

ORDINANCE NO. 262

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 southwest 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 southwest end thereof, beginning at a point in the East right-of-way line of Lake Drive the corner of Lots 35 and 36 Denham's Subdivision as shown in Plat Book 4, Page 27 of the Boone County Court Clerk's Office; thence with the line of Lot 35 S 41 - 19 E 60 feet to a point; thence across the end of Lake Drive as dedicated on the above plat S 48 - 41 W 50 feet to the corner of Lot 34; thence with Lot 34 N 41 - 19 W 60 feet; thence with the projected right-of-way line of Dogwood Drive N 48 - 41 E 50 feet to the beginning, 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That all ordinances, resolutions or parts thereof, in conflict herewith are to the extent of such conflict, hereby repealed.

SECTION V

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 11th day of May, 1966.

PASSED, APPROVED ON SECOND READING this 24th day of May, 1966.

APPROVED:
CARROLL M. EWING, Mayor