

ORDINANCE NO. 0-2-77

AN ORDINANCE CLOSING THE WHOLE OF THOMAS STREET, A PUBLIC WAY 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, the whole length of Thomas Street is not being used and has never been paved, and is so located 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 has petitioned this Council to take the necessary legal steps to have same closed as a public way and has 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 Thomas Street, for its whole length as shown on the Plot of Eastons Subdivision recorded in Plat Book 2, Page 50 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 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 the hereinabove described street closed.

SECTION III

IT IS FURTHER HEREBY ORDERED that the entire cost of this procedure to close said street be ~~done~~ borne by 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That all ordinances, resolutions or parts thereof, in conflict herewith, are to the extent of such conflicts, hereby repealed.

SECTION V

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 11 day of January, 1972.

PASSED, APPROVED ON SECOND READING this 16 day of January, 1972.

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK