

AN ORDINANCE CLOSING WASHINGTON AVENUE; DETERMINING THAT THE PROPERTY OWNER ABUTTING THE STREET 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 A QUITCLAIM DEED TRANSFERRING THE FORMER RIGHT-OF-WAY TO THE ABUTTING OWNER, 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 Washington Avenue; and

WHEREAS, the University of Kentucky is the owner of the properties abutting Washington Avenue, which is proposed for closing; and

WHEREAS, the University of Kentucky has received written notice of the proposed closing and have given written, notarized consent to the proposed closing;

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 above identified property owner is the owner of all properties abutting Washington Avenue, which is proposed for closing, and said owner has been provided written notice of the proposed closing and has given its written, notarized consent to the closing, a copy of which consent 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, Washington Avenue, 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 a quitclaim deed and/or a consolidation plat transferring the former right-of-way to the University of Kentucky, the abutting owner, subject to the reservation of easements for access and maintenance of

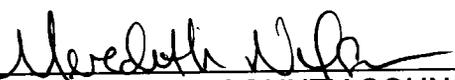
existing utility facilities and subject to restrictions ensuring emergency responder access.

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: November 20, 2014


MAYOR

ATTEST:


CLERK OF URBAN COUNTY COUNCIL
Published: November 26, 2014

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