

AN ORDINANCE CLOSING AN UNNAMED ALLEY LOCATED BETWEEN ROSE LANE AND COLUMBIA AVENUE; DETERMINING THAT THE PROPERTY OWNERS ABUTTING THE ALLEY 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 AND ANY OTHER DOCUMENTS NECESSARY 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, Lexington Enhanced 911, Planning, Engineering, Water Quality, Traffic Engineering, and affected public utilities, have reviewed the proposed closing of the unnamed alley located between Rose Lane and Columbia Avenue; and

WHEREAS, the abutting property owners have received written notice of the proposed closing and have 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 owners of the properties abutting the unnamed alley located between Rose Lane and Columbia Avenue, which is proposed for closing, have been provided written notice of the proposed closing and have given their written, notarized consent to the closing, 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 unnamed alley located between Rose Lane and Columbia 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 any other documents necessary transferring the former right-of-way to the abutting owners,

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: June 16, 2016



MAYOR

ATTEST:


CLERK OF URBAN COUNTY COUNCIL

Published: June 23, 2016-1t

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RECEIVED

MAY 11 2016

L.F.U.C.G. Department of Law

CONSENT CERTIFICATE

The Affiant, Joe A. Stepp, President, Caney Creek Community Center, Incorporated, whose principal office at 100 Purpose Road, Pippa Passes, Kentucky 41844, after being duly sworn, states as follows:

- 1. Caney Creek Community Center, Incorporated ("Caney Creek") is the owner of certain real property situated between Rose Lane and Columbia Avenue and abutting an unnamed, unused alley, which is proposed for closing.
- 2. Caney Creek has received written notice from the Lexington-Fayette Urban County Government informing it of the proposed closure and a depiction of the area to be closed.
- 3. After being duly informed of the proposed closure, Caney Creek, as an owner of abutting real property, provides this certificate as evidence that it has received written notice of the proposed closing and has consented thereto in writing.

IN TESTIMONY WHEREOF, witnesseth the signature of Caney Creek, by and through its duly authorized officer, on this 26 day of April, 2016.

CANEY CREEK COMMUNITY CENTER, INCORPORATED

By: Joe A. Stepp
JOE A. STEPP
President

COMMONWEALTH OF KENTUCKY)
COUNTY OF ~~FAYETTE~~ Knott)

The foregoing Consent Certificate was subscribed, sworn to and acknowledged before me Joe A. Stepp, President, for and on behalf of Caney Creek Community Center, Incorporated, on this the 26th day of April, 2016.

My commission expires: 5/19/17

Linda Eastland
NOTARY PUBLIC
KENTUCKY, STATE-AT-LARGE

Linda Eastland
Notary Public
State at Large
Kentucky
My Commission Expires May 19, 2017

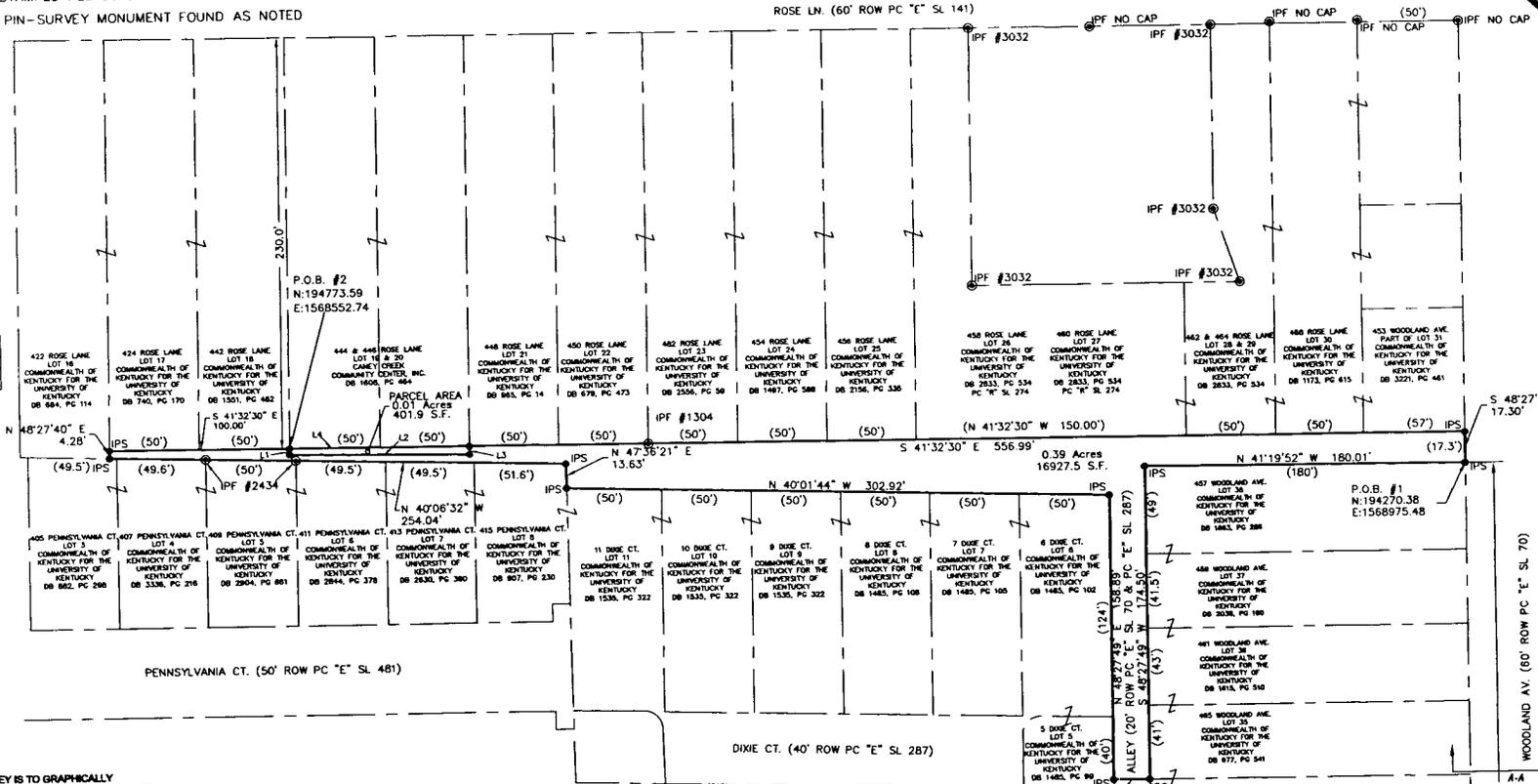
LEGEND

- ALLEY BOUNDARY LINE
- - - ADJOINING PARCEL LINE
- IPS 18" LONG, 3/8" INCH REBAR WITH PLASTIC CAP STAMPED PLS 3032
- ⊙ IPF IRON PIN-SURVEY MONUMENT FOUND AS NOTED



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 48°27'40" W	3.39
L2	S 40°49'12" E	100.01
L3	N 48°27'40" E	4.52
L4	N 41°32'30" W	100.00



SURVEY NOTES

THE PURPOSE OF THIS SURVEY IS TO GRAPHICALLY REPRESENT AND MONUMENT THE LOCATION OF AN UNUSED ALLEY.

THE NORTH MERIDIAN DATUM SHOWN HEREON IS BASED ON GPS OBSERVATIONS USING A TRIMBLE RS, RTK, NETWORK RECEIVER. MORE PARTICULARLY, THE INFORMATION IS BASED ON A GPS SURVEY UTILIZING CONTINUOUSLY OPERATING REFERENCE STATIONS (CORES) NETWORK. THE HORIZONTAL DATUM IS KENTUCKY STATE PLANE COORDINATE SYSTEM, NORTH ZONE, (NAD 83), GRID NORTH.

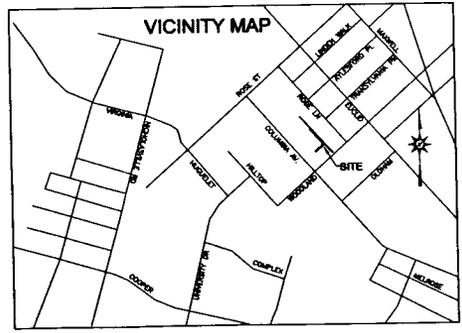
THIS SURVEY WAS CONDUCTED UTILIZING A TOPCON QS TOTAL STATION BY THE METHOD OF RANDOM TRAVERSE WITH SIGHTSIGHT AND WAS COMPLETED NOV. 19, 2015. THE PRECISION RATIO OF THE TRAVERSE IS 1 : 84,282 AND WAS NOT ADJUSTED. THIS PRECISION EXCEEDS THE MINIMUM CLOSURE REQUIREMENTS ESTABLISHED BY THE STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS IN KENTUCKY FOR A CLASS "A" (URBAN AND SUBURBAN) SURVEY AND COMPLIES WITH 201 KAR 18-180.

THE PROPERTY SHOWN HEREON IS ZONED R-2 AND R-3 AND IS SUBJECT TO ALL RESTRICTIONS AND BACKS FOR SAID ZONES.

BOUNDARY INFORMATION SHOWN HEREON WAS DERIVED FROM PLOTTING OF THE RECORD DEEDS AND PLATS SHOWN HEREON. THE DOCUMENTS WERE PLOTTED AND ROTATED TO BEST FIT WITH THE PROPERTY MONUMENTS AND EVIDENCE FOUND AND SHOWN HEREON. DISTANCES IN PARENTHESES ARE FROM RECORD DOCUMENTS.

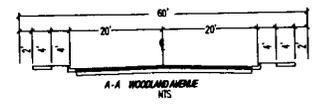
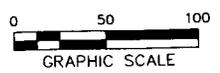
THIS PROPERTY IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY BOTH RECORDED AND UNRECORDED.

DATE OF SURVEY: 1/07/2016



LAND SURVEYORS CERTIFICATION
I DO HEREBY CERTIFY THAT THIS EXHIBIT WAS PREPARED UNDER MY DIRECTION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION SHOWN HEREON IS TRUE AND ACCURATE.

ALAN W. LEAKE, P.L.B. #3032
DATE 2/9/2016



DESIGNED BY	CHKD BY
LHR/AMW	AWL
DRAWN BY	APPROVED BY
SCALE	DATE
1" = 80'	2/9/2016
PROJECT NUMBER	
7283-16-008	

CLIENT & JOB TITLE
THE UNIVERSITY OF KENTUCKY
211 PETERSON SERVICE BUILDING
LEXINGTON, KENTUCKY 40506

NO.	DATE	REVISION	DESCRIPTION
1			

ALLEY CLOSURE EXHIBIT
PORTIONS OF
LIBLE SUBDIVISION (PC "E" SL 481)
CLIFTON HEIGHTS SUBDIVISION (PC "E" SL 70)
AYLESFORD ADDITION-THIRD AMENDED PLAT (PC "E" SL 141)
DIXIE COURT (PC "E" SL 287)
LEXINGTON, FAYETTE COUNTY, KENTUCKY

