

ORDINANCE NO. 521-1994

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, PROPOSING TO ANNEX TO AND MAKE A PART OF THE SAID CITY OF DRY RIDGE, KENTUCKY, FIVE (5) PARCELS OF LAND CONTAINING APPROXIMATELY 63 ACRES OF LAND, MORE OR LESS, SITUATED ON THE WESTERLY SIDE OF KENTUCKY HIGHWAY NO. 2994 (CURRY LANE) WHICH ABUTS AND IS CONTIGUOUS TO THE PRESENT LIMITS INCORPORATE OF THE CITY OF DRY RIDGE, KENTUCKY, AND DULY ESTABLISHING THE ZONING CLASSIFICATION OF THE HEREIN PARCELS, IF ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF DRY RIDGE, ALL SO HEREIN MORE PARTICULARLY DESCRIBED WITH DUE CERTAINTY.

BE IT HEREBY ORDAINED BY THE CITY OF DRY RIDGE, KENTUCKY, AS FOLLOWS:

ARTICLE ONE

The City of Dry Ridge, Kentucky, acting by and through its Mayor and City Council, finds the parcels hereinafter described are now adjacent and contiguous to the present boundaries and limits corporate of the City of Dry Ridge, Kentucky, and that the same are suitable for development for urban purposes without unreasonable delay and that the extension of the city's services to the hereinafter described parcels of land will enhance and duly promote such development.

ARTICLE TWO

The City of Dry Ridge, Kentucky, acting by and through its Mayor and City Council, finds that the five (5) parcels hereinafter described and the City of Dry Ridge, Kentucky, would benefit from annexation of such parcels, making them a part of the said City of Dry Ridge, Kentucky.

ARTICLE THREE

The City Council of the City of Dry Ridge, Kentucky, does hereby propose, in accordance with the provisions of Chapter 81A of the Kentucky Revised Statutes, that the following parcels of land be annexed to and made a part of the City of Dry Ridge, Kentucky, and find that the same do not lie within the corporate limits of the City of Dry Ridge, Kentucky, or within the limits corporate of any other city within Grant County, Kentucky, and that such lands are located within unincorporated areas of Grant County, Commonwealth

of Kentucky, with said lands being more particularly described as follows:

Parcel One

A certain tract or parcel of land lying on the west side of frontage road #6, West of I-75, 1.1 miles north of Ky. 22 in Grant County, Kentucky, and more particularly described as follows: Beginning at a stake in the right of way of frontage road #6, a corner to Edward Cavings; thence with the right of way of frontage road #6, N 18° 25' E -- 406.5 feet; thence N 14° 52' E -- 35.00 feet; thence S 75° 08' E -- 10.00 feet; thence N 14° 52' E -- 57.00 feet to an iron pin in the right of way of frontage road #6, in the south line of a proposed 40 feet road; thence leaving said frontage road and with the south line of said proposed 40 feet road, N 84° 10' W -- 483.4 feet to a stake by a post, a corner to Donald Volz; thence with the line of Donald Volz, N 88° 18' W -- 282.5 feet to a stake; thence S 77° 20' W -- 562.5 feet to a stake near the water line of Lake Boltz; thence S 77° 20' W -- 100.0 feet to a point in Lake Boltz; thence with Lake Boltz and a new made line of Reavis B. Stacey, S 9° 02' E -- 543.7 feet to a point in Lake Boltz and in line of Pat Curry; thence with the line of Pat Curry, S 87° 57' E -- 310.0 feet to a stake, a corner to Edward Cavings; thence with the line of Edward Cavings, N 3° 53' E -- 8.0 feet to a stake; thence N 78° 40' E -- 321.7 feet to a stake; thence N 76° 46' E -- 132.4 feet; thence N 77° 55' E -- 311.5 feet to a stake; thence S 88° 20' E -- 103.4 feet to the point of beginning, containing 17.01 acres. (Being the property of James R. Deters, et ux, as conveyed and described within that deed of October 3, 1981, from Reavis B. Stacey, et ux, et al, of record in Deed Book 144, Page 86 of the Grant County Court Clerk at Williamstown, Kentucky.)

Parcel Two

A certain parcel of ground lying and being approximately 1.1 miles north of Ky. St. Rt. #22, west of an access road, which is west of and parallel to Interstate 75 north of Dry Ridge, in Grant County, Kentucky and more so particularly described as follows: Beginning at a point, a stake, by a corner post, which is 75 feet south of and 26 feet east of the southeast corner of the barn on the Stacey property; thence from the place of beginning, N 42° 01' W -- 310.1 feet to a stake; thence with an existing fence, S 74° 38' W -- 931.7 feet to a point in the waters of Boltz Lake, said point being in the original line of the property; thence with said line, S 31° 10' E -- 509.6 feet to a point in said lake; thence leaving the lake and with an existing fence, N 54° 33' E -- 679.9 feet to a stake by a post; thence N 71° 55' E -- 282.5 feet to the place of beginning, containing 8.00 acres, more or less. (Being the property of Donald Volz, et ux, as conveyed and described within that deed of September 8, 1978, from Reavis B. Stacey, et ux, and of record in Deed Book 135, Page 232 of the Grant County Court Clerk's Records at Williamstown, Kentucky.)

Parcel Three

A certain tract or parcel of land lying and being West of Frontage Road #6, 1.2 miles North of Kentucky Route #22 in Grant County, Kentucky, and more particularly described as follows: Beginning at an iron pin in the East line of an 8.00-acre tract of Donald Volz as recorded in Deed Book 135, Page 232 and said point also being the Northwest corner of an existing forty foot wide easement as recorded in Deed Book 144, Page 88; thence with Volz's east line, N 42° 01' W -- 264.7 feet to an iron pin; thence with Volz's north line, S 74° 38' W -- 931.7 feet to a point in the center of Boltz Lake; thence with the center of said lake and new made lines of Grantors, N 14° 47' W -- 532.5 feet; thence leaving said lake and with the meanders of a hollow, N 80° 48' E -- 524.6 feet to a 15" Hackberry; thence S 88° 43' E -- 238.5 feet to a steel post; thence N 76° 19' E -- 238.6 feet to an iron pin being the Northwest corner of a proposed forty foot wide easement; thence with the West line of said proposed easement, S 29° 51' E -- 514.0 feet to an iron pin on the West side of an existing power pole; thence S 48° 29' E -- 171.6 feet to an iron pin in the north line of an existing forty foot wide easement as described in Deed Book 144, Page 88; thence with the North line of said easement, S 76° 03' W -- 166.0 feet to the place of beginning, containing 11.92 acres, more or less, exclusive of all easements and rights of way of record. (Being the property of Charles Michael Wright, et ux, as conveyed and described within that deed from Reavis B. Stacey, et ux, et al, dated May 11, 1982, and of record in Deed Book 145, Page 520, Grant County Court Clerk's Records at Williamstown, Kentucky.)

Parcel Four

A parcel of real property containing approximately twenty-two (22) acres, more or less, and being on the West side of Interstate 75 and the South side of Boltz Lake, north of Dry Ridge, Grant County, Kentucky, and more particularly described as follows: Beginning at a point, a stake, in the West right of way of Frontage Road #6, said point being at right angles to Frontage Rd. Station 63+04.3; thence leaving said road and with an existing line, N 87° 57' W -- 1,659.2 feet to a corner post (said course crossing a neck of Lake Boltz); thence with an existing fence, N 30° 15' E -- 525.0 feet to a corner post; thence with the original property line, N 5° 27' E -- 1,625.0 feet (said line being partially in the waters of Lake Boltz) to a point, an original corner, in Lake Boltz; thence with the original line (according to available information) in the waters of Lake Boltz, S 81° 05' E -- approximately 1,406 feet to a point in said lake; thence leaving the lake and with a new made line, S 8° 50' W -- 543.0 feet to a 24" Walnut tree; thence S 2° 30' W -- 198.8 feet to a 10" Hackberry tree; thence S 30° 15' E -- 30.7 feet to a 10" Locust tree; thence S 5° 15' E -- 325.0 feet to an Iron Pin; thence S 83° 00' E -- 162.0 feet to a post in the westerly right of way of Frontage Road #6; thence with the same, the following courses: S 14° 52' W -- 206.8 feet to a point; N 75° 08' W -- 10.0 feet to a point; S 14° 52' W -- 35.0 feet; and S 18° 25' W -- 607.5 feet to the place of beginning, containing 68.06 acres, more or less.

