

9/10/13
RESOLUTION 13-07

**RESOLUTION APPROVING CONDEMNATION OF PROPERTY FOR RIGHT
OF WAY TO INSURE THE PUBLIC SAFETY ON MULE SHED LANE IN
MADISON COUNTY, KENTUCKY.**

WHEREAS, the Madison County Fiscal Court has been informed and has reviewed and inspected a certain roadway in Madison County known as Mule Shed Lane; and

WHEREAS, Mule Shed Lane in the past seven (7) years has continued to deteriorate in an area described as follows: from Bogie Mill Road (CR #1260) to beginning of slip on Mule Shed Lane (CR#1352) 1.1 miles. Slip area is approximately two (2) tenths long; and from the slip area it is 1.15 miles back to the intersection of Jolly Ridge Road (CR#1353). The area is continually separating and the pavement is breaking apart and slipping so that sometimes the roadway is impassable. All measures taken to shore up this roadway within the right of way have been unsuccessful.

WHEREAS, it would be in the best interest of the citizens of Madison County to acquire certain land to alter or repair Mule Shed Lane. Said land has been surveyed and is described as follows:

A certain tract of land located on the north side of Mule Shed Lane approximately 5500.' from the intersection of Mule Shed Lane and Bogie Mill Road in Madison County, Kentucky, and being bound by a Class A Survey prepared by Central Kentucky Land Surveying, Inc., Jay Webb, LC 3505, and further described as follows:

Beginning at a set steel pin (1/2" rebar 18" long with a yellow plastic cap stamped CKLS WEBB LS 3505) in the existing north right of line of Mule Shed Lane (approximately 15.0' from existing centerline) in the line of Bill Stone, Deed Book 418, Page 124, Deed Book 325, Page 14, Plat Book 21, Page 206; said pin being located N 46 degrees 58' 00" W 15.67' to a found PK Nail in the center of Mule Shed Lane common corner to Danny & Cynthia Marcum, Deed Book 441, Page 797, and Bill R. Stone, Deed Book 418, Page 124, Deed Book 325, Page 14, Plat Book 21, Page 205 (tie to parent tract); thence leaving said right of way line of Mule Shed Lane with the line of Bill R. Stone, N 46 degrees 58'00' W 5.74' to a

set steel pin (1/2" rebar 18" long with a yellow plastic cap stamped CKLS WEBB LS 3505) in the line of Stone; thence leaving the line of Stone on new lines dividing the lands of Danny & Cynthia Marcum Deed Book 441, Page 797, N 74 degrees 23' 53" E 262.02' to a set steel pin (1/2" rebar 18" long with a yellow plastic cap stamped CKLS WEBB LS 3505); thence N 86 degrees 30' 07" E 94.36' the chord distance of a 225.00' radius convex curve to a set steel pin (1/2" rebar 18" long with a yellow plastic cap stamped CKLS WEBB LS 3505); thence S 81 degrees 23' 39" E 105.10' to a set steel pin (1/2" rebar 18" long with a yellow plastic cap stamped CKLS WEBB LS 3505); thence N 75 degrees 19' 59" E 383.25' the chord distance of a 484.00' radius concave curve to a set steel pin (1/2" rebar 18" long with a yellow plastic cap stamped CKLS WEBB LS 3505); thence N 52 degrees 03' 38" E 65.51' to a set steel pin (1/2" rebar 18" long with a yellow plastic cap stamped CKLS WEBB LS 3505); thence N 40 degrees 27' 26" E 70.40' the chord distance of a 175.00' radius concave curve to a set steel pin (1/2" rebar 18" long with a yellow plastic cap stamped CKLS WEBB LS 3505); thence N 28 degrees 51' 13" E 8.24' to a set steel pin (1/2" rebar 18" long with a yellow plastic cap stamped CKLS WEBB LS 3505); thence N 47 degrees 27' 45" E 46.18' to a set steel pin (1/2" rebar 18" long with a yellow plastic cap stamped CKLS WEBB LS 3505) in the existing north right of way line of Mule Shed Lane; thence continuing with said right of way line, S 35 degrees 04' 56" W 38.34' to a point not set; thence S 30 degrees 52' 33" W 9.54' the chord distance of a 65.00' radius concave curve to a point not set; thence S 26 degrees 40' 10" W 124.02' to a point not set in an existing gravel driveway; thence S 30 degrees 10' 08" W 68.17' to a point not set; thence S 37 degrees 03' 03" W 8.39' the chord distance of a 35.00' radius convex curve to a point not set; thence S 69 degrees 46' 11" W 274.56' the chord of a 315.00' radius convex curve to a point not set; thence N 84 degrees 23' 36" W 341.00' to a point not set; thence S 86 degrees 39' 51" W 216.68' the chord distance of a 765.00' radius concave curve to a point not set; thence 78 degrees 31' 22" W 17.52' to the point of beginning hereby designated as Tract 1, containing 1.34 Acres (58,399 Sq. Ft.)

WHEREAS, the lands needed to be acquired to make the necessary alterations or repairs to Mule Shed Lane are owned by Danny R. Marcum and Cynthia L. Savey.

WHEREAS, the Madison County Fiscal Court has made numerous attempts to acquire the necessary right of way to move the roadway further up the bank to construct and repair the right of ways from further slippage and possible interruption in the access to Mule Shed Lane for the citizens of Madison County, with no success.

NOW, THEREFORE, the Madison County Fiscal Court resolves to enter into proceedings of condemnation of property for the section of roadway that is related to the landslides of this section of Mule Shed Lane, and authorize Judge Executive Kent Clark to sign necessary documentation to institute the proceedings related to the condemnation of property and reconstruction and improvements to Mule Shed Lane in Madison County.

Approved in Fiscal Court this 10th day of September, 2013.



Kent Clark, Madison County Judge Executive

ATTEST:



Kenny Barger, Madison County Clerk