

ORDINANCE NO. 451-1989

AN ORDINANCE OF THE CITY OF DRY RIDGE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DRY RIDGE CHANGING THE ZONING CLASSIFICATION OF A 3.29-ACRE PARCEL OF LAND WITHIN THE CITY OF DRY RIDGE SITUATED BETWEEN MAPLE STREET AND MICHIGAN AVENUE AND THE LANDS OF CONRAD OWNED BY HOWARD BREWER, JR., ET UX, FROM ITS PRESENT CLASSIFICATION OF AGRICULTURAL ONE (A-1) TO RESIDENTIAL FOUR (R-4).

BE IT ORDAINED BY THE CITY OF DRY RIDGE:

WHEREAS, on the 25th day of September, 1989, the Grant County Joint Planning and Zoning Commission did hold a public hearing on the application of the said Howard Brewer, Jr., et ux, and the A. Myers Davis Development Company requesting a change in zoning classification and map amendment from City of Dry Ridge Agricultural One (A-1) to that of City of Dry Ridge Residential Four (R-4) for a parcel of land containing 3.29 acres, more or less, within the City of Dry Ridge and bounded by the lands of Conrad and Maple Street and Michigan Avenue at the northerly limits present of the said city; and upon the foregoing application, the Planning Commission has made written findings and a recommendation to the City Council of the City of Dry Ridge so recommending that the requested change in zoning classification and map amendment be granted and ordained by the City;

WHEREAS, the City Council of the City of Dry Ridge at its Regular Meeting had on October 2, 1989, did review the findings and recommendation of the Planning Commission and did review the applicants' request for a change in zoning classification for the above noted property of Howard Brewer, Jr. et ux, and by an affirmative vote upon a motion made and seconded, it was so moved and resolved that the zoning classification for the herein 3.29-acre parcel of land, as so duly recommended by the Planning Commission, be changed from its present classification of City of Dry Ridge Agricultural One (A-1) to Residential Four (R-4) with appropriate amendment to the City's official zoning map with forthcoming ordinance of the city to evidence the change in zoning classification, et al.

NOW, THEREFORE, It is hereby Ordained by the City of Dry Ridge that the said zoning classification of the 3.29-acre parcel of Howard Brewer, Jr., et ux, at the northerly limits of the City bounded by the lands of Conrad, Maple Street and Michigan Avenue be so fixed and reclassified to that zoning classification of City of Dry Ridge Residential Four (R-4) and the Mayor of the City of Dry Ridge is hereby authorized and ordered to make upon the Official Zoning Map of the City of Dry Ridge an indorsement to evidence the zoning reclassification so hereby granted and ordained as required by law.

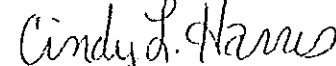
CERTIFICATION: I, MICHAEL S. MULVEY, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM A LICENSED AND PRACTICING ATTORNEY AT LAW AND THE CITY ATTORNEY FOR THE CITY OF DRY RIDGE, KENTUCKY, AND THAT THE FOREGOING IS AN ACCURATE SUMMARY OF THE PROCEEDINGS AND ZONING CHANGE ORDINANCE OF THE CITY OF DRY RIDGE AS REGARDS THE PROPERTY OF THE SAID HOWEARD BREWER, JR., ET UX, AND THAT A FULL TEXT OF THIS ORDINANCE IS ON FILE AND OF DUE RECORD IN THE OFFICES OF THE CITY OF DRY RIDGE SUBJECT TO INSPECTION.

  
MICHAEL S. MULVEY, ESQ.

This Ordinance shall take effect and be in full force when passed, published and recorded according to law with the same hereby being so ordered approved and published.

First Reading: November 6, 1989

Second Reading: December 4, 1989

Attest:   
Cindy L. Harris, City Clerk

  
Norman Ferguson, Mayor Date: 12-4-89

ORDINANCE NO. 451-1989

AN ORDINANCE OF THE CITY OF DRY RIDGE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DRY RIDGE CHANGING THE ZONING CLASSIFICATION OF A CERTAIN BOUNDARY OF LAND WITHIN THE CORPORATE LIMITS OF THE SAID CITY OF DRY RIDGE, KENTUCKY, SITUATED BETWEEN MAPLE STREET AND MICHIGAN AVENUE AND THE LANDS OF CONRAD NEAR THE NORTHERN LIMITS OF THE CITY OF DRY RIDGE, KENTUCKY, AND OWNED BY HOWARD BREWER, JR., ET UX, FROM ITS PRESENT ZONING CLASSIFICATION OF CITY OF DRY RIDGE AGRICULTURAL ONE (A-1) TO THAT OF CITY OF DRY RIDGE RESIDENTIAL FOUR (R-4) .

