

**CITY OF WALTON
ORDINANCE 2023 - 08**

AN ORDINANCE OF THE CITY OF WALTON, KENTUCKY, DETERMINING THAT THE PUBLIC WAY COMPRISING THE STREET AND RIGHT-OF-WAY OF SKYWAYDRIVE SHOULD BE CLOSED, MAKING SPECIFIC FINDINGS TO SUPPORT THE CLOSING PURSUANT TO KRS 82.405, AND CLOSING THE PUBLIC WAY PURSUANT TO KRS 82.405.

WHEREAS, the legislative body of the City of Walton, Kentucky, (hereinafter “City”) does hereby determine that the public way located within the City known as Skyway Drive, which is located on the north side of Beaver Road, should be closed, all as shown on the Legal Description and the Plat which are attached hereto and incorporated by reference as Exhibits to this Ordinance;

WHEREAS, the City does hereby make the finding of fact that it has identified all of the property owners in or abutting the portions of the public way located within the City known as Skyway Drive, on the north side of Beaver Road intended herein to be closed;

WHEREAS, the City finds that it has provided written notice of the proposed closing to the property owners; and

WHEREAS, the City hereby finds that the property owners in or abutting the public way of Skyway Drive intended herein to be closed have given written notarized consent to the closing, copies of the consents are attached hereto and incorporated herein by reference.

NOW THEREFORE, IN CONSIDERATION OF THE FOREGOING PREMISES, THE CITY OF WALTON, KENTUCKY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The foregoing findings of fact are made pursuant to KRS 82.405, and are incorporated herein by reference.

SECTION 2: The public way of Skyway Drive, which is located on the north side of Beaver Road is hereby closed pursuant to KRS 82.405, all according to the Exhibits which are attached hereto and incorporated herein by reference.

SECTION 3: Upon enactment and publication of this Ordinance, the City hereby declares that the public way of Skyway Drive, which is located on the north side of Beaver Road, together with the street and its right-of-way, as are more particularly described and illustrated in the Exhibits to this Ordinance, are hereby closed without any

further action.

SECTION 4: This Ordinance shall be recorded in the office of the County Clerk of Boone County, Kentucky, and thereafter title to the previous public way of Skyway Drive closed herein shall hereby vest in the name of the property owner in or abutting the public way, Our Lady Of Good Counsel Church, which shall thereafter be the owner of the land.

SECTION 5: This Ordinance shall be effective upon its adoption, approval and publication according to law.

SECTION 6: All Ordinances or parts of any Ordinances in conflict herewith, to the extent of such conflict, if any, are hereby repealed.

SECTION 7: Approved and passed on first reading by 5 Members of City Council on the 8th day of August, 2023.

Approved and passed on second reading by 5 Members of City Council on the 12TH day of September, 2023.

DATE OF PUBLICATION: September 15, 2023

Approved:
Gabe Brown, Mayor _____

Attest:
Gevana Hicks, City Clerk _____