

**KENTON COUNTY FISCAL COURT**

**RESOLUTION NO. 21-06**

A RESOLUTION OF THE KENTON COUNTY FISCAL COURT AUTHORIZING THE REMOVAL AND RELOCATION OF AN UNKNOWN CEMETERY, WHICH IS LOCATED NEAR THE INTERSECTION OF MOUNT ZION ROAD AND BRISTOW ROAD. ANY AND ALL GRAVES THEREIN FROM EXISTING RIGHT OF WAY BEARING THE POSTAL ADDRESS OF KY 785 BRISTOW ROAD, INDEPENDENCE, KY 41051 FOR THE HIGHWAY PROJECT DESCRIBED AS RECONSTRUCTION OF KY 536 FROM THE EAST END OF THE NS RAILROAD BRIDGE (B91) (MP 14.363 IN BOONE) TO KY 1303 (MP 1.061) (16CCN)

**WHEREAS**, the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways (hereinafter Transportation Cabinet) by Official Order No. 111042, has declared the acquisition of right of way for the reconstruction of Mt. Zion Road to be a public necessity; and

**WHEREAS**, it is necessary for the economic development and the continued progress of Kenton County that said Mt. Zion Road project be completed; and

**WHEREAS**, a portion of existing right of way for said Mt. Zion Road project includes and requires the removal and relocation of the Unknown cemetery located on the existing right of way property bearing the postal address of 785 Bristow Road Independence, KY 41051 all of which is part of Parcel No. 44, as designated on the Transportation Cabinet's plans for said highway project

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

The approximate boundary of a cemetery situated in Kenton County, Kentucky, located on the North Side of KY 536 in Kenton County in the Northwest corner of the intersection of KY 536 and KY 1303 and being more particularly described as follows:

Beginning at a point in the existing North right of way line of KY 536, said point also being in the West property line of the grantor, 250.22 feet left of KY 536 Station 173+37.26; Thence with the existing approximate cemetery boundary line S86°50'49"E a distance of 70.00 feet to a point in the existing approximate cemetery boundary corner 247.59 feet left of KY 1303 at Station 174+38.48; Thence with the existing approximate cemetery boundary line S14°26'58"E a distance of 71.00 feet to a point in the existing approximate cemetery boundary corner 177.94 feet left of KY 1303 at Station 174+57.20; Thence with the existing approximate cemetery boundary line N72°57'40"E a distance of 38.78 feet to a point in the existing approximate cemetery boundary corner 168.01 feet left of KY 1303 at Station 174+09.47; Thence with the existing approximate cemetery boundary line S31°02'20"E a distance of 98.00 feet to the POINT OF BEGINNING.

The above described approximate boundary of the cemetery contains ± 0.097 acres (4212.5 sq. ft.).

**WHEREAS**, said cemetery hereinabove described contains a possibility of fifteen (15) or more graves and all of the graves in said cemetery have been left unattended for a period in excess of ten years; and

**WHEREAS**, the Transportation Cabinet proposes to remove said cemetery and any and all graves located therein and to relocate to the Independence Cemetery located at 5358 Madison Pike, Independence, KY 41051, all at the Transportation Cabinet's expense; and

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

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

Pursuant to KRS 381.755, the removal and relocation of a cemetery and any and all graves therein from property bearing the postal address of KY 785 Bristow Road, Independence, KY 41051, all as more particularly described in the hereinabove premises, to unknown cemetery, Independence Kentucky, all for the reconstruction of Mt. Zion Road, 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.

Done at Covington, Kentucky, this \_\_\_\_ day of \_\_\_\_\_.2021.

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KRIS A. KNOCHELMANN  
KENTON COUNTY JUDGE-EXECUTIVE

ATTEST:

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KENTON COUNTY FISCAL COURT CLERK