

ORDINANCE NO. 13-16

AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY CLOSING AN ALLEYWAY

WHEREAS, Kentucky River Foothills Development Council, Inc. is the owner of that certain tract of land (hereinafter, the "Property") located in Richmond, Kentucky known as Lot 17, and being the same tract of land as was conveyed to it by deed from Howard Miller of record in the office of the Madison County Court Clerk in Deed Book 631, page 734; and

WHEREAS, the said property owner is in the process of constructing on the Property an eight unit residential housing structure to be occupied by persons of limited income through the Section 8 housing program; and

WHEREAS, there is a remnant portion of an alleyway (hereinafter, the "Alley") which joins the Property on its eastern side; and

WHEREAS, the rest of the alley of which the Alley was formerly a part has been closed, and the Alley serves no public or useful purpose; and

WHEREAS, the only other property which abuts the Alley is owned by the Liberty Place Recovery Center for Women, LLC, and that property owner has consented to the closing of the Alley; and

WHEREAS, the Alley could usefully be incorporated into the abutting tract owned by Kentucky River Foothills Development Council, Inc. to be used for the purposes above-described, and the Board of Commissioners finds it to be in the public interest that the Alley be closed and then conveyed to Kentucky River Foothills Development Council, Inc.;

NOW, THEREFORE, BE IT ORDAINED that:

SECTION I

The Alley, consisting of a tract of property 50' in length, 20' in width, and located along the eastern boundary of the tract of land of Kentucky River Foothills Development Council, Inc. as above-described and along the western boundary of the tract of land owned by Liberty Place Recovery Center for Women, LLC as depicted on the plat of record in the office of the Madison County Court Clerk in Plat Cabinet 24, Slide 70, shall be, and is hereby, forever closed as a public way in the City of Richmond, Kentucky.

SECTION II

The Alley shall be donated and conveyed by the City to Kentucky River Foothills Development Council, Inc. for use by that entity for purposes of constructing, owning,

and operating the housing unit described above. The City Attorney shall prepare the necessary documents of conveyance and transfer, and the Mayor is hereby authorized to execute same on behalf of the City.

SECTION III

This Ordinance shall be effective immediately upon its adoption after second reading and publication in accordance with the requirements of applicable Kentucky law.

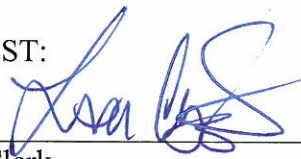
DATE OF FIRST READING: May 14, 2013
MOTION BY: Commissioner Newby
SECONDED BY: Commissioner Baird

DATE OF SECOND READING: May 28, 2013
MOTION BY: Commissioner Newby
SECONDED BY: Commissioner Blythe

VOTE	YES	NO
Commissioner Baird	x	
Commissioner Blythe	x	
Commissioner King	x	
Commissioner Newby	x	
Mayor Barnes	x	



Mayor

ATTEST: 

City Clerk

**STATEMENT OF ABUTTING PROPERTY OWNER RELATING TO THE
CLOSING OF AN ALLEYWAY**

COMES NOW Liberty Place Recovery Center for Women, LLC ("Liberty Place") and pursuant to the provisions of KRS 82.405 does state as follows:

1. Liberty Place is the owner of a tract of property located in the City of Richmond, Kentucky, and being the same tract as is depicted on the plat of record in the office of the Madison County Court Clerk in Plat Cabinet 24, Slide 70. The tract owned by Liberty Place abuts and is located to the east of a remnant of an alley which the City intends to close.
2. Liberty Place has been given notice of the City's intent to close the alley in question, and does hereby waive the giving of further and written notice to it of such intent.
3. Liberty Place does hereby give its consent to the closing of the alley in question, same being an alley 20' in width and 50' in length which lies to the west of Liberty Place's tract of land and to the east of the tract on the far side of the alley which is owned by Kentucky River Foothills Development Council, Inc.

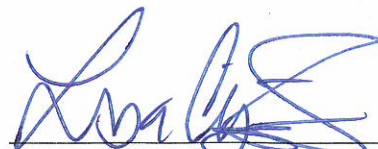
IN WITNESS WHEREOF, Liberty Place has hereunto set its hand on this the 24 day of May, 2013.

LIBERTY PLACE RECOVERY CENTER FOR WOMEN, LLC

By: Dicki Jozepowicz
Title: manager

**COMMONWEALTH OF KENTUCKY
COUNTY OF MADISON**

The foregoing was subscribed and acknowledged before me by Vickie Jozepowicz, in his/her capacity as Executive Director for Liberty Place Recovery Center for Women, LLC, on this the 24th day of May, 2013.



NOTARY PUBLIC, State at Large
My commission expires: 2-3-14