

CITY OF ST. MATTHEWS, KENTUCKY
ORDINANCE 22-05, SERIES 2022
AN ORDINANCE RELATING TO THE STREET CLOSURE OF CHENOWETH
COURT

WHEREAS, the City of St. Matthews has the authority pursuant to KRS 82.405 to close, in whole, or in part, a city street, such as Chenoweth Court located off Chenoweth Lane, being a driveway into a private apartment complex,

WHEREAS, the Louisville Metro Planning Commission has recommended in favor of said closure in Case No. 22-STRCLOSURE-0009 and the City of St. Matthews does hereby agree with the recommendation and does adopt the findings supporting that recommendation, and

WHEREAS, all property owners in or abutting the public way or portion thereof being closed 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 ST. MATTHEWS:

1. The City of St. Matthews does hereby elect to close Chenoweth Court, which lies within the City of St. Matthews and is more particularly described in the attached and incorporated Exhibit A. This decision to close said roadway has been made after the St. Matthews Council 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,
 - (c) All property owners in or abutting the public way or a portion thereof being closed have given their written notarized consent to the closing, copies of the consent are in the Planning Commission record, and
 - (d) Applicant has granted a sewer easement through the closed roadway on its closure plat, along with easements for gas, electric, telecommunications and Louisville Water Company.
2. The decision to close the above-described roadway has been made by the City of St. Matthews pursuant to the statutory authority of KRS 82.405.
3. The City of St. Matthews has provided procedural and substantive due process in completing the procedure permitted under KRS 82.405.

4. The applicant shall complete at its sole cost the required filings at the County Clerk's office and with any other entity to complete this closure and shall send a copy of such recorded filings to the City of St. Matthews within 60 days from the approval of this ordinance.
5. This ordinance shall take effect upon its reading, passage, and publication, in accordance with law.

First Reading: August 9, 2022

Second Reading: August 23, 2022

Passage and Approval: August 23, 2022

Richard J. Farin
Mayor

ATTEST:

Susan Clark
City Clerk

"Aye" Votes: 7

"Nay" Votes: 0