BE IT ORDAINED BY THE CITY OF DRY RIDGE:

WHEREAS, on the 25th day of September, 1989, the Grant County Joint Planning and Zoning Commission did hold a public hearing on the application of the said Howard Brewer, Jr., et ux, by and through A. Myers Davis Development Company, its agent and optionee, requesting a change in zoning classification together with an amendment in the Official Zoning Map of the City of Dry Ridge, Kentucky, from the present classification of City of Dry Ridge Agricultural One (A-1) to that of City of Dry Ridge Residential Four (R-4) for a boundary of land containing 3.29 acres, more or less, all within the corporate limits of the City of Dry Ridge, at the City's northern limits bounded by the lands of Conrad and Maple Street and Michigan Avenue, presently owned by Howard Brewer, Jr. et ux, and as to which application, the said Grant County Joint Planning and Zoning Commission did make written findings and conclusions and written recommendations to the City Council of the City of Dry Ridge that the requested change in zoning classification and map amendment be granted, approved and duly ordained by the City of Dry Ridge;

WHEREAS, the City Council of the City of Dry Ridge, Kentucky, at its Regular Meeting had on October 2, 1989, did review the findings and recommendations of the said Grant County Joint Planning and Zoning Commission together with the application made by the owner/applicants for a zone change and map amendment for the abovenoted boundary containing approximately 3.29 acres, more or less; and upon affirmative vote sufficient and in the majority on Motion made and timely Seconded, it was so moved,

resolved and ordained that the present zoning classification for the said 3.29-acre boundary of land of that of City of Dry Ridge Agricultural One (A-1) to that of City of Dry Ridge residential Four (R-4) be changed with appropriate and forthcoming amendment to the City's Official Zoning Map to that zoning classification of City of Dry Ridge Residential Four (R-4).

NOW, THEREFORE, It is hereby Ordained by the City of Dry Ridge that the zoning classification of that 3.29-acre boundary of Howard Brewer, et ux, near the present northerly limits of the City of Dry Ridge, Kentucky, bounded by the lands of Conrad and Maple Street and Michigan Avenue be so fixed and reclassified to that zoning classification of City of Dry Ridge Residential Four (R-4) and that the Mayor of the City of Dry Ridge is hereby authorized and ordered to make upon the Official Zoning Map of the City of Dry Ridge an indorsement to evidence the zoning reclassification so hereby granted, approved and ordered and ordained, as required by law, for hereafter, described lands located within the corporate limits of the City of Dry Ridge, Kentucky, to-wit:

A tract of land located in Dry Ridge, Kentucky between Maple Street and Michigan Avenue which is made up of all of lots 90 through 97 and lots 102 through 113 and a portion of lots 82 through 89 and a portion of the land which is not sectioned off between Maple Street, Michigan Avenue and the property of Conrad and being more particularly described as follows: BEGINNING at a point in the west right-of-way of Maple Street and on the line of Conrad (now or formerly) and the northeast corner to lot 113; thence with the right-of-way of said street, S 09° 00' W -- 301 feet to the southeast corner to lot 102; thence with the south line of lot 102, S 85° 52' 41" W -- 150.22 feet to a point, corner of lots 102 and 101 and in the east line of lot 97; thence with line of lot 97, S 09° 00' W-- 100 feet to a point in the north right-of-way of Michigan Avenue; thence with said right-of-way, S 85° 52' 41" W -- 200 feet to a point, corner to lots 90 and 89; thence N 06° 07' 13" W -- 393.72 feet and severing lots 89 through 82 to a point in the line of Conrad; thence with the line of Conrad, N 86° 15' E -- 305 feet to the northwest corner of lot 113; thence with the north line of said lot, N 86° 15' E -- 150 feet to the place of beginning, containing 3.29 acres.

This description is based solely on a plat of Conrad Heights recorded in Deed Book 45, Page 257 in the Office of the Grant County Court which was supplied to herein applicants and has inconsistencies which need to be resolved by actual field survey.

This Ordinance shall take effect and be in full force when passed, duly published and recorded according to law with the same hereby being so ordered

approved and published.

First Reading: November 6, 1989

Second Reading: December 4, 1989.

