

ORDINANCE NO. 273

AN ORDINANCE CLOSING A PORTION OF MAYROSE AVENUE, SOUTH STREET AND GROVE AVENUE 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, a portion of Mayrose Avenue from its intersection with Curtis Avenue to South Street, being all of Mayrose Avenue, and a portion of Grove Avenue, from its intersection with Mayrose Avenue northeasterly to its terminus, and a portion of South Street, from its intersection with Mayrose Avenue northerthly to its intersection with Grove Avenue, its northern terminus, 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, and

WHEREAS, the owners of the land adjacent thereto, on the west and northwest sides thereof, 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 Mayrose Avenue, from its intersection with Curtis Avenue, southeasterly to South Street, being all of Mayrose Avenue as shown on the Erlanger Heights Subdivision plat recorded in the office of the Clerk of the Boone County Court at Burlington, Kentucky, be, and the same is hereby closed as a public way of the City of Florence, Kentucky.

SECTION II

That South Street, from its intersection with Mayrose Avenue northerly to its intersection with Grove Avenue, its northern terminus, as shown on the Erlanger Heights Subdivision plat, recorded in the office of the Clerk of the Boone County Court at Burlington, Kentucky, be, and the same is hereby closed as a public way of the City of Florence, Kentucky.

SECTION III

That Grove Avenue, from its intersection with Mayrose Avenue, northeasterly to its terminus, as shown on the Erlanger Heights Subdivision plat, recorded in the office of the Clerk of the Boone County Court at Burlington, Kentucky, be, and the same is hereby closed as a public way of the City of Florence, Kentucky.

SECTION IV

That this ordinance is passed in compliance with the provisions of KRS 94.360 and that 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 same closed.

SECTION V

IT IS FURTHER HEREBY ORDERED that the entire cost of this procedure to close said portion of Mayrose Avenue, South Street and Grove Avenue be done at the expense of the owner of the property abutting same, who has requested that this action be taken.

SECTION VI

That all ordinances, resolutions or parts thereof, in

conflict herewith, are to the extent of such conflict, hereby repealed.

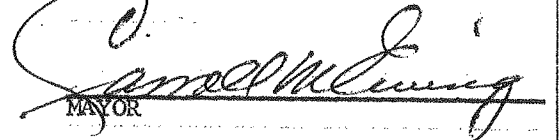
SECTION VII

That if any section, paragraph or clause of this ordinance be held by a proper court to be invalid, such invalidity shall not affect the remaining sections, paragraphs or clauses, it being hereby expressly 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.

PASSED, APPROVED ON SECOND READING this 9th day of August, 1966.

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK