RECEIVED AND FILED TREY GRAYSON SECRETARY OF STATE COMMONWEALTH OF KENTUCKY



CERTIFICATION

I, Karen M. Barto, City Clerk of the City of Alexandria, Kentucky, a municipal corporation of the fourth class, hereby certify, as custodian of the City records, that this copy is a true and correct copy of Ordinance 2004-08, which is lodged in the official City records.

COMMONWEALTH OF KENTUCKY

The foregoing instrument was sworn to and acknowledged before me this day of _______, 2005, KAREN M. BARTO, City Clerk for the City of Alexandria, Kentucky, a municipal corporation of the fourth class.

My Commission Expires: 1-22-2007 My Jurisdiction Is: State at large

ORDINANCE NO. 2004-08

AN ORDINANCE OF THE CITY OF ALEXANDRIA, CAMPBELL COUNTY, KENTUCKY, ANNEXING FIVE (5) PARCELS OF REAL PROPERTY INTO THE CITY LIMITS OF THE CITY OF ALEXANDRIA, WHICH PROPERTY IS ADJOINING THE EXISTING WAL-MART SITE, AND BEING: 1) THE BERSCH PARCEL CONSISTING OF 0.0830 ACRES, 2) THE KEES PARCEL CONSISTING OF 1.1568 ACRES, 3) THE KEES PARCEL CONSISTING OF 0.3305 ACRES, 4) THE MERCANTILE TITLE AGENCY PARCEL CONSISTING OF 1.4968 ACRES, AND 5) THE WAL-MART REAL ESTATE BUSINESS TRUST PARCEL CONSISTING OF 1.1042 ACRES.

WHEREAS, pursuant to Kentucky Revised Statutes 81A.212, the owners of the following five (5) parcels of real property have consented and requested the City of Alexandria to annex their properties into the City: 1) the Bersch parcel consisting of 0.0830 acres, 2) the Kees parcel consisting of 1.1568 acres, 3) the Kees parcel consisting of 0.3305 acres, 4) the Mercantile Title Agency parcel consisting of 1.4968 acres, and 5) the Wal-mart Real Estate Business Trust parcel consisting of 1.1042 acres;

WHEREAS, the foregoing five (5) parcels of real property are contiguous to the City limits of the City of Alexandria, in the vicinity of and adjoining the existing Wal-Mart site; and

WHEREAS, The City of Alexandria hereby declares it desirable to annex the five (5) parcels of unincorporated territory to the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ALEXANDRIA, CAMPBELL COUNTY, KENTUCKY, AS FOLLOWS:

<u>Section 1.</u> The unincorporated territory which is the subject of this Ordinance consists of five (5) parcels of real property in the vicinity of and adjoining the existing Wal-Mart site, as follows:

Watt Site, as follow	/// /			
OWNER	ADDRESS	ACREAGE	PVA PIDN	DEED BOOK & PAGE #
BERSCH	7122 E. Alexandria Pike	0.0830	999-99-24- 052.00	171/97
KEES	7031 Backus Drive	1.1568	999-99-25- 272.00	183/206
KEES	6691 Alexandria Pike	0.3305	999-99-25- 280.00	230/169
MERCANTILE TITLE AGENCY	7230 E. Alexandria Pike	1.4968	999-99-26- 657.00	265/269
				ORIGINAL

WAL-MART REAL ESTATE BUSINESS TRUST	6701 Alexandria Pike	1.1042	999-99-25- 943.00	256/208			

Section 2. The five (5) parcels of unincorporated territory which are the subject of this Ordinance are described in Exhibits 'A-1', 'A-2', 'A-3', 'A-4' and 'A-5', and are illustrated in Exhibits 'B-1', 'B-2' and 'B-3', all attached to this Ordinance. The Exhibits accurately define the boundaries of the unincorporated territory proposed to be annexed.

<u>Section 3.</u> The unincorporated territory which is the subject of this Ordinance in Exhibits 'A-1' to 'A-5', and 'B-1' to 'B-3', is contiguous to the City's boundaries at the time this annexation proceeding is begun and, by reason of present, potential or future population density, commercial, industrial, institutional, or governmental use of the land, or subdivision of land, is urban in character or suitable for development for urban purposes without unreasonable delay. The City hereby declares it desirable to annex the unincorporated territory. No part of the area to be annexed is included within the boundary of another incorporated city.

