

RECEIVED AND FILED
DATE March 27, 2008

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Karrie Adkins



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 2008-02**, which is lodged in the official City records.

Karen M. Barto
KAREN M. BARTO



COMMONWEALTH OF KENTUCKY
COUNTY OF Campbell

The foregoing instrument was sworn to and acknowledged before me this 12 day of February, 2008, KAREN M. BARTO, City Clerk for the City of Alexandria, Kentucky, a municipal corporation of the fourth class.

Janice Johannman
NOTARY PUBLIC

My Commission Expires January 18, 2010

My Jurisdiction Is STATE AT LARGE

ORDINANCE 2008-02

AN ORDINANCE OF THE CITY OF ALEXANDRIA, IN CAMPBELL COUNTY, KENTUCKY, ANNEXING CERTAIN REAL ESTATE LOCATED AT OR NEAR THE NORTHERN AND EASTERN BOUNDARY OF THE CITY AND LYING ON THE SOUTHEAST QUADRANT OF THE INTERSECTION OF EAST ALEXANDRIA PIKE/AA HIGHWAY-CONNECTOR, WITH THE AA HIGHWAY (ROUTE 9); AND BEING THE "BRAY GROUP" PROPERTY, CONSISTING OF APPROXIMATELY 9.065+/- ACRES, ALL AS MORE PARTICULARLY DESCRIBED AND ILLUSTRATED HEREIN AND IN THE EXHIBITS ATTACHED TO THIS ORDINANCE.

WHEREAS, The Bray Group, LLC is the Owner of approximately 9.065+/- acres of property which is contiguous to the City limits of the City of Alexandria, on the northern and eastern boundary of the city and lying on the southeast quadrant of the intersection of East Alexandria Pike/AA Highway-Connector, with the AA Highway (Route 9);

WHEREAS, pursuant to Kentucky Revised Statutes 81A.412, the Owner has consented and requested the City of Alexandria to annex the property into the City; and

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:

Section 1. The unincorporated property which is the subject of this Ordinance consists of approximately 9.065+/- acres of land owned by The Bray Group, LLC (the "Bray Group" Property), and being the property described in Deed Book 253, page 160 of the Campbell County Clerk's records in Alexandria, Kentucky, and which is identified as PVA Parcel 999-99-25-806.00. The Property is located on the northern and eastern boundary of the city and lying on the southeast quadrant of the intersection of East Alexandria Pike/AA Highway-Connector, with the AA Highway (Route 9) and has the address of 132 East Alexandria Pike (Connector), Alexandria, Kentucky.

Section 2. The Bray Group Property 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 Bray Group Property which is the subject of this Ordinance is further described and illustrated in the public records and deeds referenced in this Ordinance, which are and incorporated herein by reference. The Exhibits accurately define the boundary of the unincorporated territory proposed to be annexed and show its zoning.

Section 3. The Bray Group Property which is the subject of this Ordinance in Exhibits 'A' and 'B', consists of approximately 9.065+/- 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.

Section 4. Since the Owner of record of the land to be annexed has 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.

Section 5. The property which is the subject of this ordinance, consisting of approximately 9.065+/- acres of 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 pursuant to Campbell County Highway Commercial (HC) Zoning classification, 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. The Bray Group Property which is the subject of this Ordinance, consisting of approximately 9.065+/- acres of property is hereby placed in a differential tax rate category pursuant to KRS 82.085, which will result in the property owner receiving an annual city tax bill in an amount equal to ten percent (10%) of the amount that would issue if the subject property were otherwise not in the differential tax rate category. The Bray Group Property will remain in the differential tax rate category until the earlier of (1) The Bray Group Property is sold or otherwise transferred. Provided however, that a sale or transfer to a member of The Bray Group LLC's immediate family or to a trust, estate, company or other legal entity controlled by The Bray Group, LLC or a member of The Bray Group, LLC's immediate family will not in and of itself trigger the loss of the differential tax rate category; or (2) The Bray Group, LLC (or a developer or subdivider) obtains approval of the final development plan and/or the final subdivision plat by the Alexandria Planning Commission in order for the Bray Group Property to be developed and/or subdivided.

Section 8. This ordinance shall be effective upon its adoption and approval according to law, and publication thereafter.

Section 9. All ordinances or parts of any ordinances in conflict herewith, to the extent of the conflict, if any, are hereby repealed.

Section 10. The foregoing Ordinance was read, passed and adopted by the Council of the City of Alexandria, Kentucky, meeting in regular sessions on the 2nd day of January, 2008, and on the 17th day of January, 2008, with 6 Yes votes, 0 No votes, and 0 Abstentions, and was thereafter approved by the Mayor and ordered published in Summary according to law.

APPROVED:

By 
MAYOR DANIEL M. MCGINLEY

ATTEST:


CLERK KAREN M. BARTO

PUBLISHED: 01/24/2008

Lying in Campbell County, Kentucky at the south intersection of S.R. 9 (AA Highway and S.R. 709 (U.S. 27 Connector), and more particularly described as follows:

Beginning at point in the northeast line of Giglia Real Estate Partnership (D.B. 232 P.G. 158) at a corner to Bray Group, LLC (D.B. 274 P.G. 832);

Thence leaving said northeast line of Giglia and with the line of said Bray Group, LLC for six (6) calls:

North 40°52'01" East a distance of 234.54 feet to a point;
North 56°49'16" East a distance of 211.90 feet to a point;
North 39°26'25" East a distance of 150.08 feet to a point;
North 27°24'23" East a distance of 142.21 feet to a point;
South 39°17'47" East a distance of 241.35 feet to a point;
South 89°56'42" East a distance of 189.01 feet to a point in the southwest right of way of S.R. 9, 100 feet right of centerline station 339+00.00.

Thence with said right of way of S.R. 9, South 26°24'55" East a distance of 210.10 feet to a point in the line of Charles & Beulah Hatcher (D.B. 195 P.G. 524);

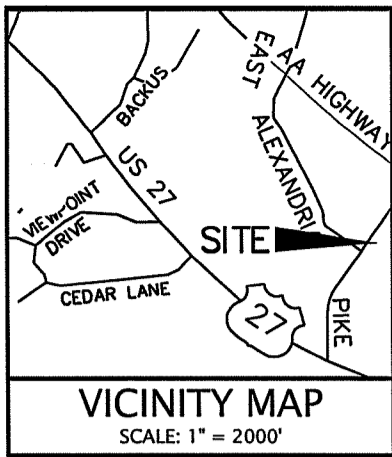
Thence with said Hatcher, South 48°23'46" West a distance of 775.62 feet to a fence post in the northeast line of said Giglia;

Thence with said Giglia, North 44°22'27" West a distance of 496.14 feet to the POINT OF BEGINNING.

