

RECEIVED AND FILED  
DATE March 26, 2009

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Gardie 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 2008-21**, 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 10 day of February, 2009, KAREN M. BARTO, City Clerk for the City of Alexandria, Kentucky, a municipal corporation of the fourth class.

Jania Johannmann  
NOTARY PUBLIC

My Commission Expires January 18, 2010

My Jurisdiction Is STATE AT LARGE

ORIGINAL

**ORDINANCE NO. 2008-21**

**AN ORDINANCE OF THE CITY OF ALEXANDRIA, IN CAMPBELL COUNTY, KENTUCKY, ANNEXING THE "BERTRAM/UDF PROPERTY" AND THE "PERRY/WAGNER PROPERTY", LOCATED AT OR NEAR THE SOUTHERN AND WESTERN BOUNDARY OF THE CITY AND LYING AT THE NORTHWEST QUADRANT OF ALEXANDRIA PIKE (US 27) AND CREEKTRACE ROAD (STATE ROUTE 536), ALL AS MORE PARTICULARLY DESCRIBED AND DEPICTED IN THE EXHIBITS TO THIS ORDINANCE; AND THE PROPERTY SHALL COME INTO THE CITY LIMITS ZONED 'CITY' HIGHWAY COMMERCIAL (HC) UPON ITS ANNEXATION INTO THE CITY LIMITS.**

**WHEREAS**, pursuant to Kentucky Revised Statutes 81A.412, the Owners of the "BERTRAM/UDF PROPERTY", owned by William G. & Luella R. Bertram, and which consists of approximately 2.391 acres of property (in 2 parcels) at 9242 Alexandria Pike, which real estate is contiguous to the City limits of the City of Alexandria, on the southern and western boundary of the City and lying at the northwest quadrant of the intersection of Alexandria Pike (US 27) and Creektrace Road (State Route 536), upon which is proposed to be constructed a United Dairy Farmers Store, which property is more particularly described herein, have requested the City to annex the property to the City; and

**WHEREAS**, pursuant to Kentucky Revised Statutes 81A.412, the Owners of the the "PERRY/WAGNER PROPERTY", owned by Delbert Perry and William & Barbara Wagner, and which consists approximately 1.00 acre of property at 9216 Alexandria Pike, which is contiguous to the City limits of the City of Alexandria, on the southern and western boundary of the City and lying north of the BERTRAM/UDF PROPERTY, on the west side of Alexandria Pike (US 27) and north of its intersection with Creektrace Road (State Route 536, which property is more particularly described herein, have also requested the City to annex the property to the City; and

**WHEREAS**, the City has adopted Ordinances 2008-18 and 2008-19, wherein the City expressed its Intent to Annex the BERTRAM/UDF PROPERTY and the PERRY/WAGNER PROPERTY into its City Limits; and

**WHEREAS**, also pursuant to Ordinances 2008-18 and 2008-19, 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 BERTRAM/UDF PROPERTY and the PERRY/WAGNER PROPERTY upon its annexation; and

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**WHEREAS**, by Ordinance 2008-20, the City classified the property the City's Highway Commercial (HC) zoning classification upon its annexation into the City Limits, and amended the City of Alexandria zoning map accordingly, all subject to this Annexation Ordinance; and

**WHEREAS**, the City of Alexandria hereby declares that it 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 BERTRAM/UDF PROPERTY, which is the subject of this ordinance, consists of approximately 2.391+/- acres of land, at 9242 Alexandria Pike, owned by William G. & Luella R. Bertram, which is described in Deed Book 234, page 112 of the Campbell County Clerk's records in Alexandria, Kentucky, and which is identified as PVA Parcels 999-99-24-824.00 & 999-99-23-570.00 is the subject of this ordinance. The Property is located on the southern and western boundary of the City at 9242 Alexandria Pike, and lying at the northwest quadrant of the intersection of Alexandria Pike (US 27) and Creektrace Road (State Route 536).

**Section 2.** The PERRY/WAGNER PROPERTY, which is the subject of this ordinance, consists of approximately 1.00 acre of land owned by Delbert Perry and William & Barbara Wagner, which is described in Deed Book 231, page 386 of the Campbell County Clerk's records in Alexandria, Kentucky, and which is identified as PVA Parcel 999-99-26-676.00 is also the subject of this ordinance. The Property is located on the southern and western boundary of the City at 9216 Alexandria Pike, and lying north of the northwest quadrant of the intersection of Alexandria Pike (US 27) and Creektrace Road (State Route 536) and adjoining the BERTRAM/UDF PROPERTY referenced above.

**Section 3.** The unincorporated territory which is the subject of this Ordinance is described and illustrated in the Exhibits to this Ordinance, which Exhibits are incorporated herein by reference. The Exhibits accurately define the boundaries of the unincorporated territory being annexed and shows its zoning.