Given under my hand as mayor of the City of Dry Ridge, Kentucky on this  
the 4th day of December, 1989.

(X) *Norman Ferguson*  
NORMAN FERGUSON, MAYOR

ATTEST:

*Cindy L. Harris*  
CINDY L. HARRIS, CITY CLERK

NOTICE OF ADOPTION AND SUMMARY OF ORDINANCE

I. TITLE

ORDINANCE NO. 450-1989, SERIES 1989

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY AUTHORIZING (i) THE PARTICIPATION OF THE CITY IN THE KENTUCKY MUNICIPAL LEAGUE POOLED LEASE FINANCING PROGRAM, (ii) THE FINANCING BY THE CITY THROUGH THE PROGRAM OF IMPROVEMENTS TO A CITY FIRE STATION AND (iii) THE EXECUTION OF A LEASE PURCHASE AGREEMENT BETWEEN THE KENTUCKY MUNICIPAL FINANCE CORPORATION, AS LESSOR, AND THE CITY, AS LESSEE, UNDER WHICH THE CITY, HAVING CONVEYED ITS INTEREST IN THE PROJECT TO THE CORPORATION, WILL LEASE FROM THE CORPORATION THE PROJECT THEREIN DESCRIBED, AND TAKING OTHER RELATED ACTION.

II. SUMMARY

As required by law, I hereby certify that an ordinance, the title of which is the foregoing, was given first reading on October 2, 1989 and enacted after second reading by the City Council of the City of Dry Ridge, Kentucky (the "Lessee") on October 3, 1989 and approved by the Mayor. The Ordinance, to-wit:

A. Ratifies and confirms the Lessee's approval of and Interlocal Cooperation Agreement among the Lessee and various other cities in the Commonwealth, and the Lessee's participation in the Kentucky Municipal League Pooled Lease Financing Program; provides that the aggregate principal component of the Basic Rent as defined in the Lease Purchase Agreement hereinafter described (the "Lease") with the Kentucky Municipal Finance Corporation (the "Corporation") shall be in an amount not to exceed \$100,000; and provides that the Lessee shall construct the Project described in the Lease in accordance with the plans and specifications provided or to be provided to the Lessee by its engineers.

B. Authorizes the conveyance of the Lessee's interest in the Project to the Corporation, and the leasing of the Project by the Lessee from the Corporation in accordance with the terms and conditions of the Program, pursuant to the Lease, in consideration of rentals payable to the Corporation in the amounts and the times set forth in the Lease.

C. Consents to and ratifies and confirms the assignment heretofore made by the Issuer and the Corporation of all of their respective rights, title and interests under the Lease to the trustee for the bondholders to secure the bonds and the performance by the Issuer and the Corporation of obligations related thereto.

D. Authorizes the Mayor, the City Clerk and other appropriate officers of the Lessee to proceed with the Corporation in structuring the Lessee's participation in the Program, and to take other actions and deliver other documents necessary or proper for implementing transactions authorized by the Ordinance; provided that neither the Lessee nor any of its elected officials, officers, employees or agents shall incur any liability thereby.

E. Provides that the Ordinance shall be in full force and effect from and after its enactment and publication as provided by law.

The full text of the Ordinance is available for public inspection in the office

of the City Clerk of the City of Dry Ridge, Kentucky.

Approved and ordered published this the 3rd day of October, 1989.

(X) *Norman Ferguson*  
NORMAN FERGUSON, MAYOR  
CITY OF DRY RIDGE, KENTUCKY

ATTEST:

(X) *Cindy L. Harris*  
CINDY L. HARRIS, CITY CLERK  
CITY OF DRY RIDGE, KENTUCKY

CERTIFICATION

The undersigned hereby certifies that he is an attorney duly licensed to practice law in the Commonwealth of Kentucky; that he prepared the foregoing summary of hereinaabove ordinance of the City of Dry Ridge, Kentucky; and that the summary is a true and correct summary of the contents of the ordinance.

Parker W. Eads, Esq. for  
WYATT, TARRANT & COMBS  
Attorneys at Law  
Citizens Plaza  
Louisville, Kentucky 40202  
1-502-589-5235  
Bond Counsel

and

(X) *Michael S. Mulvey*  
MICHAEL S. MULVEY, ESQ.  
RR#1, 45 Taft Highway  
Dry Ridge, Kentucky 41035  
1-606-824-4952  
City Attorney  
City of Dry Ridge, Kentucky