

ORDINANCE NO. 0-28-07

**AN ORDINANCE RELATING TO THE CLOSING OF A PORTION OF PARK DRIVE AS A PLATTED BUT UNPAVED PUBLIC WAY LOCATED WITHIN THE CITY LIMITS OF THE CITY OF FLORENCE, KENTUCKY, PURSUANT TO KRS 82.405.**

WHEREAS, the City Council of Florence, Kentucky, has determined that a portion of Park Drive, a platted but unpaved public way within the City limits of Florence, Kentucky, as shown on attached Exhibit "1" serves no purpose as a public way and should be closed, and

WHEREAS, all property owners in or abutting this portion of Park Drive have agreed in writing to its closing as a public way.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

**SECTION I**

For purposes of closing a portion of Park Drive as shown on Exhibit "1", the City of Florence through its City Council makes the following Findings of Facts pursuant to KRS 82.405:

- 1.) All the property owners in or abutting the portion of Park Drive to be closed by this Ordinance are the Filippo Family Limited Partnership and the Fellowship of Believers, Inc.
- 2.) The Filippo Family Limited Partnership acquired the property abutting to the east of Park Drive on Exhibit "1" by deed recorded at Deed Book 876, Page 500, of the Boone County Clerk's records at Burlington, Kentucky.
- 3.) Fellowship of Believers, Inc., acquired the property abutting to the west of Park Drive on Exhibit "1" by deed recorded at Deed Book 765, Page 46, of the Boone County Clerk's records in Burlington, Kentucky.
- 4.) All these property owners in or abutting the portion of Park Drive to be closed by this Ordinance were given written notice and have consented in writing to the closing of this public way in the City of Florence, Kentucky.
- 5.) Copies of the written notarized consents to this closing of Park Drive by these property owners are attached, marked as Exhibit "2".

**SECTION II**

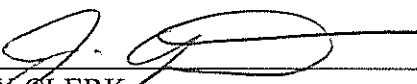
Based on the Findings of Fact made by the City Council of Florence, Kentucky, herein, it is hereby determined, declared and approved that the portion of Park Drive as shown on Exhibit "1" shall be closed and that part identified as Parcel No. 6 on said exhibit shall become the property of the Filippo Family Limited Partnership and that part identified as Parcel No. 5 shall become the property of Fellowship of Believers, Inc.

**SECTION III**

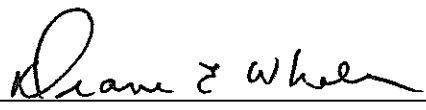
That this action of the City Council of Florence, Kentucky, is subject to and conditioned upon the written consents of all the abutting property owners, namely the Filippo Family Limited Partnership and the Fellowship of Believer's Inc., in accordance with this Ordinance and its attached exhibits.

PASSED AND APPROVED ON FIRST READING THIS 11<sup>th</sup> DAY OF December, 2007.  
PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 18<sup>th</sup> DAY OF December, 2007.

ATTEST:

  
CITY CLERK

APPROVED:

  
MAYOR