

ORDINANCE NO. 246

AN ORDINANCE CLOSING A PORTION OF LAKE DRIVE 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 Lake Drive at the southeast end thereof, said portion being fifty (50) feet in width and sixty (60) feet in length, is not being used and has never been paved and is in such a position as to indicate that it will not be needed as a public way of the City, and

WHEREAS, the owner of the land adjacent thereto on the west and south sides thereof has petitioned this Council to take the necessary legal steps to have same closed as a public way, and has agreed to pay the costs of said closing.

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

SECTION I

That the portion of Lake Drive at the southeast end thereof, being the portion bounded on the south by the unplatted lands of Sam Denham and Bernice Denham, his wife, and on the west by Lot No. 26 of Denham Subdivision, as shown by the original plat of same and bounded on the east by Lot No. 1 of the original plat of Denham Subdivision, said lot now being owned by James Morris and wife and bounded on the north by the paved portion of Lake Drive, be, and the same is hereby closed as a public way of the City of Florence, Kentucky.

SECTION II

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 III

It is further hereby ordered that the entire costs of this procedure to close said portion of Lake Drive be done at the expense of the owner of the property abutting same, who has requested that this action be taken.

SECTION IV

That Resolution No. 1123 heretofore passed, purporting to authorize this action be, and the same is hereby repealed.

SECTION V

That all ordinances, resolutions or parts thereof, in conflict herewith are to the extent of such conflict, hereby repealed.

SECTION VI

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 9th day of November, 1965.

PASSED, APPROVED ON SECOND READING this 23rd day of November, 1965.

APPROVED:
CARROLL M. EWING, Mayor

ATTEST:

GEORGE A. WILSON, City Clerk

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