

ORDINANCE NO. 117 - 2020

AN ORDINANCE CLOSING PORTIONS OF DEROODE, PATTERSON, MERINO, MCKINLEY, AND NEVILLE STREET, AS WELL AS BYARS ALLEY; DETERMINING THAT THE URBAN COUNTY GOVERNMENT OWNS ALL PROPERTY ABUTTING THE PORTION OF THE STREETS TO BE CLOSED AND HEREBY CONSENTS THERETO; AND AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE A QUITCLAIM DEED AND/OR A CONSOLIDATION PLAT TRANSFERRING THE FORMER RIGHT-OF-WAY TO THE URBAN COUNTY GOVERNMENT AS ABUTTING OWNER.

WHEREAS, the Urban County Government has the exclusive control, 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 and Emergency Services, Waste Management, Water Quality, Streets and Roads, Engineering, Traffic Engineering and Planning, and affected public utilities have reviewed the proposed closing of portions of DeRoode, Patterson, Merino, McKinley, and Neville Street, as well as Byars Alley; and

WHEREAS, the Lexington-Fayette Urban County Government is the owner of the properties abutting the portions of DeRoode, Patterson, Merino, McKinley, and Neville Street, as well as Byars Alley, proposed for closure; and

WHEREAS, the Urban County Government, as abutting owner, has received written notice of the proposed closing along with an exhibit map depicting the area to be closed; and

WHEREAS, the Urban County Government hereby consents 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)(a), (b) and (c), this Council finds that the Urban County Government is the owner of all properties abutting the portions of DeRoode, Patterson, Merino, McKinley, and Neville Street, as well as Byars Alley, herein proposed for closing and, through passage of this Ordinance, hereby consents to the closing.

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 following described portion of DeRoode Street be and hereby is closed as

a public way of the Lexington-Fayette Urban County Government:

Being all that portion of DeRoode Street as shown by cross-hatching on the exhibit map which is attached hereto and incorporated herein by reference as Exhibit A.

Section 3 – 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 following described portion of Patterson Street be and hereby is closed as a public way of the Lexington-Fayette Urban County Government:

Being all that portion of Patterson Street as shown by cross-hatching on the exhibit map which is attached hereto and incorporated herein by reference as Exhibit A.

Section 4 – 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 following described portion of Merino Street be and hereby is closed as a public way of the Lexington-Fayette Urban County Government:

Being all that portion of Merino Street as shown by cross-hatching on the exhibit map which is attached hereto and incorporated herein by reference as Exhibit A.

Section 5 – 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 following described portion of McKinley Street be and hereby is closed as a public way of the Lexington-Fayette Urban County Government:

Being all that portion of McKinley Street as shown by cross-hatching on the exhibit map which is attached hereto and incorporated herein by reference as Exhibit A.

Section 6 – 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 following described portion of Neville Street be and hereby is closed as a public way of the Lexington-Fayette Urban County Government:

Being all that portion of Neville Street as shown by cross-hatching on the exhibit map which is attached hereto and incorporated herein by reference as Exhibit A.

Section 7 – 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 following described portion of Byars Alley be and hereby is closed as a public way of the Lexington-Fayette Urban County Government:

Being all that portion of Byars Alley as shown by cross-hatching on the exhibit map which is attached hereto and in-

corporated herein by reference as Exhibit A.

Section 8 – 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.

Section 9 – 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: December 3, 2020

Linda Gorton

MAYOR

ATTEST:

[Signature]

CLERK OF URBAN COUNTY COUNCIL

Published: December 10, 2020-1t

Prepared By:

[Signature]

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