

AN ORDINANCE CLOSING A PORTION OF JEFFERSON STREET; DETERMINING THAT THE PROPERTY OWNER ADJACENT TO THE PORTION OF THE STREET BEING CLOSED HAS BEEN IDENTIFIED, PROVIDED WITH WRITTEN NOTICE OF THE PROPOSED CLOSING, AND CONSENTED THERETO IN WRITING; AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE A QUITCLAIM DEED, IF NEEDED, TRANSFERRING THE FORMER RIGHT-OF-WAY TO THE ADJACENT OWNER, SUBJECT TO THE RESERVATION OF EASEMENTS AND RESTRICTIONS; AUTHORIZING THE DEMOLITION OF A PORTION OF THE VIADUCT AND JEFFERSON STREET AND THE INSTALLATION OF APPROPRIATE TRAFFIC SAFETY FEATURES, SUBJECT TO THE APPROVAL OF THE DIVISION OF ENGINEERING.

WHEREAS, the Urban County Government has the exclusive authority, pursuant to Chapter 67A and Section 82.405 of the Kentucky Revised Statutes, to close a public way or any part thereof within its jurisdiction; and

WHEREAS, the Urban County Government Divisions of Planning, Engineering, Water Quality, Police, Fire & Emergency Services, Traffic Engineering, and affected public utilities, have reviewed the proposed closing of a portion of Jefferson Street; and

WHEREAS, the owner of the adjacent property has received written notice of the proposed closing and has given written, notarized consent thereto;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That, pursuant to KRS 82.405(2), the property owner adjacent to the portion of Jefferson Street to be closed has been provided written notice of the proposed closing and has given its written, notarized consent to the closing, copies of which consent certificate is attached hereto as Exhibit A and incorporated herein by reference.

Section 2 – That, pursuant to the powers granted to the Lexington-Fayette Urban County Government under Chapter 67A and Section 82.405 of the Kentucky Revised Statutes, the portion of Jefferson Street identified in Exhibit B be and hereby is closed as a public way of the Lexington-Fayette Urban County Government.

Section 3 – That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized to execute a quitclaim deed, if needed, and any other documents necessary to transfer the former right-of-way to the adjacent owner, subject to the reservation of easements and restrictions.

Section 4 – That the adjacent owner be and hereby is authorized to demolish the portion of Jefferson Street and the viaduct identified in Exhibit B, and to install appropriate traffic safety features in relation thereto, subject to the approval of the Division of Engineering using its standard procedures.

Section 5 – That this Ordinance shall become effective on the date of its passage and shall be recorded in the Office of the Fayette County Clerk pursuant to KRS 82.405(2).

PASSED URBAN COUNTY COUNCIL: October 11, 2018

MAYOR




ATTEST:


CLERK OF URBAN COUNTY COUNCIL
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**Portion of Jefferson Street Bridge
over Lexington Center Corporation Property**

**Lying within the
LFUCG Property
(Deed Book ____, Page ____)
Lexington, Fayette County, Kentucky**

Being a portion of the Jefferson Street Bridge, between West Main Street and High Street, lying above the Lexington Center Corporation Property and being more particularly described as:

BEGINNING at a 24" long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set approximately 227' southwest of the south right-of-way of Main Street and in the west right-of-way of Jefferson Street, said point having Kentucky State Plane Coordinates of N(Y):3,908,798.99, E(X):5,280,042.94 (KY Single Zone, NAD 83, US Survey Feet), said point also being a corner to Main Street Baptist Church (Deed Book 1769, Page 582); thence leaving the line of the aforementioned Main Street Baptist Church and crossing the right-of-way of Jefferson Street for two (2) calls:

South 45°36'13" East a distance of 7.58' to a 5/8" diameter rebar with surveyor's cap (PLS 3963) found west of the east bridge abutment; thence

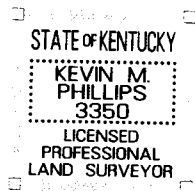
South 44°46'59" East a distance of 75.73' to a point, said point being in the line of Main Street Baptist Church (Deed Book 39, Page 23 - Deed Book 544, Page 242 and Deed Book 562, Page 187) and Lexington Center Corporation (New Lot 1 on Plat Cabinet ____, Slide ____; Deed Book 1296, Page 691 - Deed Book 1527, Page 450 and Deed Book 3605, Page 376); thence leaving the line and with the right-of-way of Jefferson Street, South 48°02'36" West a distance of 352.00' to a point in the line of the aforementioned Lexington Center Corporation; thence with the line of Lexington Center Corporation for two (2) calls:

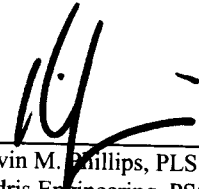
North 47°06'20" West a distance of 81.87' to a point, said point being witnessed by a concrete Right-of-Way Monument located North 63°52'48" East 0.22' from the point; thence from the corner point,

North 58°40'29" West a distance of 1.37' to a MAG Nail with surveyor's ID tag (PLS 3350) set in the right-of-way of Manchester Street; thence leaving the right-of-way of Manchester Street and with the right-of-way of Jefferson Street, North 47°59'19" East a distance of 355.53' to a 24" long, 5/8" diameter rebar with surveyor's cap (PLS 3350); which is the Point of Beginning, having an area of 29364.8 square feet or 0.6741 acres.

The description above being based on an actual ground survey of the property concluded on August 29, 2018, under the direct supervision of Kevin M. Phillips (PLS 3350) of Endris Engineering, 771 Enterprise Drive, Lexington, Kentucky, 40510.

The bearings and coordinates used in the description above are based on a GNSS survey to the site by Endris Engineering, PSC on August 24, 2018 and tied to the KYTC VRS (KYSPC North Zone, NAD 83).




Kevin M. Phillips, PLS 3350
Endris Engineering, PSC
771 Enterprise Drive
Lexington, KY 40510

9/17/2018
Date



