

ORDINANCE NO. 274

AN ORDINANCE CLOSING A PORTION OF SUNDALE AVENUE, A PORTION OF EAST STREET, CIRCLE DRIVE (KENTABOO), SHORT STREET, NORTH STREET, AND T STREET AND WINDING WAY, ALL IN THE CITY OF FLORENCE, KENTUCKY AND AUTHORIZING, ORDERING AND DIRECTING THE CITY ATTORNEY TO INSTITUTE THE NECESSARY COURT ACTION TO HAVE SAME CLOSED.

WHEREAS, Sundale Avenue from Winding Way to East Street, this being all of Sundale Avenue; East Street between Winding Way and North Street; Circle Drive (Kentaboo) between T Street and North Street, this being all of Circle Drive (Kentaboo); Short Street between Circle Drive and North Street, this being all of Short Street; North Street from East Street, eastwardly to its terminus this being all of North Street; T Street from a point at the intersection of T Street and the Lot line of Lots 15 & 16; Farm Block No. 1 northwardly to Circle Drive and Winding Way from the South-east corner of Lot 19, block 27 Erlanger Heights Subdivision and Northeast corner of Lot 5 ~~East~~ ^{Block} 24 of Erlanger Heights Subdivision, generally easterly to its intersection with T. Street are not being used and have never been paved, and are in such a position as to indicate that they will not be needed as public ways of the City of Florence, Kentucky, and

WHEREAS, the owners of practically all the land adjacent thereto, have petitioned this Council to take the necessary legal steps to have same closed as public ways and have agreed to pay the cost of said closing.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF FLORENCE, KENTUCKY, DOES ORDAIN AS FOLLOWS:

SECTION I

That Sundale Avenue between Winding Way and East Street as shown on the plat of Erlanger Heights Subdivision as recorded in the office of the Clerk of the Boone County Court of Burlington, Kentucky, be, and the same is hereby closed as a public way of the City of Florence, Kentucky.

SECTION II

That East Street between Winding Way and North Street as shown on the plat of the Erlanger Heights Subdivision as recorded in the office of the Clerk of the Boone County Court of Burlington, Kentucky, be, and the same is hereby closed as a public way of the City of Florence, Kentucky.

SECTION III

That Circle Drive (Kentaboo) between T Street and North Street as shown on the plat of the Erlanger Heights Subdivision as recorded in the office of the Clerk of the Boone County Court of Burlington, Kentucky, be, and the same is hereby closed as a public way of the City of Florence, Kentucky.

SECTION IV

That Short Street between Circle Drive (Kentaboo) and North Street as shown on the plat of the Erlanger Heights Subdivision as recorded in the office of the Clerk of the Boone County Court of Burlington, Kentucky, be, and the same is hereby closed as a public way of the City of Florence, Kentucky.

SECTION V

That North Street from East Street, easterwardly to its terminus as shown on the plat of the Erlanger Heights Subdivision as recorded in the office of the Clerk of the Boone County Court of Burlington, Kentucky, be, and the same is hereby closed as a public way of the City of Florence, Kentucky.

SECTION VI

That T Street from a point at the intersection of T Street and the lot line of Lots 15 & 16, Farm Block No. 1, northwardly to Circle Drive as shown on the plat of the Erlanger Heights Subdivision as recorded in the office of the Clerk of the Boone County Court of Burlington, Kentucky, be, and the same is hereby closed as a public way of the City of Florence, Kentucky.

SECTION VII

That Winding Way from the Southeast corner of Lot 19, block 27 Erlanger Heights Subdivision and northeast corner of Lot 5 ~~East~~ ^{Block} 24 of Erlanger Heights Subdivision, generally easterly to its intersection with T Street, as shown on the plat of the Erlanger Heights Subdivision as recorded in the office of the Clerk of the Boone County Court of Burlington, Kentucky, be, and the same is hereby closed as a public way of the City of Florence, Kentucky.

SECTION VIII

This ordinance is passed under and in compliance with KRS 94.360 and Raymond R. Vincent as City Attorney, be, and he is hereby authorized, ordered and directed to institute the necessary court action in the Boone Circuit Court to have all of the above named streets and parts of streets closed.

SECTION IX

THAT all ordinances, resolution, or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION X

THAT if any section, paragraph or clause of this ordinance be held by proper court to be invalid, such invalidity shall not affect the remaining sections, paragraphs, or clauses, it being hereby declared that the remainder of this ordinance would have been passed despite such invalidity.

PASSED, APPROVED ON FIRST READING this 26th day of July, 1966.