

Owen County Fiscal Court
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Casey Ellis
County Judge/Executive

Magistrates
Todd Spurgeon, District 1
Stuart Bowling, District 2
Wayne Harris, District 3
Chad Rose, District 4

ORDINANCE #230

AN ORDINANCE RELATING TO THE DISCONTINUANCE OF A SECTION OF PAYNES RUN ROAD

WHEREAS, Randall Blankenship requested that the Owen Fiscal Court discontinue a section of Paynes Run Road, beginning from a point where Randall Blankenship owns on both sides of the road at coordinates 38.46274 – 84.66955 running in a westerly direction for approximately .2148 miles until the end of Paynes Run Road on the county maintenance map, thus leaving 1.7452 miles from KY-607 (New Columbus Rd) of county maintained road for Paynes Run Road;

WHEREAS, the statutory procedural requirements of KRS Chapter 178 have been met regarding the discontinuance of a section of Paynes Run Road, beginning from a point where Randall Blankenship owns on both sides of the road at coordinates 38.46274 – 84.66955 running in a westerly direction for approximately .2148 miles until the end of Paynes Run Road on the county maintenance map; and

WHEREAS, the Owen County Road Foreman and Court Appointed Viewers visited the premises and filed a report with the Owen County Fiscal Court that in the viewers opinion no inconvenience would result to the public if Owen County Fiscal Court discontinued a section of Paynes Run Road described below, and

WHEREAS, the Owen County Fiscal Court held a public hearing on November 24, 2020. Present had said meeting were Mr. Forrest Hunter and Mr. Christopher Dove. Mr. Dove did not object to the discontinuance of the section of Paynes Run Road but stated he wanted a detailed description of where the end of county maintenance would be located. Mr. Hunter spoke to the Court and stated an objection to the discontinuance of the above described section of Paynes Run Road. Mr. Hunter stated that it would adversely effect him in that he uses that road with permission to access part of his property. Mr. Hunter stated that he knew Paynes Run Road ended in the Blankenship property and that to road did not extend to his property. Mr. Hunter further stated that he used the road by permission of Mr. Blankenship and the permission of previous owners of the now Blankenship property.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF OWEN, COMMONWEALTH OF KENTUCKY, THAT:

Section One: Based on the request by Randall Blankenship and the report of the court appointed viewers, the Owen County Fiscal Court, pursuant to KRS 178.070, discontinues maintenance of a section of Paynes Run Road, beginning from a point where Randall Blankenship owns on both sides of the road at coordinates 38.46274 – 84.66955 running in a westerly direction for approximately .2148 miles until the end of Paynes Run Road on the county maintenance map and removes said section of Paynes Run Road from

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the Owen County Road Maintenance list. Therefore, the distance of county maintenance on Paynes Run Road shall be 1.7452 miles from its inception at the intersection of Highway 607 to where Randall Blankenship owns on both sides of Paynes Run Road. A end of county maintenance sign shall be placed at the end of county maintenance on Paynes Run Road.

The Owen County Fiscal Court heard from Mr. Dove and Mr. Hunter during the public hearing on November 24, 2020. Based on the findings of the viewers and the public comments the Owen County Fiscal Court finds no inconveniences to the public to discontinue .2148 miles of Paynes Run Road. According to all known records the road ends on Mr. Blankenship's property and Mr. Hunter admitted that the road does not reach his property. Mr. Hunter stated that he needed to the permission of Mr. Blankenship to reach his property using Paynes Run Road as access. Since Mr. Hunter needs the permission of Mr. Blankenship to access his property this Court finds no inconvenience to discontinue .2148 miles of road in which Mr. Blankenship owns all around.


Owen County Fiscal Court hereby discontinues the above described section of Paynes Run Road under the provisions of KRS 178.070. Randall Blankenship having petitioned Owen County Fiscal Court to have to above described section of Paynes Run Road revert to the owner; therefore, the above described section of Paynes Run Road shall revert to the owner, and the Owen Fiscal Court shall have no obligation to maintain it. Therefore, the distance of county maintenance on Paynes Run Road shall be 1.7452 miles from its inception at the intersection of Highway 607 to the coordinates of 38.46274 – 84.66955 where Randall Blankenship owns on both sides of Paynes Run Road.

Section Two: This ordinance becomes effective immediately upon passage and publication.

Upon introduction and given first reading before the Owen County Fiscal Court on the 8th day of December, 2020 and a motion having been made by Magistrate Bowling and seconded by Magistrate Harris and following discussion the same was approved as the first reading.

Given second reading and adopted by the Owen County Fiscal Court at a duly convened meeting thereof held on the 9th day of February, 2021, upon motion of Magistrate Rose that the ordinance be passed adopted and approved and seconded by Magistrate Bowling.

WHEREUPON Ordinance 230 is declared adopted on its second reading this 9th day of December 2021.



Casey Ellis
County Judge/Executive

ATTEST:



Laurel Stivers