Excepted from the foregoing base fee are the following tracts or parcels of land: (a) Tract #1 -- A parcel of 8.00 acres, more or less, conveyed to Donald Volz, et ux, by deed from Reavis B. Stacey, et ux, et al, under date of September 8, 1978, and of record in Deed Book 135, Page 232; (b) Tract #2 -- A parcel of land containing 2.01 acres, more or less, as conveyed to Edward Cavins, et ux, by deed from Reavis B. Stacey, et ux, et al, under date of April 17, 1979, and of record in Deed Book 136, Page 370; (c) Tract #3 -- A parcel of land containing 17.01 acres, more or less, conveyed to James R. Deters, et ux, by deed from Reavis B. Stacey, et ux, et al, under date of October 3, 1981, and of record in Deed Book 144, Page 86; (d) Tract #4 -- A parcel of land containing 11.92 acres, more or less, conveyed to Charles Michael Wright, et ux, by deed from Reavis B. Stacey, et ux, et al, under date of May 11, 1982, and of record in Deed Book 145, Page 520; (e) Tract #5 -- A parcel of land containing 4 acres, more or less, being Parcel B in that contract under date of May 21, 1983, entered into between Reavis B. Stacey, et ux, et al, vendors, and Ralph Deitz, et ux, vendees, of record in Deed Book 151, Page 587; and (f) Tract #6 -- A parcel of land containing all or part of a 1-acre tract described as square in length of 208.71 feet on each side with a source referenced to the lands known as the Shelton farm and also to the 4-acre parcel in the contract referred to in Tract #5 above, feing a part of the lands known as the Ashcraft farm per deed to Ralph Deitz, et ux, from Reavis B. Stacey, et ux, et al, dated December 4, 1985, and of record in Deed Book 157, Page 398...(Parcel Four being the property of the said Dorothy E. Jamieson as conveyed and described within that deed from Reavis B. Stacey, et ux, et al, under date of May 6, 1988, and of record in Deed Book 169, Page 228, Grant County Court Clerk's Records, Williamstown, Kentucky.)

Parcel Five

A parcel of ground lying and being on the West side of Interstate 75, on the South side of Boltz Lake, north of Dry Ridge, in Grant County, Kentucky, and more particularly described as follows: Beginning at a point, a concrete Right of Way marker, in the West Right of Way line of Frontage Rd. #6, which is on the West and adjacent to the West Right of Way line of I-75, said point of beginning being at right angles to I-75 station 836+50; thence from the place of beginning and with the West Right of Way line of said Frontage Road, the following courses: S 74° 00' E -- 10.0 feet to a point; S 15° 10' W -- 462.0 feet to a point; N 75° 08' W -- 10.0 feet to a point; and S 14° 52' W -- 143.2 feet to a point in said Right of Way line; thence leaving the road, N 83° 00' W -- 162.0 feet to an Iron Pin; thence N 5° 15' W -- 325.0 feet to a 10" Locust tree; thence N 30° 15' W -- 30.7 feet to a 10" Hackberry tree; thence N 2° 30' E -- 198.8 feet to a 24" Walnut tree; thence N 8° 50' E -- 543.0 feet (passing a 4" Walnut tree as 197.4 feet) to a point in the waters of Lake Boltz in the original line of I-75; thence with the same, S 16° 00' W -- 476.5 feet to the place of beginning, containing 7.93 acres, more or less. (Being the property of the Hugh A. Jamieson Trust, an Ohio Trust, as conveyed and described within that deed dated March 4, 1986, from Harold L. Crockett, et ux, and of record in Deed Book 158, Page 199, Grant County Court Clerk's Records, Williamstown, Kentucky.)

ARTICLE FOUR

It is desirable that the foregoing parcels of land be annexed to and made a part of the City of Dry Ridge, Kentucky, and that their annexation will be beneficial to both the City of Dry Ridge, Kentucky, and the parcels so duly described above.

ARTICLE FIVE

When annexed, the zoning classification for the herein five parcels described above shall be City of Dry Ridge Neighborhood Commercial (NC).

