

ORDINANCE NO. 534-1995

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, ANNEXING TO AND MAKING A PART OF THE 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 CORPORATE OF THE CITY OF DRY RIDGE, KENTUCKY, AND FURTHER SO HEREBY ESTABLISHING AND FIXING THE ZONING CLASSIFICATION OF THE SAID PARCELS, UPON ANNEXATION, OF NEIGHBORHOOD COMMERCIAL (NC).

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

WHEREAS, on the 9th day of January, 1995, the City Council of the City of Dry Ridge, Kentucky, together with the Mayor of the City of Dry Ridge, Kentucky, by action unanimous and affirmative for and on behalf of the City of Dry Ridge, Kentucky, did duly ordain, adopt, approve, and order published Ordinance No. 521-1994 by which is proposed to annex to the City of Dry Ridge, Kentucky, the hereinafter described five (5) parcels and so fix and establish a commercial zoning classification for the said parcels upon annexation final;

WHEREAS, the above action so resulting in the said ordinance proposing to annex the five (5) parcels was done upon due notice written provided to the landowners of said parcels of land whom themselves or by others have made no manner of protest, notice of protest or remonstrance concerning the proposed annexation by the city with any person or body official including the City Clerk of the City of Dry Ridge, Kentucky, within the sixty-day waiting period prescribed by KRS 81A.420, all of which is duly certified by the City of Dry Ridge, Kentucky;

WHEREAS, time sufficient, without protest or objection, having now duly elapsed since the date of adoption and due publication of City of Dry Ridge Ordinance No. 521-1994 therein proposing to annex the hereinafter real property described to and make the same a part of the City of Dry Ridge, Kentucky, it is now deemed and declared that an ordinance of final and formal annexation should be now ordained, adopted and be forthcoming.

NOW, THEREFORE, the City of Dry Ridge, Kentucky, does hereby annex to and make a part of the City of Dry Ridge, Kentucky, the following lands:

ARTICLE ONE

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 Grants, 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 TWO

Upon annexation, the zoning classification of the herein decribed parcels and boundary of real property on the westerly side of Kentucky Highway No. 2994 (Curry Lane) shall be so fixed, established and classified as City of Dry Ridge Neighborhood Commercial (NC).

ARTICLE THREE

From and after the date of the adoption and publication of this Ordinance in the form and manner prescribed by law, all of the hereinabove boundary of real property with the same's zoning classification as herein fixed and established, shall be a part of the City of Dry Ridge, Kentucky.

* * * * *

The foregoing Ordinance, No. 534-1995 , was duly offered by Councilperson Patricia Conrad and caused by the Mayor to be read aloud to the Dry Ridge City Council at a Regular Meeting held on the 11th day of September , 1995 .

ATTEST:

Cindy L. Harris
CINDY L. HARRIS, CITY CLERK

At a Regular Meeting of the Dry Ridge City Council held on the 2nd day of October , 1995 , by the action of Councilperson Patricia Conrad , said Ordinance No. 534-1995 was introduced and caused to be read aloud by the Mayor to the Dry Ridge City Council and thereafter considered and discussed; and, thereafter, upon the due Motion of Councilperson Patricia Conrad , duly Seconded by Councilperson Calvin Crupper , the action of Council, by Vote, on this Ordinance was made and called, with the Vote and Tally thereon being as follows:

Councilperson Pat Conrad Yes ;
 Councilperson William Cull Yes ;
 Councilperson Calvin Crupper Yes ;
 Councilperson George Hedges, Jr. Yes ;
 Councilperson Ray Kinmon Absent ; and
 Councilperson Vernon Webster Yes .

First Reading: September 11, 1995

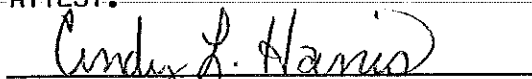
Second Reading: October 2, 1995

PASSED, APPROVED, ADOPTED, ORDAINED and ORDERED PUBLISHED on this the
2nd day of October , 1995 .



 NORMAN FERGUSON, MAYOR

ATTEST:



 CINDY L. HARRIS, CITY CLERK