



Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Legislation Details (With Text)

File #: 0649-23 **Version:** 1 **Name:** Deed Transfer E. Third St & Grinstead St
Type: Ordinance **Status:** Approved
File created: 6/13/2023 **In control:** Urban County Council
On agenda: 6/29/2023 **Final action:** 6/29/2023
Enactment date: 6/29/2023 **Enactment #:** O-071-2023

Title: An Ordinance accepting the dedication of a portion of Shropshire Avenue located between East Third Street and Grinstead Street as a public way and further authorizing the Mayor, on behalf of the Urban County Government, to execute deeds and all other necessary documents for the transfer of properties pursuant to the consolidation plat of LFUCG & Housing Authority for the Shropshire Avenue right of way project. [Dept. of General Services, Ford]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Memo Deeds for Third Grinstead St Parcels.pdf, 2. 531 & 535 E Third St - Consolidation Deed to LHOC2 - Rev. per City 05.15.2023(22770132_3).pdf, 3. 533 E Third St - Consolidation Deed and Dedication to LFUCG - Rev per City 05.15.2023(22770415_3).pdf, 4. PC N x 624 - Showing 3 Lots(22768335_1).pdf, 5. ROW Dedication Ordinance Shropshire Ave (DRAFT) (00783728-2xAFB4D).pdf, 6. 00783728.pdf, 7. O-071-2023, 8. Deed #8558, 9. Deed #8559, 10. Deed #8559 (2)

Date	Ver.	Action By	Action	Result
6/29/2023	1	Urban County Council		
6/29/2023	1	Urban County Council		
6/29/2023	1	Urban County Council		
6/27/2023	1	Urban County Council Work Session	Approved and Referred to Docket	Pass

An Ordinance accepting the dedication of a portion of Shropshire Avenue located between East Third Street and Grinstead Street as a public way and further authorizing the Mayor, on behalf of the Urban County Government, to execute deeds and all other necessary documents for the transfer of properties pursuant to the consolidation plat of LFUCG & Housing Authority for the Shropshire Avenue right of way project. [Dept. of General Services, Ford]

Authorization to accept the dedication of a portion of Shropshire Ave. located between East Third Street and Grinstead Street as a public way, and further authorization to execute deeds and all other necessary documents for the transfer of properties pursuant to the Consolidation Plat of LFUCG and the Housing Authority for the Shropshire Ave. Right of Way Project. Funds in the amount of \$50 for the recording fee are Budgeted. (L0649-23) (Ford)

Budgetary Implications [select]: Yes

Advance Document Review:

Law: Yes, Completed by Emilee Buttrum, June 13, 2023

Risk Management: No

Fully Budgeted: Yes

Account Number: 1101-707101-0001-71299

This Fiscal Year Impact:\$50.00

Annual Impact: \$

Project:

Activity:

Budget Reference:

Current Balance: \$147.16

WHEREAS, a certain portion of Shropshire Ave. (consisting of Parcels 5, 6, 7, 8, 9, and 10 as shown on the Consolidation Plat of LFUCG & Housing Authority Property [Shropshire Ave. Right-of-Way] of record in Plat Cabinet N, Slide 624, in the Fayette County Clerk's Office) located between East Third Street and Grinstead Street has been opened to unrestricted use by the general public for at least five (5) consecutive years; and

WHEREAS, the property described above provides access to the Neighborhood of Equestrian View in the Historic East End; and

WHEREAS, KRS 82.400(3) provides that, when any right of way has been open to the unrestricted use of the general public for five (5) consecutive years, such right of way shall be conclusively presumed to have been dedicated as a public way, subject to acceptance by the city; and

WHEREAS, KRS 67A.060(1) provides that Urban County Governments "May exercise the constitutional and statutory rights, powers, privileges, immunities and responsibilities" of cities; and

WHEREAS, the Urban County Government desires to formally accept the dedication of a certain portion of Shropshire Ave. as public right-of-way, pursuant to KRS 82.400(3).

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

Section 1 - That the dedication of a certain portion of Shropshire Ave. (consisting of Parcels 5, 6, 7, 8, 9, and 10 as shown on the Consolidation Plat of LFUCG & Housing Authority Property [Shropshire Ave. Right-of-Way] of record in Plat Cabinet N, Slide 624, in the Fayette County Clerk's Office) located between East Third Street and Grinstead Street to the Lexington-Fayette Urban County Government as a public way be, and the same is, hereby accepted.

Section 2 - That the preamble to this Ordinance be, and the same is, hereby incorporated by reference, the same as if set out in full herein.

Section 3 - That the Mayor, on behalf of the Urban County Government, is authorized to execute deeds and all other necessary documents for the transfer of properties as shown on the Consolidation Plat of LFUCG & Housing Authority Property (Shropshire Ave. Right-Of-Way) of record in Plat Cabinet N, Slide 624, in the Fayette County Clerk's Office.

Section 4 - That this Ordinance shall become effective upon the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

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