

AN ORDINANCE CLOSING THE UNUSED RIGHTS-OF-WAY KNOWN AS OLD MANCHESTER STREET, OLD MERINO STREET, AND OLD WATER STREET, AS WELL AS A PORTION OF TUCKER STREET; DETERMINING THAT THE PROPERTY OWNER ABUTTING THE RIGHTS-OF-WAY TO BE CLOSED HAS BEEN IDENTIFIED, PROVIDED WITH WRITTEN NOTICE OF THE PROPOSED CLOSING, AND CONSENTED THERETO IN WRITING; AND AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE QUITCLAIM DEEDS AND ANY OTHER DOCUMENTS NECESSARY TRANSFERRING THE FORMER RIGHTS-OF-WAY TO THE ABUTTING OWNER, SUBJECT TO THE RESERVATION OF EASEMENTS AND RESTRICTIONS.

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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 Police, Fire & Emergency Services, Lexington Enhanced 911, Planning, Engineering, Water Quality, Traffic Engineering, and affected public utilities, have reviewed the proposed closures; and

WHEREAS, the abutting property owner has received written notice of the proposed closure and has consented thereto in writing;

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

Section 1 – That, pursuant to KRS 82.405(2), this Council finds that the owner of the properties located at 118 Tucker Street, 570 West Main Street, 564-568 West Main Street, 544 West Main Street, 540 West Main Street, 521 West Vine Street, 541 West Vine Street, 809 Manchester Street, 150 Tucker Street, 603 West High Street, 601 West High Street, 651 West High Street, and 701 West High Street, which parcels are adjacent to unused rights-of-way known as Old Manchester Street, Old Merino Street, and Old Water Street, as well as a portion of Tucker Street, which are proposed for closing, has been provided written notice of the proposed closing and has given its written, notarized consent to the closing, 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 unused rights-of-way known as Old Manchester Street, Old Merino Street, and Old Water Street, as well as a portion of Tucker Street, which are described in the

attached Exhibit B, be and hereby are closed as public ways 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 quitclaim deeds and any other documents necessary transferring the former right-of-way to the owner of the adjacent parcels, subject to the reservation of easements for access and maintenance of existing utilities.

Section 4 – 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:

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MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL  
Published: