



Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Legislation Details (With Text)

File #: 0216-16 **Version:** 1 **Name:** McFarland ROW closure
Type: Ordinance **Status:** Approved
File created: 2/29/2016 **In control:** Urban County Council
On agenda: 4/7/2016 **Final action:** 4/7/2016
Enactment date: 4/7/2016 **Enactment #:** O-047-2016

Title: An Ordinance closing McFarland Lane; determining that the property owners abutting 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 and any other documents necessary transferring the former right-of-way to the abutting owners, subject to the reservation of easements and restrictions. [Dept. of Environmental Quality and Public Works, Hoskins-Squier]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Blue sheet memo to admin - digitally signed, 2. McFarland - letter, 3. McFarland - attachment, 4. Memo to Law Dept - McFarland - digitally signed, 5. McFarland Ln - ROW map, 6. McFarland Aerial, 7. ORDINANCE - 047-2016.pdf, 8. 8033 - DEED -.pdf, 9. 8035 - DEED.pdf, 10. 8036 - DEED.pdf, 11. 8038 - DEED.pdf, 12. 8040 - DEED.pdf, 13. 8042 - DEED.pdf, 14. 8041 - DEED.pdf, 15. 8055 - DEED.pdf, 16. 8054 DEED.pdf, 17. 8053 DEED -.pdf, 18. 8056- DEED.pdf, 19. 8051 DEED.pdf, 20. 8052 - DEED.pdf, 21. 8067 - DEED.pdf, 22. 8071 - DEED.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------------------|---------------------------------|--------|
| 4/7/2016 | 1 | Urban County Council | | |
| 3/17/2016 | 1 | Urban County Council | Received First Reading | |
| 3/15/2016 | 1 | Urban County Council Work Session | Approved and Referred to Docket | Pass |

Title.....

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Summary....

Authorization to the transfer of LFUCG right-of-way (McFarland Lane) to the adjacent property owners. The adjacent property owners will accept full responsibility of the maintenance of the right-of-way. No Budgetary impact. (L0216-16) (Hicks/Hoskins-Squier)

Budgetary Implications [select]: No

Advance Document Review:

Law: { Select **Yes**/No, Completed by [Keith Horn, 1/16/16]}

Risk Management: {Select Yes/**No**, Completed by [Official, Date]}

Fully Budgeted [select]: N/A

Account Number:

This Fiscal Year Impact:

Annual Impact:

Project:

Activity:

Budget Reference:

Current Balance:

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 McFarland Lane; 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 McFarland Lane, 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, McFarland 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 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:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL