

ORDINANCE NO. 0-23-72

AN ORDINANCE CLOSING A PORTION OF WALNUT STREET, A PORTION OF WINDING WAY AND A PORTION OF EAST STREET, 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, WALNUT STREET beginning at the northeast corner Lot # 1, Block 4 Erlanger Heights Subdivision and northwest corner of Lot # 16, Block 3 of Erlanger Heights Subdivision, north-easterly to its terminus at its intersection with North Street; and WINDING WAY from the southeast corner of Lot # 19, Block 27 Erlanger Heights Subdivision and northeast corner of Lot # 5, Block 24 of Erlanger Heights Subdivision generally westerly to a point at the northeast corner of Lot # 6, Block 23 Erlanger Heights Subdivision and a point 27' west of the southwest corner of Lot # 18, Block 26 Erlanger Heights Subdivision also, Winding Way from a point at the southwest corner of Lot # 2, Block 22 and a point 25' east of the northwest corner of Lot # 14, Block 26 Erlanger Heights Subdivision northeastwardly to its terminus at North and East Streets; and EAST STREET from a point at the southwest corner of Lot # 7, Block 21 southeastwardly to its intersection with Winding Way thence southeastwardly to its intersection with Walnut 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 Walnut Street beginning at the northeast corner Lot # 1, Block 4 Erlanger Heights Subdivision and northwest corner of Lot # 16, Block 3 of Erlanger Heights Subdivision northeasterly to its terminus at its intersection with North Street 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 Winding Way from the southeast corner of Lot # 19, Block 27 Erlanger Heights Subdivision and northeast corner of Lot # 5, Block 24 of Erlanger Heights Subdivision generally west-erly to a point at the northeast corner of Lot # 6, Block 23 Erlanger Heights Subdivision and a point 27' west of the south-west corner of Lot # 18, Block 26 Erlanger Heights Subdivision and also Winding Way from a point at the southwest corner of Lot # 2, Block 22 and a point 25' east of the northwest corner of Lot # 14, Block 26 Erlanger Heights Subdivision northeast-wardly to its terminus at North and East Streets 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 East Street from a point at the Southwest corner of Lot # 7, Block 21 southeastwardly to its intersection with Winding Way thence southeastwardly to its intersection with Walnut Street 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

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 V

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

SECTION VI

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 13 day of June, 1972.  
PASSED, APPROVED ON SECOND READING this 27 day of June, 1972.

APPROVED:

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MAYOR

ATTEST:

George All Wilson  
CITY CLERK