

**GALLATIN COUNTY FISCAL COURT**

**RESOLUTION NO.** 10-08-2015-02

A RESOLUTION OF THE GALLATIN COUNTY FISCAL COURT AUTHORIZING THE REMOVAL AND RELOCATION OF AN ABANDONED CEMETERY AND ALL GRAVES THEREIN, FROM PROPOSED RIGHT OF WAY LOCATED ALONG US 42, JUST WEST OF GRIDLEY HILL ROAD, WARSAW, KENTUCKY TO THE WARSAW CEMETERY, P.O. BOX 680, WARSAW, KENTUCKY, ALL FOR THE RECONSTRUCTION AND WIDENING OF US 42, IN GALLATIN COUNTY, KENTUCKY.

**WHEREAS**, the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways (hereinafter Transportation Cabinet) by Official Order No. 103980, has declared the acquisition of right of way for the reconstruction of US 42 in Gallatin County, Kentucky to be a public necessity; and

**WHEREAS**, it is necessary for the economic development and the continued progress of Gallatin County that said US 42 highway project be completed; and

**WHEREAS**, a portion of existing right of way for said US 42 highway project includes and requires the removal and relocation of an abandoned cemetery located on the proposed right of way property along said US 42, just west of Gridley Hill Road, Warsaw, Kentucky, 41095, all of which is part of Parcel No. 101, as designated on the Transportation Cabinet's plans for said highway project, previously owned by James C. Wilson and Dean R. Wilson, as evidenced by deed from Transportation Cabinet, of record in Deed Book 108 Page 654, in the office of the Gallatin County Clerk in Warsaw, Kentucky; and

**WHEREAS**, the legal description of the area of said abandoned cemetery is as follows:

Beginning at point on KY 42, 1.81' right of proposed KY 42 centerline station 27+23.45; thence South 25°21'00" West 80.00' to a point 81.81' right of centerline station 27+23.45; thence South 64°39'00" East 80.00' to a point 81.81' right of centerline station 28+03.45; thence North 25°21'00" East 80.00' to a point 1.81' right of centerline station 28+03.45; thence North 64°39' 00" West for a distance of 80.00' to the point of beginning.

The above described parcel contains 0.1469 acres (6400.00 sq. ft.)

**WHEREAS**, said abandoned cemetery hereinabove described contains at least one (1) marked grave, said marked grave has been positively identified by recovered headstone inscription as:

**"Teen Krutz, son of K.T. and Cynthia Krutz"**

in said cemetery which has been left unattended for a period in excess of ten (10) years; and

**WHEREAS**, the Transportation Cabinet proposes to remove said abandoned cemetery and all graves located therein and to relocate same to the Warsaw Cemetery, P. O. Box 680 Warsaw, Kentucky, all at the Transportation Cabinet's expense; and

**WHEREAS**, the Gallatin County Fiscal Court deems it to be in the best interest of the County and all others concerned to remove and relocate said abandoned cemetery and all graves therein as hereinabove stated;

**NOW THEREFORE, BE IT RESOLVED BY THE GALLATIN COUNTY FISCAL COURT THAT:**

Pursuant to KRS 381.755, the removal and relocation of an abandoned cemetery and all graves therein from property described above, to Warsaw Cemetery, P.O Box 680, Warsaw, Kentucky, all for the reconstruction of US 42 in Gallatin County, Kentucky, and by and at the expense of the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways, at any time after the expiration of sixty (60) days after the first publication of notice of such intended action pursuant to KRS Chapter 424, is hereby authorized and will be directed by the Fiscal Court.

Completed in Gallatin, Kentucky, this 8<sup>th</sup> day of October, 2015.