ARTICLE SIX

Pursuant to KRS 81A.420(2), Notice is hereby given and provided as to these proceedings and this ordinance proposing to annex the hereinabove duly described parcels, that if within sixty (60) days of the date of of enactment of this ordinance as set out herein (the official and legal publication date thereof), if fifty (50%) percent of the resident voters residing on, or the owners of the real property of the boundary and territory proposed to be duly annexed, so petition the Mayor of the City of Dry Ridge, Kentucky, 31 Broadway, P.O. Box 145, Dry Ridge, Kentucky 41035, in opposition to the said proposal and proposed annexation, then an election on the matters and issues, shall be held at the next, regular election occurrng at least sixty (60) days after the petition is presented to the Grant County Clerk as required by Chapter 81A of the Kentucky Revised Statutes applicable to annexation by ordinance of intent to annex.

* * * * *

The foregoing Ordinance No. 521-1994 was offered by Councilperson Troy Evans and caused by the Mayor to be read aloud to the Dry Ridge City Council at a Regular Meeting held on September 12, 1994.

ATTEST:

Cindy L. Harris
CINDY L. HARRIS, CITY CLERK
CITY OF DRY RIDGE, KENTUCKY

At a Regular Meeting of the Dry Ridge City Council held on the 3rd day of October, 1994, said Councilperson Troy Evans called for the introduction of Ordinance No. 521-1994; whereupon the Mayor had such ordinance to be read aloud to Council; and upon the Motion of Councilperson Troy Evans, and thereafter duly Seconded by Councilperson Vernon Webster, and thereafter duly discussed and then called for the Vote on the foregoing Motion and Second, the vote, tally and results by the members of the Dry Ridge City Council were as follows:


Councilperson Vernon Webster	<u>yes</u> ;
Councilperson George Hedges, Jr.	<u>yes</u> ;
Councilperson Calvin Crupper	<u>yes</u> ;
Councilperson James Martin	<u>yes</u> ;
Councilperson Troy Evans	<u>yes</u> ;
Councilperson Eddie Morgan	<u>yes</u> .

Whereupon and thereafter, the herein ordinance proposing to annex lands was redocketed and placed on council's agenda for additional input and discussion concerning the issues and matters herein and to permit an amended seconded or an additional reading to the herein ordinance at a Regular Meeting of the Dry Ridge City Council held on the 5th day of December, 1994, whereat said Councilperson Troy Evans called for reintroduction of Ordinance No. 521-1994; whereupon the Mayor had such ordinance to be read aloud to Council; and following the reading thereof, a discussion was had by Council together with several of the landowners of the parcels under consideration for proposed annexation then present at the said meeting which discussion, at the request and consent of the said landowners, resulted in having the vote and action formal of Council on the herein ordinance duly proposing annexation to be continued until the date of Council's next, Regular Meeting to be held in January of 1995.

Thereafter the foregoing matter of proposed annexion and action formal on the herein ordinance was placed on Council's agenda at it's Regular Meeting held on the 9th day of January, 1995, at which no landowners were present in person or by counsel. Whereupon Councilperson Vernon Webster moved for a Vote on the herein ordinance which Motion was duly Seconded by Councilperson Troy Evans, and the Vote, Tally and Results on said Motion being as follows, to-wit:

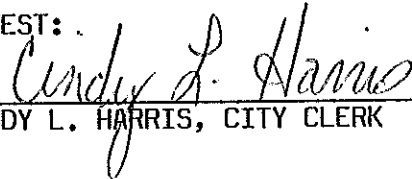
Councilperson George Hedges Jr.	<u>absent</u> ;
Councilperson Vernon Webster	<u>yes</u> ;
Councilperson James Martin	<u>yes</u> ;
Councilperson Calvin Crupper	<u>yes</u> ;
Councilperson Troy Evans	<u>yes</u> ;
Councilperson William Cull	<u>yes</u> .

ADOPTED, ORDAINED, APPROVED AND ORDERED PUBLISHED AND RE-PUBLISHED ON
THIS THE 9th DAY OF JANUARY, 1995.



NORMAN FERGUSON, MAYOR

ATTEST: .



CINDY L. HARRIS, CITY CLERK