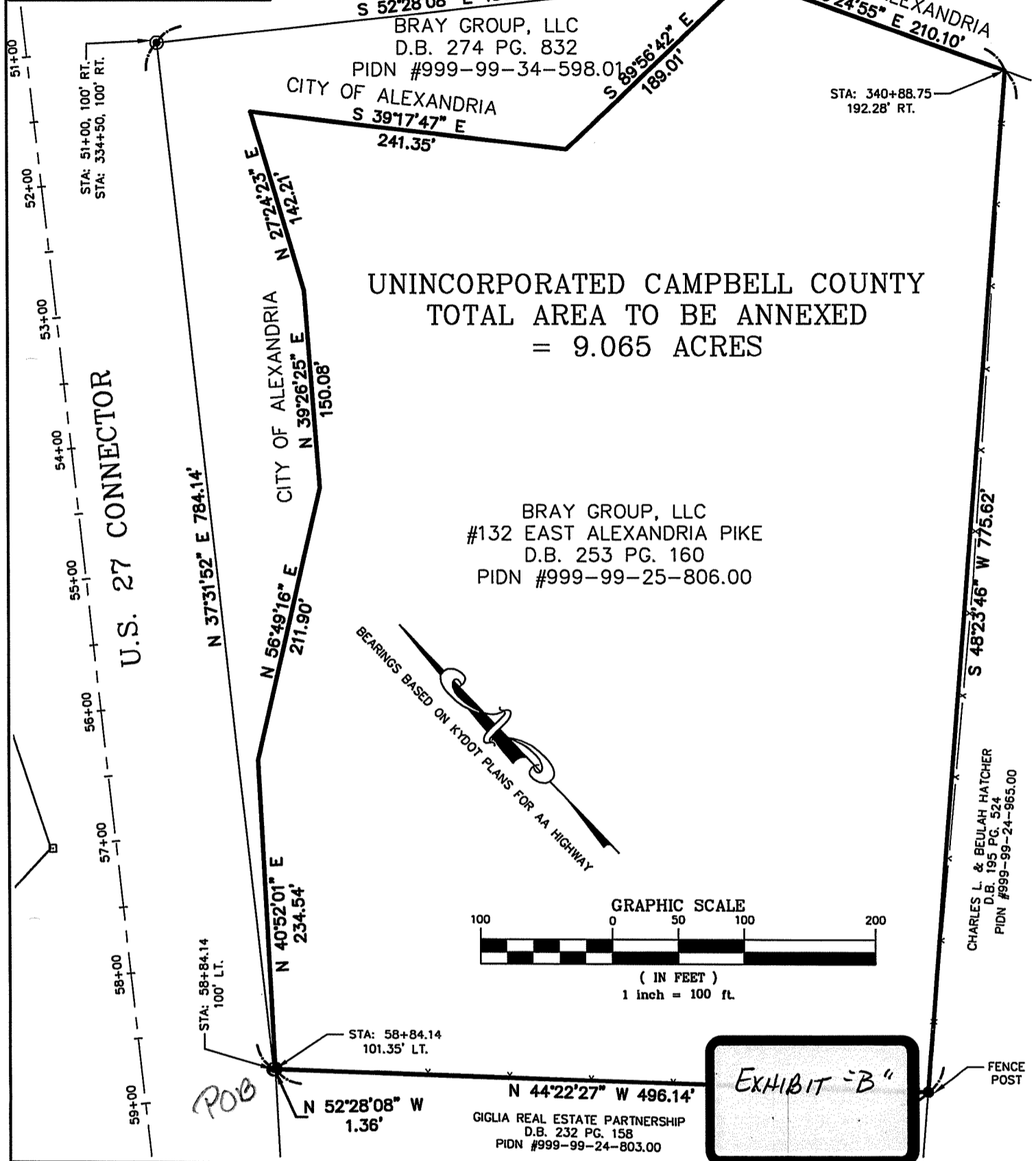
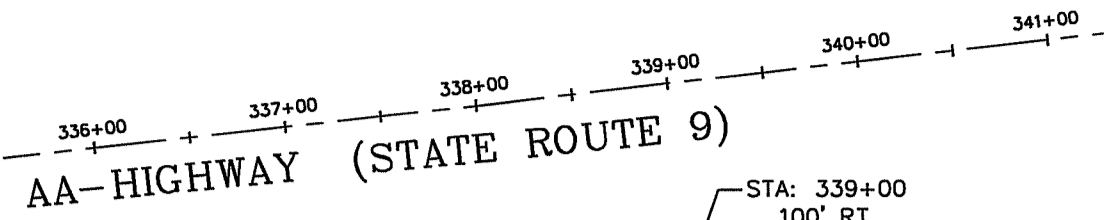
Said parcel contains 9.065 acres.

Being all of the property conveyed to Bray Group, LLC in Deed Book 253 Page 160 and recorded at the Campbell County Clerks records at Alexandria.

EXHIBIT "A"



NOTE:
THIS PLAT IS PREPARED FROM DEEDS AND PLATS OF RECORD AND
DOES NOT REPRESENT A FIELD SURVEY BY CARDINAL ENGINEERING.



ANNEXATION PLAT
for
BRAY GROUP, LLC
7000 Thelma Lee Drive, Suite 100
County of Campbell, State of Kentucky

CARDINAL
ARCHITECTURE
ENGINEERING
LAND SURVEYING

ONE MOOCK ROAD
WILDER, KENTUCKY
41071 (859) 581-9600

EXHIBIT "B"

STATE OF KENTUCKY
JOSEPH G. KRAMER
LS-3663
LICENSED
PROFESSIONAL
LAND SURVEYOR

| | |
|------------------|-----------|
| PROJECT MANAGER: | JGK |
| DRAWN BY: | TRP |
| DATE: | 02-18-08 |
| SCALE: | 1" = 100' |
| FILE NO.: | 04-009 |

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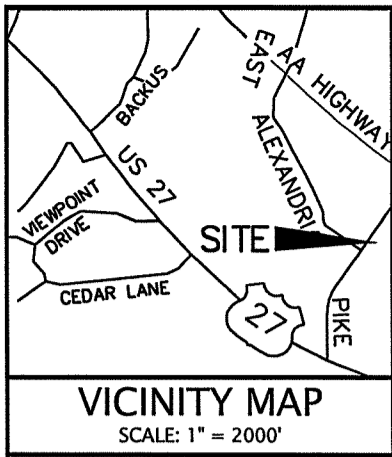
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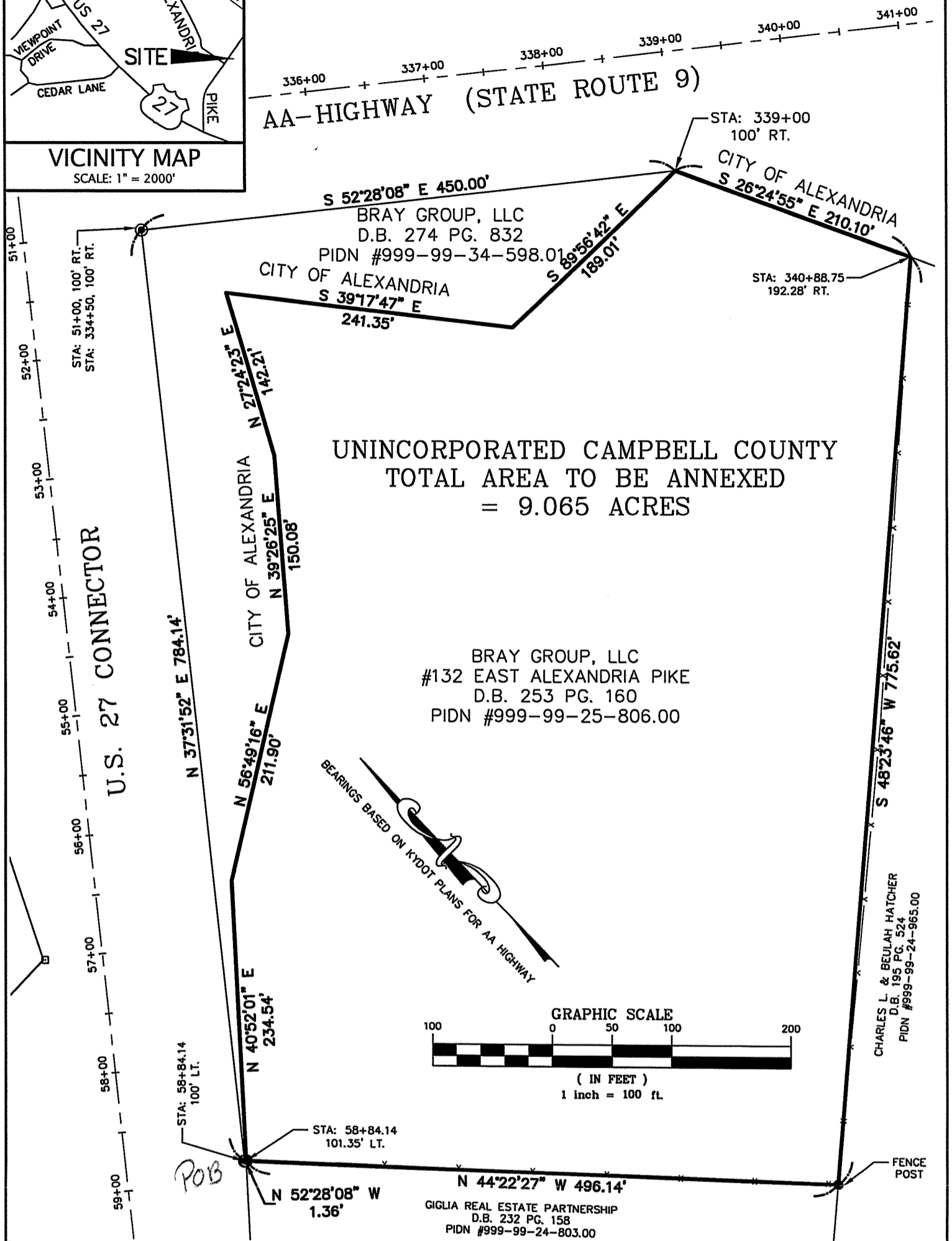
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for
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ONE MOOCK ROAD
WILDER, KENTUCKY
41071 (859) 581-9600

| | |
|---|------------------|
| STATE OF KENTUCKY JOSEPH G. KRAMER LS-3663 LICENSED PROFESSIONAL LAND SURVEYOR | PROJECT MANAGER: |
| | JCK |
| | DRAWN BY: |
| | TRP |
| | DATE: |
| 02-18-08 | |
| SCALE: | |
| 1" = 100' | |
| FILE NO. | |
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