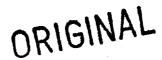
Section 4. Since the owners of record of the land to be annexed have given prior consent in writing to the annexation, the City shall not be required to enact the notification ordinance required by KRS 81A.420(1) or to comply with the notice requirements of KRS 81A.425, and it shall not be required to wait the sixty (60) day period provided for in KRS 81A.420(2) prior to enacting a final ordinance annexing the area. Pursuant to KRS 81A.412, the City does hereby enact this single ordinance finally annexing the land described in this ordinance.

<u>Section 5.</u> The property which is the subject of this ordinance, consisting of five (5) parcels of real property is hereby annexed into the City limits of the City of Alexandria, Campbell County, Kentucky, for all purposes.

Section 6. The City elects not to follow the procedure provided for in KRS 100.209 prior to the adoption of the ordinance of annexation, therefore the newly annexed territory shall remain subject to the same land use restrictions, if any, as applied to it prior to annexation until those restrictions are changed by zoning map amendments or other regulations in accordance with KRS Chapter 100.

Section 7. This ordinance shall be effective upon its adoption and approval according to law, and publication thereafter.

Section 8. All ordinances or parts of any ordinances in conflict herewith, to the extent of the conflict, if any, are hereby repealed.



APPROVED:

By: / AMM.CZ MAYOR DANIEL M. McGINI FY

ATTEST.

LERK KAREN M. BARTO

PUBLISHED: 6/10/04

H:\MAD04\ALEX04-53440009\ordinances\Ord 2004-08.wpd

ORIGINAL

CITY OF ALEXANDRIA, KENTUCKY

ORDINANCE #_ 2004-08

COUNCIL ACTION:			
Date of First Reading:	05/	20/2004	
Date of Second Reading:	06/0	20/2004 28/2004	
Vote Talley:	_5-	0	
ROLL CALL:			
	YES		NO
BARBARA WEBER			110
BOBBIE FARMER			
STACEY GRAUS			
DAVE HART	~		
ELLIS LANG	/		
JOHN STEIN	/		
·			
APPROVAL BY MAYOR:			
Mayor Daniel M. McGinley		DATE:	6/4/04
ATTEST: Clerk of the City of Alexandria		DATE:	14/04
PUBLISHED: 6/10/04	<u>/</u>	7	

Joseff of Adjustment of the City of Rott Thomas, Kostneky, will hold a Picklic Hoseing.
 Hot City Building, 130 North Rest Thomas Avenue, Rost Thomas, Kostneky, on Thomas, June 22, 2004 at 6500 P.M. for the following case.

CASE.NO. 1144. A hearing of an appeal by Anators Workel, Hanner Down Communition for Total Boffinial, applicant and owner, 14 Givenmood Avanue, representing a side yand variance to allow construction of an artistica.

Property fine consult in the second s

By the order of the Cour

megularities and to re-

The Board of Commit

KENTUCKY, A 1, 2004 THROU

RESOURC OPERATION

WHEREAS, ar smarred by

Commission; and

WHEREAS, the City Com

modifications

Aforemithis begins the C

The successful hidder w

five percent (5%) of the distribute a co

ofted smount.

Each bidder is require

Any adjoining property owner, who is usuable to extend this learning is encouraged to extend adjust, without comments to the Board comments the proposed project. Said without contragrantions after the contragrantion of the contragrantion of the contragrantic and theretoes also a matter of public retoint. All correspondence shall be directed to CAy of Fort Thomas, Constant Services Department, After Medica District, 130 N. P. Thomas, Avi., Fort Thomas,

The City of Fort Thomas will make every resonable accommodation to smale qualified this fact.

person in citation is a most for the common of a profite disability, you are encouraged to delaying it.

If there is a most first the City to be some of a profite disability, you are encouraged to delaying its.

