

ORDINANCE NO. 0-6-74

AN ORDINANCE CLOSING ALL OF AN UNNAMED STREET LOCATED ON THE EAST SIDE OF UTZ 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 certain unnamed street located on the East side of Utz Drive 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 of Florence, Kentucky, and

WHEREAS, the owners of all the land adjacent thereto, have petitioned this Council to take the necessary legal steps to have same closed as public ways and have 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 a certain unnamed street described as follows: Lying and being in the State of Kentucky, County of Boone and City of Florence, located on the East side of Utz Drive and is described thus:

BEGINNING at a point in the right of way of Utz Drive a corner with Lot 42 Alandale Subdivision; thence N 35 - 54 W 47.86 feet to a stake; thence N 41 - 19 W 2.34 feet to a stake a corner with Lot 46; thence with said lot N 48 - 41 E 125.0 feet to a stake; thence S 41 - 19 E 50 feet to a stake a corner with Lot 42; thence with said lot S 48 - 41 W 129.52 feet to the beginning and being a dedicated right of way shown in Plat Book 3, Page 5, of Alandale Subdivision, recorded at the Boone County Court Clerk's Office at Burlington, Kentucky, be, and the same is hereby closed as a public way of the City of Florence, Kentucky.

SECTION II

This ordinance is passed under and in compliance with KRS 94.360 and 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 all of the above named street closed.

SECTION III

THAT all ordinances, resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION III

THAT if any section, paragraph or clause of this ordinance be held by proper court to be invalid, such invalidity shall not affect the remaining sections, paragraphs, or clauses, it being hereby declared that the remainder of this ordinance would have been passed despite such invalidity.

PASSED, APPROVED ON FIRST READING this 26th day of February, 1974.

PASSED, APPROVED ON SECOND READING this 12th day of March, 1974.

APPROVED:

CARROLL M. EWING, Mayor

ATTEST:

GEORGE A. WILSON, City Clerk

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