

AN ORDINANCE PROVIDING FOR THE CLOSING OF GING SANG ALLEY, A PUBLIC WAY OR ALLEY, SITUATED IN THE CITY OF DRY RIDGE, AND IN GRANT COUNTY, KENTUCKY AND PROVIDING FOR THE PREPARATION AND FILING OF SUIT AS REQUIRED BY THE PROVISIONS OF KRS 94, 360 (2) IN THE GRANT CIRCUIT COURT TO HAVE SAME CLOSED AS REQUIRED BY LAW.

WHEREAS, it appears that Ging Sang Alley, a public way or alley situated, lying and being in the City of Dry Ridge, Grant County, Kentucky is no longer used nor of public benefit to the residents and citizens of said city and,

WHEREAS, a greater portion of said alley is situated adjacent to and used solely by the Citizens Bank of Dry Ridge, Grant County, Kentucky and,

WHEREAS, said Citizens Bank desires to use same and make it available for building purposes for the general benefit of itself and the City of Dry Ridge, Grant County, Kentucky.

THE CITY COUNSEL OF THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, DOES ORDAIN AS FOLLOWS:

I

That Ging Sang Alley, a public way or alley, situated, lying and being in the City of Dry Ridge, Grant County, Kentucky, be, and it is hereby closed to all public use as a public way or alley of the City of Dry Ridge, Grant County, Kentucky.

II

Upon adoption of this ordinance, John Lane Ackman, Attorney at Law, Williamstown, Kentucky, City Attorney for the City of Dry Ridge, Grant County, Kentucky is hereby authorized and directed to institute suit in the Grant Circuit Ct. as provided by KRS 94.360 (2), making all owners of properties divided by Ging Sang Alley, or that portion of same to be closed, party defendants thereto and proceed as provided by said statute and the law of the Common of Kentucky to Judgment.

III

All ordinances or parts of ordinances or resolutions in conflict herewith are, to the extent of such conflict, hereby repealed.

IV

The various sections and sub-sections of this ordinance are hereby declared to be severable and the invalidity of any section or sub-section of same shall not effect the remaining sections and

sub-sections which are wxpressly declared to be valid despite such invalidity.

Passed, approved and ordered published in one issue of theGrant County News, this 6th day of June, 1967.

Edward O'Banion  
Mayor

ATTEST:  
Mabel Baird  
Clerk

GRANT CIRCUIT COURT  
Civil action File No. \_\_\_\_\_

THE CITY OF DRY RIDGE, GRANT COUNTY,  
KENTUCKY, A MUNICIPAL CORPORATION  
OF THE FIFTH CLASS PLAINTIFF

vs. COMPLAINT

CITIZENS BANK, HERBERT ROHRS AND  
PAULINE ROHRS, HIS WIFE, ASTOR BLACKBURN  
AND GRACE BLACKBURN, HIS WIFE, DEFENDANTS

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Comes the plaintiff herein, the City of Dry Ridge, Grant County, Kentucky, a municipal corporation of the fifth class, and for its cause of action herein states as follows:

I

That heretofore on the 6th day of June, 1967, pursuant to the provisions of KRS 94.360, subsection 2, this plaintiff passed, approved and published Ordinance No. 247 of the City of Dry Ridge, Grant County, Kentucky, reading in words and figures as follows, to-wit:

Ordinance no. 247

AN ORDINANCE PROVIDING FOR THE CLOSING OF GING SANG ALLEY, A PUBLIC WAY OR ALLEY, SITUATED IN THE CITY OF DRY RIDGE, AND IN GRANT COUNTY, KENTUCKY AND PROVIDING FOR THE PREPARATION AND FILING OF SUIT AS REQUIRED BY THE PROVISIONS OF KRS 94.360 (2) IN THE GRANT CIRCUIT COURT TO HAVE SAME CLOSED AS REQUIRED BY LAW.

WHEREAS, it appears that Ging Sang Alley, a public way or alley situated, lying and being in the City of Dry Ridge, Grant County, Kentucky, is no longer used nor of public benefit to the residents and citizens of said city and,

WHEREAS, a greater portion of said alley is situated adjacent to and used solely by the Citizens Bank of Dry Ridge, Grant County, Kentucky and,

WHEREAS, said Citizens Bank desires to use same and make it available for building purposes for the general benefit of itself and the City of Dry Ridge, Grant County, Kentucky.

THE CITY COUNCIL OF THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, DOES ORDAIN AS FOLLOWS:

I

That Ging Sang Alley, a public way or alle, situated, lying and being in the City of Dry Ridge, Grant County, Kentucky, be, and it is hereby closed to all public use as a public way or alley of the City of Dry Ridge, Grant County, Kentucky.

II

Upon adoption of this ordinance, John Lane Ackman, Attorney at Law, Williamstown, Kentucky, City Attorney for the City of Dry Ridge, Grant County, Kentucky, is hereby authorized and directed to institute suit in the Grant Circuit Court as provided by KRS 94.360 (2), making all owners of properties divided by Ging Sang Alley, or that portion as provided by said statute and the law of the Commonwealth of Kentucky to Judgment.

III

All ordinances or parts of ordinances or resolutions in con-

flict, hereby repealed.

IV

The various sections and sub-sections of this ordinance are hereby declared to be severable and the invalidity of any section or sub-section which are wpxpressly declared to be valid despite such invalidity.

Passed approved and ordered published in one issue of the Grant County News, this 6th day of June, 1967.

/s/ Howard O'Banion, Mayor

ATTEST:

/s/ Mabel Baird, Clerk

II

That the defendants herein, Citizens Bank, Herbert Rohrs, and Pauline Rohrs, his wife, Astor Blackburn and Grace Blackburn, his wife, constitute all the owners of ground in the square or lots divided by Ging Sang Alley, which said alley and square or lots adjoining same owned by the above parties, all situated in the City of Dry Ridge, Grant County, Kentucky.

III

That the closing of said alley is reasonable necessary for the progress of the City of Dry Ridge, Grant County, Kentucky, and the defendants herein, and that the use of same is no longer of material benefit to said City nor to the defendants, and that it has been determined to be necessary to close same in the reasonalbe discretion of the City Council of the City of Dry Ridge, Grant County, Kentucky.

WHEREFORE, PLAINTIFF DEMANDS:

(a) Judgment adjudging that Ging Sang Alley be closed as public way, alley or street of the City of Dry Ridge, Grant County, Kentucky, or of any govermental or private agencies,

(b) That summons issue directed to the Sheriff of Grant County, Kentucky, for service upon the defendants therein, and each of them;

(c) That in the event any of the defendants protest or object thereto, that the court impanel a jury to hear the evidence and determine the amount of compensation in the form of damages to be paid to such objecting defendants, if any;

(d) That plaintiff receive all equitable relief to which it is entitled.

John Lane Ackman  
First Fl. Wesley Bldg.  
Williamstown, Kentucky  
City Attorney for the City of Dry Ridge, Grant County, Kentucky

GRANT CIRCUIT COURT  
Civil Action File No. 3167

CITY OF DRY RIDGE, ETC.,

PLAINTIFFS

vs.

CITIZENS BANK, ET AL,

DEFENDANTS

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This matter coming on for hearing upon Motion of the plaintiff for judgment and it appearing to the Court that all of the defendants herein were lawfully served with summons in the Grant County, Kentucky, on June 19, 1967 and that all of same are competent to act for themselves all all said defendants have failed to object to the closing of Ging Sang Alley as prayer for in the Complaint of the plaintiff herein, and the Court being advised.

IT IS ORDERED that Ging Sang Alley, a public eay and alley situated, lying and being in the City of Dry Ridge, Grant County, Kentucky be, and it is hereby closed as a street, public way or alley of said city and same shall revert to the successors in

title, to the adjacent property owners upon each side of said alley throughout the length of the boundary line of said adjacent owners.

IT IS FURTHER ORDERED AND ADJUDGED that the plaintiff herein; the City of Dry Ridge, shall pay the costs of this action.

WITNESS MY HAND THIS 14th day of July, 1967, at Owenton, Kentucky.

James R. Ford, Judge  
Grant Circuit court