City Bullifing at (859) 572-1210 so that ministe armagements can be considered price to the disability. of the service or the date of the meeting. NOTICE OF ADOPTION, TITLE AND SUMMARY OF

I hereby: Cartify that the following is the Title and Summary of Ordinance 2004 - 08 of the City of
Assandina, Cambbell County, Kentucky, which was adopted on the 3" day of June, 2004;
AN ORDINANCE OF THE CITY OF ALEXANDRIA, CAMPBELL COUNTY
CITY LIMITS OF THE CITY OF ALEXANDRIA, WHICH PROPERTY IND. THE
ADJOINING THE EXISTING OF OR ALEXANDRIA, WHICH PROPERTY IND.
PARCEL CONSISTING OF 0.0830 ACRES, 2) THE KEES PARCEL CONSISTING OF 0.3306 ACRES, 4)
CIT LEAST ACRES 3) THE KEES PARCEL CONSISTING OF 0.3306 ACRES, 4)
AND 5) THE WAL-MART REAL ESTATE BUSINESS TRUST PARCEL
CONSISTING OF 1.1042 ACRES.
The unincomparated property which is the subject of this ordinance is more particularly described
In the exhibits in this Ordinance, and as follower.

NOW, THEREFORE, BE.T.

KENTUCKY;

That the monal budges for the heredy adopted as follows:

A. The etteched source Whilly set forth 31

DEED BOOK & PAGE # 171/07 183/206 230/169 258/208 999-99-24. 052.00 ACREAGE | PVA PIBN 998-98-25. 272.00 999-99-25-280:00 999-99-26-657.60 999-99-26-943.00 0.0830 1.1568 0.3306 1.1042 1.4968 7031 Backus Drive ADDRESS 8681** Alexandria Pike 7122 E. Alexandra Pika 7230 E. Alexandria Pitko 6701 Alexandria WAL-MART REAL ESTATE BUSINESS TRUST MERCANTILE TITLE AGENCY BERSCH KEES KEES

5 Karen P. Bond,

resources on July 1, 2004, the fi Frrst residing this 4st day of May Second residing this 1st day of In That this Ordinance about be of fully not forth \$153 That this Ordinance shall be sig published. Same shall be in eff B. The attached had

I. Michael A. Dundan, an attorney licensed to practice lew in the Commonwealth of Kentucky, for Ziegler & Schneder, P.S.C., City Attorneys for the City of Assamdia, Cempbell County, Kentucky, do hereby certify that this Notice of Adoption. The and Summary of Ordinance 2004 - 08 was prepared by mis, and that it represents an accurate description of the summary of Ordinance 2004 - 08 was prepared by mis, and that it represents off the information relative to the Ordinance, as on the at the Ordinance. The full tack of the Ordinance, and Alexandria, Kentucky 41001.

Louis Bersch Annexation/Rezoning Part of D.B. 171 P.G. 97 Area = 0.0830 Acres

Lying near the City of Alexandria, Campbell County Kentucky, west of East Alexandria Pike and east of U.S. 27, more particularly described as follows:

Commencing at a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663" in the common line of the grantor and George III and Bonnie J. Kees (D.B. 183 P.G. 206), in the west line of said East Alexandria Pike;

Thence with the common line of said Kees and Bersch South 59°35'38 West (Deed Bearing of South 59°30'41" West) a distance of 463.94 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663", the Point of Beginning of this description;

Thence continuing with said common line North 46°06'22" West (Deed Bearing of North 46°11'19" West) a distance of 131.77 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663";

Thence through the lands of the grantor along a new division line of two (2) calls:

South 81°30'57" East (Deed Bearing of South 81°35'54" East) a distance of 57.04 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663"; South 44°28'38" East (Deed Bearing of South 44°33'35" East) a distance of 93.86 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663" in the common line of the grantor and said Kees;

Thence with said common line South 59°35'38" West (Deed Bearing of South 59°30'41" West) a distance of 31.56 feet to the POINT OF BEGINNING.

Said parcel contains 0.0830 acres

Being part of the property conveyed to Louis Bersch and recorded in Deed Book 171 Page 97 at Alexandria, Kentucky. Said herein description being the result of a field survey by Cardinal Engineering Corporation performed under the direct supervision of Joseph G. Kramer, PLS #3663 on May 5, 2003. Bearings have been adjusted from the deed description by 0°04'57" and are based on the North American Datum of 1983.



