

ORDINANCE NO. _____-2016

AN ORDINANCE CLOSING A PORTION OF CAMPBELL LANE; DETERMINING THAT THE PROPERTY OWNERS ABUTTING THE PORTION OF THE STREET TO BE CLOSED HAVE 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 A QUITCLAIM DEED TRANSFERRING THE FORMER RIGHT-OF-WAY TO THE ABUTTING OWNERS, SUBJECT TO THE RESERVATION OF EASEMENTS AND RESTRICTIONS.

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, Waste Management, Water Quality, Streets & Roads, Engineering, Traffic Engineering, and Planning, and affected public utilities, have reviewed the proposed closing of a portion of Campbell Lane; and

WHEREAS, the owners of the abutting properties have received written notice of the proposed closing and have 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), all property owners abutting the portion of Campbell Lane to be closed have been provided written notice of the proposed closing and have given their written, notarized consent to the closing, copies of which consent certificates are 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 Campbell Lane which is shown on the attached 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 quitclaim deeds and any other documents necessary to transfer the former right-of-way to the abutting owners, subject to the reservation of easements and restrictions.

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:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

Published:

1332-16:CEE:X:\Cases\WORKS\16-CC0151\LEG\00556225.DOCX

PREPARED BY:

CHARLES E. EDWARDS III
Attorney
Lexington-Fayette Urban County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500