RECEIVED AND FILED TREY GRAYSON SECRETARY OF STATE



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 2007-16**. which is lodged in the official City records.

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COMMONWEALTH OF KENTUCKY

COUNTY OF <u>Campbell</u>

The foregoing instrument was sworn to and acknowledged before me this 2nd day of November, 2007, KAREN M. BARTO, City Clerk for the City of Alexandria, Kentucky, a municipal corporation of the fourth class.

My Commission Expires: 1/18/2010

My Jurisdiction Is: State at Large

ORIGINAL

ORDINANCE NO. 2007 - 16

AN ORDINANCE OF THE CITY OF ALEXANDRIA, IN CAMPBELL COUNTY, KENTUCKY, ANNEXING THE "GILBERT RIDGE" PROPERTY (ALSO COMMONLY KNOWN AS THE AMERITEK PROPERTY) CONSISTING OF 170.755+/- ACRES OF LAND, LYING BETWEEN TOLLGATE ROAD AND GILBERT RIDGE ROAD; AND THE PROPERTY SHALL COME INTO THE CITY LIMITS ZONED PLANNED UNIT DEVELOPMENT (PUD), UPON ITS ANNEXATION INTO THE CITY.

WHEREAS, pursuant to Kentucky Revised Statutes 81A.412, the Owners of the Gilbert Ridge property (this property has also been commonly referred to as the "Ameritek property" throughout this zoning and annexation process) consisting of 170.755+/- acres of land, lying between Tollgate Road and Gilbert Ridge Road, which property is more particularly described herein, which property is contiguous to the city limits of the City of Alexandria, have requested the City to annex the property to the City;

WHEREAS, the City has adopted Ordinance 2007-02 wherein the City expressed its Intent to Annex the Gilbert Ridge property into its City Limits;

WHEREAS, also pursuant to Ordinance 2007-02, the City of Alexandria requested that the Alexandria Planning Commission hold a Public Hearing pursuant to KRS 100.209 for the purpose of adopting a comprehensive plan amendment and making its recommendations as to the zoning or other land use regulations which will be effective for the Gilbert Ridge property upon its annexation.

WHEREAS, by Ordinance 2007-15, the City classified the property as Planned Unit Development (PUD), upon its annexation into the city, approved a Preliminary Development Plan in concept subject to certain conditions agreed to by applicant(s), and amended the City of Alexandria zoning map accordingly, subject to this Annexation Ordinance;

WHEREAS, the City of Alexandria hereby declares that it is desirable to annex the 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 Gilbert Ridge property which is the subject of this ordinance consists of 170.755+/- acres of land, lying between Tollgate Road and Gilbert Ridge Road, and owned by Gilbert Ridge, LLC and CTB Properties, II, LLC, which property is more particularly described in the deed recorded in Deed Book 272, page 021 of the Campbell County Clerk's records in Alexandria, Kentucky and in other public records.

<u>Section 2.</u> The unincorporated territory which is the subject of this Ordinance is described in Exhibit 'A', and is illustrated in Exhibit 'B', both attached to this Ordinance and incorporated herein by reference. The Exhibits accurately define the boundary of the unincorporated territory proposed to be annexed and shows its zoning.

Section 3. The unincorporated territory which is the subject of this Ordinance in Exhibits 'A' and 'B', consists of 170.755+/- acres of property, 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.

<u>Section 4.</u> 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 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 170.755+/- acres of property is hereby annexed into the City limits of the City of Alexandria, Campbell County, Kentucky, for all purposes.

<u>Section 6.</u> The City elected to follow the procedure provided for in KRS 100.209 prior to the adoption of the ordinance of annexation, therefore pursuant to Ordinance 2007-15, the newly annexed territory shall be zoned as Planned Unit Development (PUD), upon its annexation into the city.

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

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

<u>Section 9.</u> The foregoing Ordinance was read, passed and adopted by the Council of the City of Alexandria, Kentucky, meeting in regular sessions on the 20th day of September, 2007, and on the 18th day of October, 2007, with -5- Yes votes, -0- No votes, and -0- Abstentions, and was thereafter approved by the Mayor and ordered published in Summary according to law.

APPROVED:

WATOR DANIE

ATTEST:

CLERK KAREN BARTO

PUBLISHED: 11/01/2007

ANNEXATION LEGAL DESCRIPTION GILBERT RIDGE, LLC DEED BOOK 277, PAGE 679

SITUATE IN GROUP NUMBERS 70686/Z, 70382/Z, 70394/Z, 70395/Z & 70396/Z, CAMPBELL COUNTY, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING IN THE CENTERLINE OF TOLLGATE ROAD (FORMERLY ALEXANDRIA-LICKING PIKE), BEING THE NORTHEASTERLY CORNER OF A PARCEL CONVEYED TO LANDON BY DEED RECORDED IN DEED BOOK 151, PAGE 225, SAID POINT ALSO BEING IN AN EASTERLY CORNER OF THE PROPERTY DESCRIBED HEREIN AND ALSO BEING THE TRUE POINT OF BEGINNING FOR THE PROPERTY HEREIN DESCRIBED. THENCE

- 1. LEAVING SAID CENTERLINE AND ALONG THE LINE WITH SAID LANDON, SOUTH 81°28'05" WEST, A DISTANCE OF 240.85 FEET; THENCE
- 2. CONTINUING ALONG SAID LINE WITH LANDON, NORTH 38°45'05" WEST, 531.60 FEET; THENCE
- 3. CONTINUING ALONG SAID LINE WITH LANDON, SOUTH 22°22'16" WEST, 272.66 FEET; THENCE
- 4. CONTINUING ALONG SAID LINE WITH LANDON, SOUTH 30°42'29" WEST, 997.85 FEET; THENCE
- 5. CONTINUING ALONG SAID LINE WITH LANDON, SOUTH 38°05'13" EAST, 252.28 FEET; THENCE
- 6. CONTINUING ALONG SAID LINE WITH LANDON AND THEN ALONG THE LINE OF A PARCEL CONVEYED TO KRAMER RECORDED IN DEED BOOK 130, PAGE 194, SOUTH 51°13′06" WEST, 1583.26 FEET TO THE EASTERN RIGHT OF WAY LINE OF GILBERT RIDGE ROAD, BEING 25 FEET EAST OF THE CENTERLINE OF SAID GILBERT RIDGE ROAD AS MEASURED PERPENDICULAR THERETO; THENCE
- 7. ALONG SAID RIGHT OF WAY LINE OF GILBERT RIDGE ROAD FOR THE FOLLOWING EIGHT COURSES: NORTH 31°06'33" WEST, 24.90 FEET; THENCE
- 8. NORTH 26°19'30" WEST, 67.42 FEET; THENCE
- 9. NORTH 19°26'46" WEST, 549.18 FEET; THENCE
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- 11. NORTH 18°58'41" WEST, 55.82 FEET; THENCE
- 12. NORTH 34°42'29" WEST, 52.18 FEET; THENCE
- 13. NORTH 43°44'14" WEST, 202.37 FEET, SAID POINT BEING AT THE TERMINUS OF COUNTY MAINTENANCE OF SAID GILBERT RIDGE ROAD; THENCE
- 14. ALONG SAID TERMINUS OF GILBERT RIDGE ROAD RIGHT OF WAY, SOUTH 46°15'46" WEST, 25.00 FEET TO A POINT IN THE CENTERLINE OF SAID GILBERT RIDGE ROAD; THENCE

