



Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Legislation Details (With Text)

File #: 0711-18 **Version:** 1 **Name:** Cross Street Right-of-Way closure
Type: Ordinance **Status:** Approved
File created: 6/20/2018 **In control:** Urban County Council
On agenda: 7/5/2018 **Final action:** 7/5/2018
Enactment date: 7/5/2018 **Enactment #:** O-046-2018

Title: An Ordinance closing Cross St.; determining that the property owners abutting the street 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 Quitclaim Deeds 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. Alltech Cross Street Request with Exhibits, 2. Cross Street Sketchv2, 3. Memo to Law - Cross St ROW, 4. Cross_Street_Map, 5. Bluesheet Memo - Cross St, 6. 00619180.pdf, 7. ORDINANCE - 046-2018.pdf, 8. 8087 - DEED.pdf

Date	Ver.	Action By	Action	Result
7/5/2018	1	Urban County Council	Approved	Pass
7/3/2018	1	Urban County Council Work Session	Approved and Referred to Docket	Pass

An Ordinance closing Cross St.; determining that the property owners abutting the street 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 Quitclaim Deeds 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]

Authorization to transfer the unused right-of-way of Cross St to the adjacent property owner (ABD Holdings, LLC and Earthman, LLC), who will accept full responsibility of the maintenance and repair of the right-of-way. No budgetary impact. (L0711-18) (Hicks/Hoskins-Squier)

Budgetary Implications [select]: Yes/NO

Advance Document Review:

Law: { Select Yes/No, Completed by [Charles Edwards, 6/13/2018]}

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

Fully Budgeted [select]: NA

Account Number:

This Fiscal Year Impact: \$0.00

Annual Impact: \$0.00

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, Waste Management, Water Quality, Streets & Roads, Engineering, Traffic Engineering, and Planning, and affected public utilities, have reviewed the proposed closing of Cross Street; and

WHEREAS, the owners of the abutting properties have received written notice of the proposed closing and have given written, notarized consent thereto;

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

Section 1 - That, pursuant to KRS 82.405(2), all property owners abutting Cross Street have been provided written notice of the proposed closing and have given their written, notarized consent to the closing, copies of 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, Cross Street 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 Quitclaim Deeds and any other documents necessary to transfer the former right-of-way to the abutting owners, subject to the reservation of easements and restrictions.

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: