

ORDINANCE NO. 01-2021

AN ORDINANCE CLOSING/ABANDONING A PORTION OF FANTASY TRAIL AS A PUBLIC WAY MAINTAINED BY THE CITY OF HERITAGE CREEK.

WHEREAS, the City of Heritage Creek thru annexation may have become responsible to maintain a portion of a public way known as Fantasy Trail, and

WHEREAS, a portion of this public way is no longer needed as a portion of the municipal roadway system requiring it to be municipally maintained, and

WHEREAS, KRS 82.405 specifies the procedure which must be complied with to legally close/abandon this portion of Fantasy Trail, now, therefore,

The City Council of the City of Heritage Creek, Jefferson County, Kentucky, does hereby ordain as follows:

SECTION ONE: LEGISLATIVE FINDINGS OF FACT.

- a) The property owners in or abutting this portion of Fantasy Trail, are:
 - i) Brian W. Cushman
Deed Book 10342 Page 373
 - ii) Marcia Bauer Cotton
Deed Book 9153 Page 156
- b) Written notice was given to each of the owners of record, in or abutting the portion of Fantasy Trail to be close/abandoned by mail on February 27, 2021.
- c) All property owners in or abutting the portion of Fantasy Trail to be closed/abandoned have given written notarized consent to this closure/abandonment.

SECTION TWO: Description.

The portion of Fantasy Trail to be closed/abandoned by the City of Heritage Creek is described as follows:

Beginning at an iron pin, said pin being located in the northeast corner of Lot 123, Heritage Creek West Subdivision, Section 2 (Plat Book 51 Page 24), thence S 84° 20' 04" E 50.00' to an iron pin in the northwest corner of Lot 122 Heritage Creek West Subdivision Section 2 (Plat Book 51 Page 24), thence with the west property line of Lot 122 Heritage Creek West Subdivision, Section 2, S 05' 51' 21" W 126.71' to a point, N 84° 20' 04" W 50.00' to a point in the east property line of Lot 123, Heritage Creek West Subdivision Section 2 (Plat Book 51 Page 24), thence with

the east property line of Lot 123 Heritage Creek West Subdivision, Section 2 (Plat Book 51 Page 24) N 05' 51' 21" E 126.71' to the point of beginning.

SECTION THREE: This Ordinance shall be published according to law and a certified copy shall be filed with the office of the Jefferson County Court Clerk.

SECTION FOUR: This Ordinance is enacted pursuant to KRS 82.405 et seq.

SECTION FIVE: Any ordinances or part of ordinances in conflict with this Ordinance or any part of this Ordinance are hereby repealed.

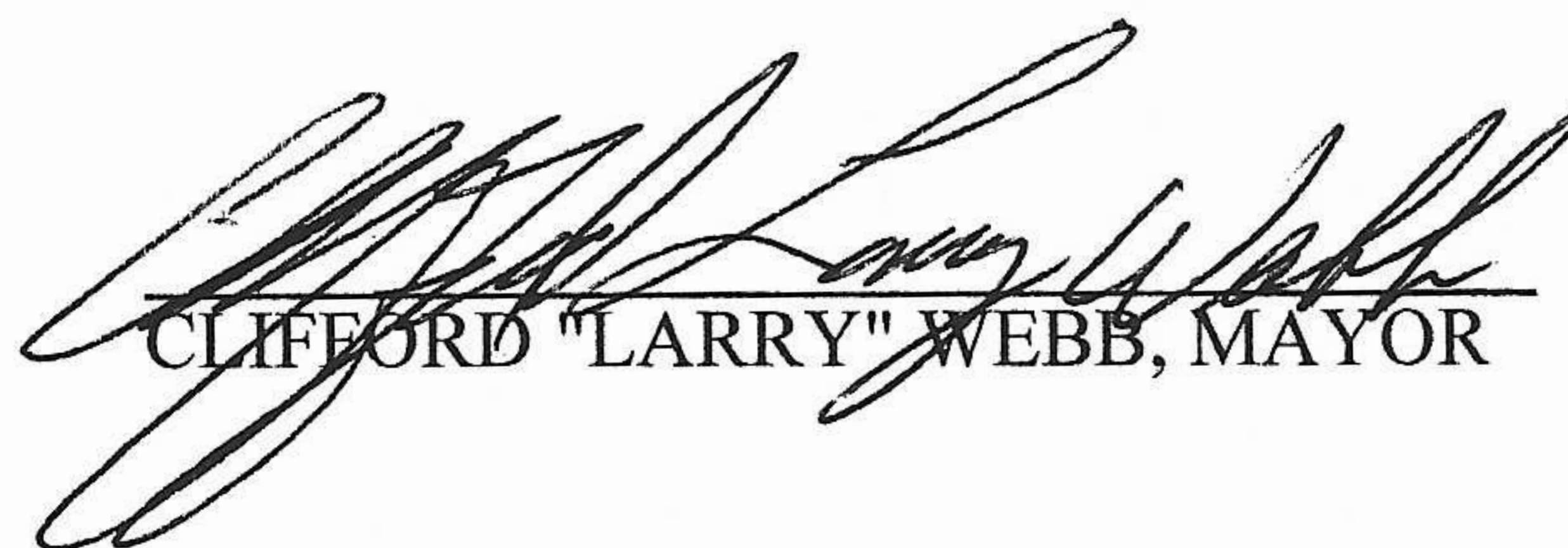
SECTION SIX: Should any section, clause, line, paragraph, or part of this Ordinance be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this Ordinance.

Given first reading at a Special meeting of the City Council of the City of Heritage Creek, Jefferson County, Kentucky, on the 1st day of March, 2021. Given second reading, voted upon, and passed at a Regular meeting of the City Council of the City of Heritage Creek, Jefferson County, Kentucky, on the 8th day of March, 2021.


Votes for 6

Votes against 0

Not Voting__ .


CLIFFORD "LARRY" WEBB, MAYOR

ATTEST:



CITY CLERK

I, the undersigned, being duly appointed, qualified and acting as City Clerk of the City of Heritage Creek, Kentucky, hereby certify that the foregoing Ordinance No. 01-2021 is a true, correct and accurate copy as duly and lawfully passed and adopted by the City Council on the 8th day of March, 2021.

Angela Reynolds
CITY CLERK

Date: 3/9/21