase 1, Plat B per Slide A-859, recorded in the Kenton County Clerk's records in Covington, Kentucky.)

WHEREAS, the City of Fort Wright, Kentucky (hereinafter "City") holds that certain public right of way consisting of a portion of Williams Creek Way in Ft. Wright, Kentucky, from the point where Williams Creek Way intersects with Alex Court, west approximately 300 feet, as depicted on the Williams Creek, Phase 1, Plat B per Slide A-859 (copy attached), recorded in the Kenton County Clerk's records in Covington, Kentucky (hereinafter "ROW"); and

WHEREAS, the City desires to close the ROW; and

WHEREAS, DMG Rentals 14, LLC (hereinafter "DMG") is the sole property owner in or abutting the ROW to be closed; and

WHEREAS, DMG wishes to hereby acknowledge receipt of written notice from the City proposing to close the ROW, and to consent to the City's proposal to close the ROW;

NOW, THEREFORE, DMG hereby acknowledges receipt of written notice from the City proposing to close the ROW, and hereby expressly consents to the City's proposal to close the ROW.

This acknowledgement of receipt and consent is given pursuant to the provisions of KRS 82.405(2)(b) and (c).

Dated this 17 day of December, 2024.

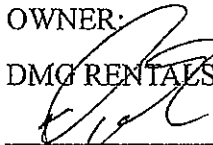
OWNER:

DMG RENTALS 14, LLC

By:

Print:

Its:




DAN GREENE

PRESIDENT Managing Member

STATE OF Ohio)
COUNTY OF Hamilton)

The foregoing Consent to Closing of a Public Right of Way was acknowledged before me this 17 day of December, 2024, on behalf of DMG RENTALS 14, LLC, by and through Dan Greene, its managing Member executed the foregoing instrument, acknowledged that he voluntarily executed the same, and swore and attested as to the truth of the facts stated therein.



Notary Public
My Commission Expires: _____



PATRICIA D. BOLIN
Notary Public, State of Ohio
My Commission Expires
June 17, 2029

A-859

A-859



NO.	DATE	DESCRIPTION
1	12-20-07	Original Survey
2	12-20-07	Final Survey
3	12-20-07	Final Survey
4	12-20-07	Final Survey
5	12-20-07	Final Survey
6	12-20-07	Final Survey
7	12-20-07	Final Survey
8	12-20-07	Final Survey
9	12-20-07	Final Survey
10	12-20-07	Final Survey

DEDICATION CERTIFICATE

12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07

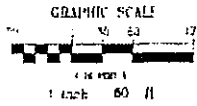
KENTON COUNTY AND MUNICIPAL
PLANNING AND ZONING APPROVAL

COUNTY CLERK'S CERTIFICATE

12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07

LEAD SURVEYOR'S CERTIFICATION

12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07
12-20-07



One Eleven
Engineering & Surveying
1714 Madison Pike
Cincinnati, KY 45211
616-363-1125

- LEGEND**
- Center line of road or utility
 - Center line of road or utility
 - Boundary line (containing all right of way)

NOTES

1. The survey was made on or about the date shown on the title block of this plat.

2. The survey was made by the method of angles and distances.

3. The survey was made by the method of angles and distances.

4. The survey was made by the method of angles and distances.

5. The survey was made by the method of angles and distances.

6. The survey was made by the method of angles and distances.

7. The survey was made by the method of angles and distances.

8. The survey was made by the method of angles and distances.

9. The survey was made by the method of angles and distances.

10. The survey was made by the method of angles and distances.

PUBLIC UTILITIES CERTIFICATION

WATER MAINS

1. The survey was made by the method of angles and distances.

2. The survey was made by the method of angles and distances.

3. The survey was made by the method of angles and distances.

4. The survey was made by the method of angles and distances.

5. The survey was made by the method of angles and distances.

6. The survey was made by the method of angles and distances.

7. The survey was made by the method of angles and distances.

8. The survey was made by the method of angles and distances.

9. The survey was made by the method of angles and distances.

10. The survey was made by the method of angles and distances.

NOTES

1. The survey was made by the method of angles and distances.

2. The survey was made by the method of angles and distances.

3. The survey was made by the method of angles and distances.

4. The survey was made by the method of angles and distances.

5. The survey was made by the method of angles and distances.

6. The survey was made by the method of angles and distances.

7. The survey was made by the method of angles and distances.

8. The survey was made by the method of angles and distances.

9. The survey was made by the method of angles and distances.

10. The survey was made by the method of angles and distances.

RECORD PLAT
WILLIAMS CREEK, PHASE 1, PLAT B
CITY OF FT WRIGHT
KENTON COUNTY, KENTUCKY



AFFIDAVIT OF PUBLICATION

See Proof on Next Page

LINK Reader
31 Innovation Aly, Ground Floor
(859) 878-1669

I, Marco Coppola, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of LINK Reader, a publication that maintains a "notice website" as that phrase is defined in the State of Kentucky (KRS 424.145), that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper or online notice website at <https://linkreader.column.us/search>, as provided by the requirements of KRS 424, in consecutive issues on the following dates:

PUBLICATION DATES:

Feb. 21, 2025

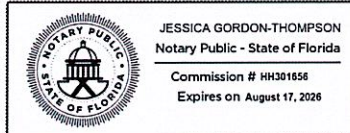
Notice ID: RIBDq1uQSkGIqLrJZ9Vd

Notice Name: ORD 01-2025

PUBLICATION FEE: \$76.41

Marco Coppola

Agent



VERIFICATION

State of Florida
County of Orange

Subscribed and sworn to before me 02/25/2025

J. Thompson

Notary Public
Notarized remotely online using communication technology via Proof.

The city of Fort Wright has adopted the following Ordinance: 01-2025,

AN ORDINANCE OF THE CITY OF FT. WRIGHT, KENTUCKY, CLOSING THAT CERTAIN PUBLIC RIGHT OF WAY AS DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, PURSUANT TO KRS 82.405.

WHEREAS KRS 82.405 provides a method for a municipality to close a public right of way; and

WHEREAS, the City of Ft. Wright, Kentucky has considered and approved the closing of the public right of way as described in Exhibit "A" attached hereto; and

WHEREAS, the City of Ft. Wright, Kentucky deems it desirable and beneficial to close and transfer its ownership of the public right of way as described in Exhibit "A" attached hereto to DMG Rentals 14, LLC, being the sole property owner in or abutting the right of way to be closed.

EXHIBIT "A"

**DESCRIPTION OF PUBLIC RIGHT OF WAY TO BE
CLOSED**

A portion of Williams Creek Way in Ft. Wright, Kentucky, from the point where Williams Creek Way intersects with Alex Court, west approximately 300 feet, as depicted on the Williams Creek, Phase I, Plat B per Slide A-859, recorded in the Kenton County Clerk's records in Covington, Kentucky.