EXHIBIT_A

- 15. ALONG SAID CENTERLINE OF GILBERT RIDGE ROAD (UNIMPROVED), NORTH 46°18'14" WEST, 133.07 FEET; THENCE
- 16. CONTINUING ALONG SAID CENTERLINE OF GILBERT RIDGE ROAD (UNIMPROVED), NORTH 53°42'05" WEST, 73.41 FEET; THENCE
- 17. CONTINUING ALONG SAID CENTERLINE OF GILBERT RIDGE ROAD (UNIMPROVED), NORTH 72°37′54" WEST, 82.10 FEET; THENCE
- 18. CONTINUING ALONG SAID CENTERLINE OF GILBERT RIDGE ROAD (UNIMPROVED), NORTH 68°30'48" WEST, 250.73 FEET TO A POINT IN THE LINE OF A PARCEL CONVEYED TO KUPER BY DEED RECORDED IN DEED BOOK 157, PAGE 578; THENCE
- 19. LEAVING SAID CENTERLINE AND ALONG THE LINE WITH SAID KUPER AND THEN ALONG THE LINE OF A PARCEL CONVEYED TO TRAPP BY DEED RECORDED IN DEED BOOK 219, PAGE 431, NORTH 49°39'45" EAST, 1960.30 FEET; THENCE
- 20. CONTINUING ALONG SAID LINE WITH SAID TRAPP, NORTH 53°08'03" WEST, 1527.16 FEET TO A POINT IN THE SOUTHEASTERLY CORNER OF A PARCEL CONVEYED TO TRAPP BY DEED RECORDED IN DEED BOOK 213, PAGE 179; THENCE
- 21. ALONG SAID LINE WITH SAID TRAPP, NORTH 50°13'50" EAST, 412.11 FEET; THENCE
- 22. CONTINUING ALONG SAID LINE WITH TRAPP, NORTH 34°30'17" EAST, 248.03 FEET; THENCE
- 23. CONTINUING ALONG SAID LINE WITH TRAPP, NORTH 51°59'29" EAST, 506.88 FEET TO A POINT IN THE SOUTHERLY LINE OF A PARCEL CONVEYED TO STADTMILLER BY DEED RECORDED IN DEED BOOK 218, PAGE 480; THENCE
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- 26. NORTH 05°46'46" EAST, 1034.98 FEET TO A POINT IN THE SOUTHERLY LINE OF A PARCEL CONVEYED TO BROSSART BY DEED RECORDED IN DEED BOOK 179, PAGE 397; THENCE
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- 30. SOUTH 24°38'57" EAST, 879.47 FEET TO A POINT IN THE WEST RIGHT OF WAY LINE OF TOLLGATE ROAD (FORMERLY ALEXANDRIA LICKING PIKE), BEING 30 WEST OF THE CENTERLINE OF SAID TOLLGATE ROAD AS MEASURED PERPENDICULAR THERETO; THENCE ALONG SAID RIGHT OF WAY LINE FOR THE FOLLOWING EIGHT COURSES:
- 31. SOUTH 25°05'41" WEST, 188.47 FEET; THENCE
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- 33. SOUTH 18°08'49" WEST, 34.08 FEET; THENCE
- 34. ALONG A CURVE TO THE LEFT WITH A RADIUS OF 507.73 FEET, SUBTENDED BY A CHORD WHICH BEARS SOUTH 07°32'50" WEST, 186.67 FEET, AN ARC DISTANCE OF 187.74 FEET; THENCE
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ANNEXATION LEGAL DESCRIPTION GILBERT RIDGE, LLC

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CONTAINING 170.7550 ACRES, 0.6485 ACRES OF WHICH LIES WITHIN THE RIGHT OF WAY OF TOLLGATE ROAD.

SUBJECT TO ALL LEGAL EASEMENTS AND HIGHWAYS OF RECORD.

THE ABOVE DESCRIPTION IS BASED ON A SURVEY DATED NOVEMBER & DECEMBER, 2004, BY PREFERRED SURVEYING COMPANY, INC., UNDER THE DIRECT SUPERVISION OF PATRICK S. FINN, PROFESSIONAL SURVEYOR NO. 2953.

PREPARED BY: JMA CONSULTANTS, INC. OCTOBER 23, 2007 JOB NO.3052 STATE of KENTUCKY

MICHAEL P.

MEYER

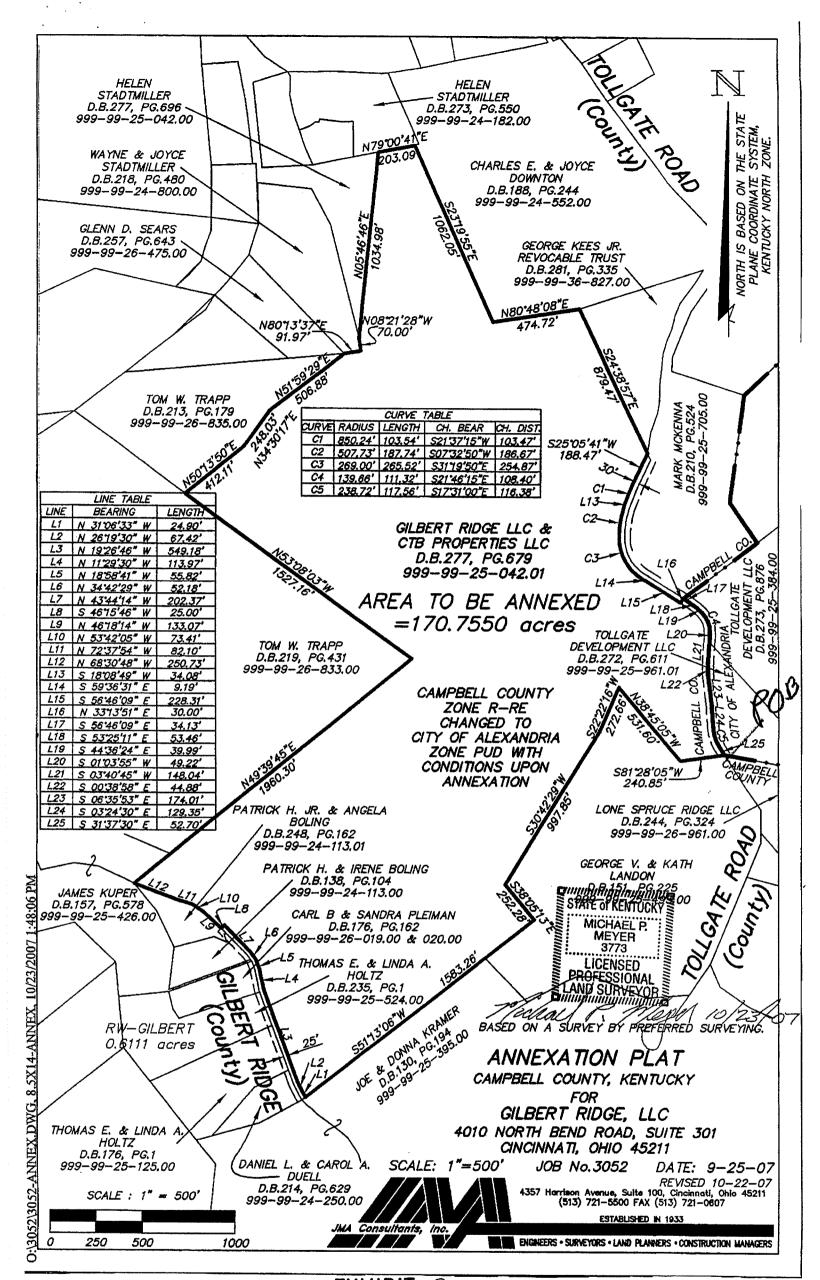
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LICENSED

PROFESSIONAL

LAND SURVEYOR

Michael F. Theyes 10/23/07



EXHIBIT_B

ANNEXATION LEGAL DESCRIPTION GILBERT RIDGE, LLC DEED BOOK 277, PAGE 679

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PREPARED BY: JMA CONSULTANTS, INC. OCTOBER 23, 2007 JOB NO.3052 STATE of KENTUCKY

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