George Kees III & Bonnie J. Kees Annexation/Rezoning Part of D.B. 183 P.G. 206 Area = 1.1568 Acres

Lying near the City of Alexandria, Campbell County Kentucky, west of East Alexandria Pike and east of U.S. 27, more particularly described as follows:

Beginning at a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663" in the common line of Louis Bersch (D.B. 171 P.G. 97) and the grantor, in the west line of said East Alexandria Pike;

Thence with the said common line for two (2) calls:

South 59°35'38" West (Deed Bearing of South 59°30'41" West) a distance of 463.94 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663";

North 46°06'22" (Deed Bearing of North 46°11'19" West) a distance of 131.77 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663";

Thence leaving said common line and through the lands of the grantor along a new division line for two (2) calls:

South 45°31'53" West (Deed Bearing of South 45°26'56" West) a distance of 330.72 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663";

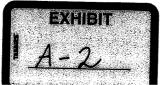
South 69°30'20" West (Deed Bearing of South 69°25'23" West) a distance of 78.46 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663" in the northeast line of George III and Bonnie J. Kees (D.B. 230 P.G. 169);

Thence with the northeast line of said Kees, South 57°25'03 East (Deed Bearing of South 57°30'00" East) a distance of 89.79 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663" in the northwest line of Lee Scott, Managing Trustee for Wal-Mart Real Estate Business Trust;

Thence with the northwest line of Wal-Mart North 59°35'38" East (Deed Bearing of North 59°30'41" East) a distance of 604.32 feet to a recovered 1" steel pipe at a corner to Mercantile Title Agency (D.B. 265 Page 269);

Thence with the northwest line of said Mercantile Title Agency, North 59°35'38" East (Deed Bearing of North 59°30'41" East) a distance of 241.29 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663" in the west right of way of East Alexandria Pike;

Thence with said west right of way North 00°54'57" West (Deed Bearing of North 00°59'54" West) a distance of 22.98 feet to the POINT OF BEGINNING.



Said parcel contains 1.1568 acres

Being part of the property conveyed to George Kees III & Bonnie J. Kees and recorded in Deed Book 183 Page 206 at Alexandria, Kentucky. Said herein description being the result of a field survey by Cardinal Engineering Corporation performed under the direct supervision of Joseph G. Kramer, PLS #3663 on May 5, 2003. Bearings have been adjusted from the deed description by 0°04'57" and are based on the North American Datum of 1983.

George Kees III & Bonnie J. Kees Annexation/Rezoning Part of D.B. 230 P.G. 169 Area = 0.3305 Acres

Lying near the City of Alexandria, Campbell County Kentucky, west of East Alexandria Pike and east of U.S. 27, more particularly described as follows:

Commencing in the common line of Howard J. Schwalback III (D.B. 127 P.G. 120) and Mercantile Title Agency (D.B. 265 P.G. 612), in the east right of way of U.S. 27;

Thence with said common line North 59°35'38" East (Deed bearing of North 59°30'00" East) a distance of 445.35 feet (Deed distance of 443.23 feet) to the common corner of Lee Scott, Managing Trustee for Wal-Mart Real Estate Business Trust (D.B. 256 P.G. 208) and the grantor;

Thence with the common line of the grantor and said Wal-Mart North 59°35'38" East (Deed bearing of North 59°30'41" East) a distance of 10.69 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663", the Point of Beginning of this description;

Thence continuing with said common line North 59°35'38" East (Deed bearing of North 59°30'41" East) a distance of 359.89 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663" at the common corner of George III and Bonnie J. Kees (D.B. 183 P.G. 206);

Thence leaving the northwest line of said Wal-Mart and with the common line of the Kees parcels (D.B. 183 P.G. 206 and D.B. 230 P.G. 169) North 57°25'03" West (Deed bearing of North 57°30'00" West) a distance of 89.79 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663";

Thence leaving said common line and through the lands of the grantor, South 45°31'15" West (Deed bearing of South 45°26'18" West) a distance of 328.99 feet to the POINT OF BEGINNING.

