

CITY OF MIDDLETOWN, KENTUCKY
ORDINANCE 06-13-19-A, SERIES 2019
AN ORDINANCE RELATING TO THE PARTIAL STREET CLOSURE OF AN
ALLEY SOUTH OF SHELBYVILLE ROAD, 18STREETS1024

WHEREAS, the City of Middletown has the authority pursuant to the Development Code and KRS 82.405 to close, in whole, or in part, a city street, such as the alley south of Shelbyville Road and east of Madison Avenue; and

WHEREAS, the Louisville Metro Planning Commission has recommended in favor of said closure of a portion of the alley south of Shelbyville Road and east of Madison Avenue in Case Number 18STREETS1024;

WHEREAS, all property owners in or abutting the public way or portion thereof being closed in Case Number 18STREETS1024, have given their written notarized consent to the closing and copies of the consent are in the Planning Commission record in the above cited case,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MIDDLETOWN:

1. The City of Middletown does hereby elect to close the alley south of Shelbyville Road and east of Madison Avenue within the City of Middletown, which road closure is more particularly described in the attached and incorporated Exhibit A. This decision is based on the Applicant's plat, heard by the City Commission on the 13th day of June 2019, Middletown Commission made the following findings of fact:
 - (a) The City has identified all property owners in or abutting the public way or portion thereof to be closed.
 - (b) Notice of the proposed closing was given to all property owners in or abutting the public way or portion thereof being closed in Planning Commission Case Number 18STREETS1024.
 - (c) All property owners in or abutting the public way or a portion thereof being closed has given their written notarized consent to the closing. Copies of the consent are in the Planning Commission record for Case Number 18STREETS1024.
 - (d) The record and findings contained in Planning Commission Case Number 18STREETS1024, which record and findings are hereby adopted in full.

2. The decision to close the above described roadway has been made by the City of Middletown pursuant to the process in the Development Code and the statutory authority of KRS 82.405.
3. The City of Middletown has provided procedural and substantive due process in completing the procedure under the Development Code and under KRS 82.405.
4. The applicant shall pay for the cost of advertising this ordinance, as well completing and paying for the any required filings at the County Clerk's office and with any other entity to complete this closure.
5. This ordinance shall take effect upon its reading, passage and publication, in accordance with law.

First Reading: 6/13/19
 Second Reading: 7/11/19
 Passage and Approval: 7/11/19


 Mayor J. Byron Chapman

ATTEST:

 City Clerk Deborah Columbia

Those in Favor: 4
 Those Opposed: 0

Final: 6/25/19 3:00 p.m.

I HEREBY ATTEST THAT I, AS THE AUTHORIZED REPRESENTATIVE OF THE APPLICANT/DEVELOPER HEREIN, HAVE READ FULLY UNDERSTOOD AND FULLY AGREED TO ALL THE CONDITIONS OF APPROVAL.

BY: Joe Roberts

ITS: _____ (Print Name and Title)

Contact Email & Phone:

Joe Roberts
Signature