Said parcel contains 0.3305 acres

Being part of the property conveyed to George Kees III & Bonnie J. Kees and recorded in Deed Book 230 Page 169 at Alexandria, Kentucky. Said herein description being the result of a field survey by Cardinal Engineering Corporation performed under the direct supervision of Joseph G. Kramer, PLS #3663 on May 5, 2003. Bearings have been adjusted from the deed description by 0°04'57" and are based on the North American Datum of 1983.



4

Mercantile Title Agency (formerly Turner) Annexation/Rezoning D.B. 265 P.G. 269
Area = 1.4968 Acres

Lying near the City of Alexandria, Campbell County Kentucky, on the west side of East Alexandria Pike, more particularly described as follows:

Beginning at a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663" in the common line of the grantor and George III and Bonnie J. Kees (D.B. 183 PG. 206) in the west line of said East Alexandria Pike;

Thence with the west line of East Alexandria Pike for three (3) calls:

South 00°54'57" East (Deed Bearing of South 00°59'54" East) a distance of 121.71 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663" lying 80.00 feet right of centerline station 56+00.00 of East Alexandria Pike;

South 19°02'58" (Deed Bearing of South 19°07'55" East) a distance of 149.25 feet (Deed Distance of 149.40 feet) to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 09°28'52" West (Deed Bearing of South 09°25'35" West) a distance of 59.53 feet (Deed Distance of 59.38 feet) to a point at the corner of Wal-Mart, (D.B. 256, PG. 208) from which a recovered ½" steel rebar bears South 66°20'26" East a distance of 0.77 feet;

Thence with the common line of the grantor and said Wal-Mart for two (2) calls:

South 65°10'45" West (Deed Bearing of South 65°05'48" West a distance of 205.29 feet (Deed Distance of 205.34 feet) to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663";

North 12°22'15" West (Deed Bearing of North 12°27'12" West) a distance of 292.33 feet to a recovered iron pipe in the south line of George III and Bonnie J. Kees (D.B. 183 PG. 206);

Thence along the common line of Kees and the grantor North 59°35'38" East (Deed Bearing of North 59°30'41" East) a distance of 241.29 feet to the POINT OF BEGINNING.

Said parcel contains 1.4968 acres of land.

Being the same property conveyed to Mercantile Title Agency, Inc and recorded in Deed Book 265 Page 269 at Alexandria, Kentucky. Said herein description being the result of a field survey by Cardinal Engineering Corporation performed under the direct supervision of Joseph G. Kramer, PLS #3663 on May 5, 2003. Bearings have been adjusted from the deed description by 0°04'57" and are based on the North American Datum of 1983.

5

Lee Scott, Managing Trustee for Wal-mart Real Estate Business Trust Annexation/Rezoning Part of D.B. 256 P.G. 208 Area = 1.1042 Acres

Lying near the City of Alexandria, Campbell County Kentucky, on the west side of East Alexandria Pike, more particularly described as follows:

Commencing at a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663" in the common line of the grantor and George III and Bonnie J. Kees (D.B. 183 PG. 206) in the west line of said East Alexandria Pike;

Thence with the west line of East Alexandria Pike and Mercantile Title Agency (D.B. 265 P.G. 512) for three (3) calls:

South 00°54'57" East (Deed Bearing of South 00°59'54" East) a distance of 121.71 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663" lying 80.00 feet right of centerline station 56+00.00 of East Alexandria Pike;

South 19°02'58" (Deed Bearing of South 19°07'55" East) a distance of 149.25 feet (Deed Distance of 149.40 feet) to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663";

South 09°28'52" West (Deed Bearing of South 09°25'35" West) a distance of 59.53 feet (Deed Distance of 59.38 feet) to a point at the corner of Wal-Mart, (D.B. 256, PG. 208) from which a recovered ½" steel rebar bears South 66°20'26" East a distance of 0.77 feet, the Point of Beginning of this description;

Thence continuing with the west line of East Alexandria Pike for two (2) calls:

South 09°28'52" West (Deed Bearing of South 09°29'41" West) a distance of 85.91 feet to a set 5/8" steel rebar with plastic cap stamped "J.G.K. KY 3663"; South 19°51'38" East (Deed Bearing of South 19°50'49" East) 179.87 feet to a point;

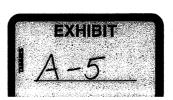
Thence through the lands of the grantor and with the corporation line between Unincorporated Campbell County and the City of Alexandria for two (2) calls:

South 66°56'20" West (Deed Bearing of South 66°57'09" West) a distance of 213.32 feet to a point;

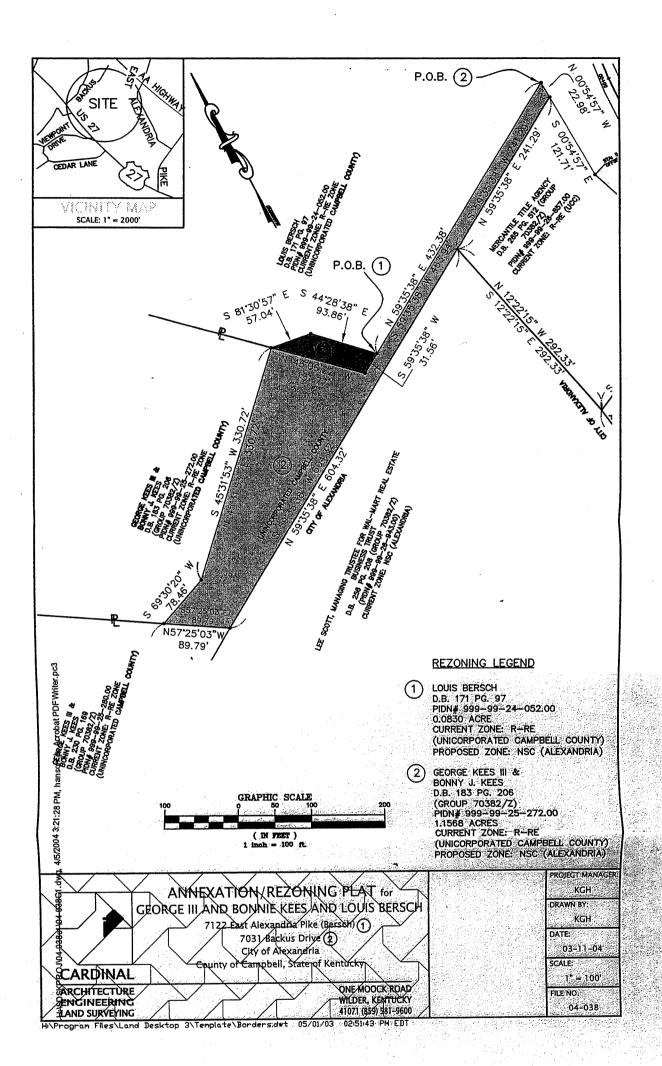
North 08°22'37" West (Deed Bearing of North 08°21'48" West) a distance of 254.00 feet to the southwest corner of Mercantile Title Agency;

Thence with the line common to Mercantile Title Agency North 65°10'45" East (Deed Bearing of North 65°11'34" East) a distance of 205.29 feet to the POINT OF BEGINNING.

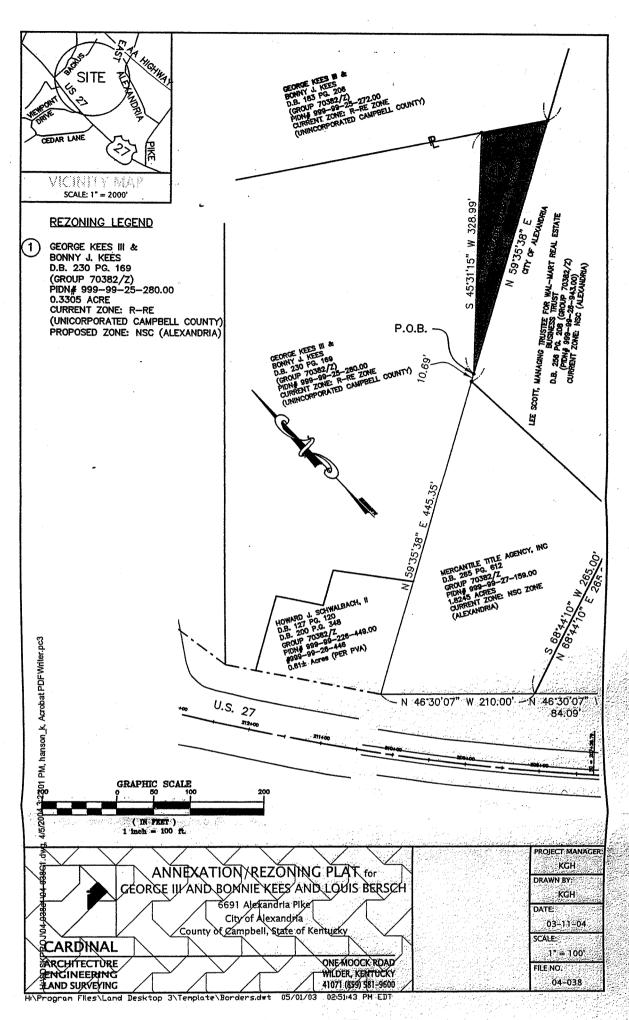
Said parcel contains 1.1042 acres of land.



Being part of the same property conveyed to Lee Scott, Managing Trustee for Wal-mart Real Estate Business Trust and recorded in Deed Book 256 Page 208 at Alexandria, Kentucky. Said herein description being the result of a field survey by Cardinal Engineering Corporation performed under the direct supervision of Joseph G. Kramer, PLS #3663 on May 5, 2003. Bearings have been adjusted from the deed description contained in D.B. 199 P.G. 412 (transfer prior from Turner to Wal-mart Stores, Inc. per D.B. 256 P.G. 208) by 00°00'49" and are based on the North American Datum of 1983.









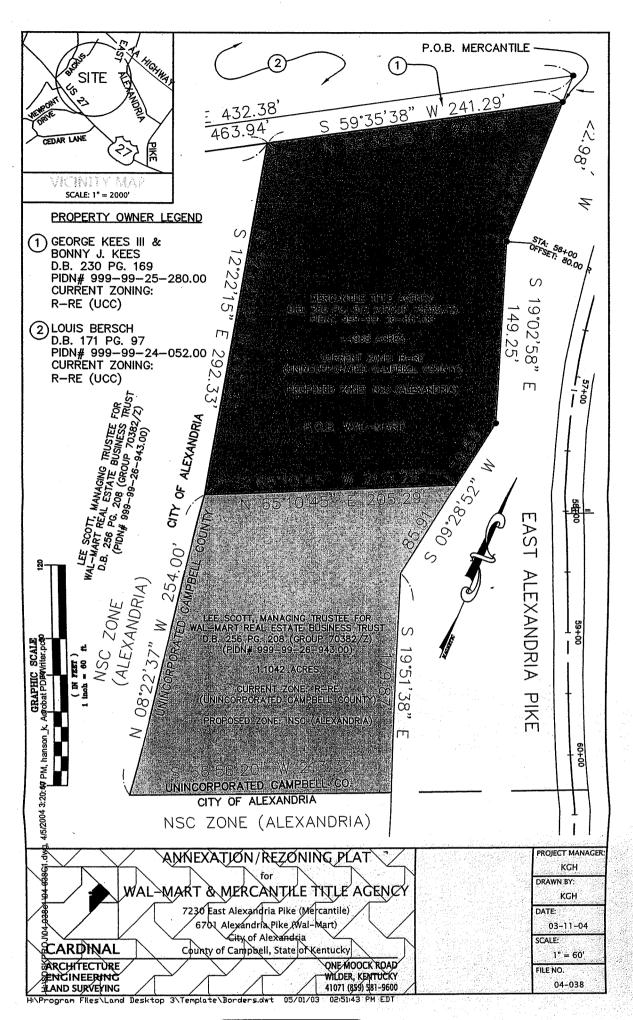


EXHIBIT - B-3

MAPS FOR ORDINANCE NO. 2004-08