**Section 3.** The unincorporated territory which is the subject of this Ordinance 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

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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 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 is hereby annexed into the City limits of the City of Alexandria, Campbell County, Kentucky, for all purposes.

**Section 6.** 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 2008-20, the newly annexed territory shall be zoned the City's Highway Commercial (HC) zoning classification upon its annexation into the City Limits, and the City of Alexandria zoning map is amended accordingly.

**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.

**Section 9.** The foregoing Ordinance was read, passed and adopted by the Council of the City of Alexandria, Kentucky, meeting in **regular sessions on the 6<sup>th</sup> day of November, 2008, and on the 20<sup>th</sup> day of November, 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:

  
MAYOR DANIEL M. MCGINLEY

ATTEST:

  
CLERK KAREN M. BARTO

PUBLISHED: 12/4/08



Legal Description  
Annexation to the City of Alexandria  
Parcel #1 Deed Book 290, Page 304  
Parcel #2 Deed Book 231, Page 386  
3.391 Acres Total

Lying on the northerly side of KY S. R. 536 at the west intersection of U.S. 27 south of Alexandria in Campbell County, Kentucky being more particularly described as follows:

Beginning at the intersection of the northerly right of way of KY S.R. 536 and the westerly right of way of U.S. 27 at a recovered concrete monument;

Thence along the northerly right of way of KY S.R. 536 the following five (5) calls:

North 87°28'20" West a distance of 185.16 feet to a recovered concrete monument;  
North 57°09'04" West a distance of 57.86 feet to a recovered concrete monument;  
South 82°44'05" West a distance of 152.96 feet to a recovered concrete monument;  
North 71°50'42" West a distance of 155.13 feet to a recovered concrete monument;  
North 86°02'25" West a distance of 133.03 feet to the corner of Marvin R. & Traci Haigis (D.B. 283, Pg. 620) and Jon T. & Connie K. Hervey (D.B. 204, Pg. 313) a recovered 3/8" steel rebar;

Thence leaving said corner and with the southern line of Hervey North 69°26'38" East a distance of 134.42 feet to a recovered 5/8" steel rebar (P.L.S. 2568);

Thence with said line of Hervey and North 53°50'14" East passing through a recovered 2" pipe at a distance of 52.79 feet, a total distance of 167.58 feet to a recovered 2" pipe on the southerly line of Greg Blanton (D.B. 278, Pg. 471);

Thence along said Blanton line North 43°41'51" East a distance of 95.81 feet to a recovered 2" steel pipe in the line of First Assembly of God of Alexandria (D.B. 167. PG. 153);

Thence with said line of First Assembly of God of Alexandria the following three (3) calls:

South 41°31'51" East a distance of 23.55 to a set 1/2" steel rebar with identification cap stamped "STUBBS KY 3834;  
South 40°06'37" East a distance of 82.76 feet to a recovered 3/8" iron pin;  
South 86°55'50" East a distance of 104.19 feet to a point corner to Delbert Perry, William and Barbara Wagner (D.B. 231, Pg. 386);

Thence along said Perry & Wagner line the following two (2) calls;

North 03°04'10" East a distance of 250.00 feet to a point;  
South 86°55'50" East a distance of 174.00 feet to a point in the west right-of-way  
Line of U.S. 27;

Thence with said right-of-way of U.S. 27 the following two (2) calls;

South 03°04'10" West a distance of 250.00 feet to a set 1/2" steel rebar with  
identification cap stamped "STUBBS KY 3834";  
South 02°30'29" West a distance of 197.45 feet to the POINT OF BEGINNING.

The herein described parcel contains 3.391 acres.

Legal Description

Annexation to the City of Alexandria

Parcel #1 Deed Book 290, Page 304

Parcel #2 Deed Book 231, Page 386

3.391 Acres Total

Lying on the northerly side of KY S. R. 536 at the west intersection of U.S. 27 south of Alexandria in Campbell County, Kentucky being more particularly described as follows:

Beginning at the intersection of the northerly right of way of KY S.R. 536 and the westerly right of way of U.S. 27 at a recovered concrete monument;

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South 82°44'05" West a distance of 152.96 feet to a recovered concrete monument;

North 71°50'42" West a distance of 155.13 feet to a recovered concrete monument;

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South 86°55'50" East a distance of 104.19 feet to a point corner to Delbert Perry, William and Barbara Wagner (D.B. 231, Pg. 386);

Thence along said Perry & Wagner line the following two (2) calls;

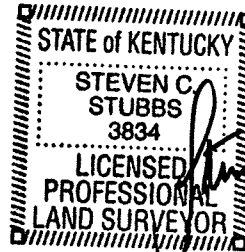


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Line of U.S. 27;

Thence with said right-of-way of U.S. 27 the following two (2) calls;

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South 02°30'29" West a distance of 197.45 feet to the POINT OF BEGINNING.

The herein described parcel contains 3.391 acres.

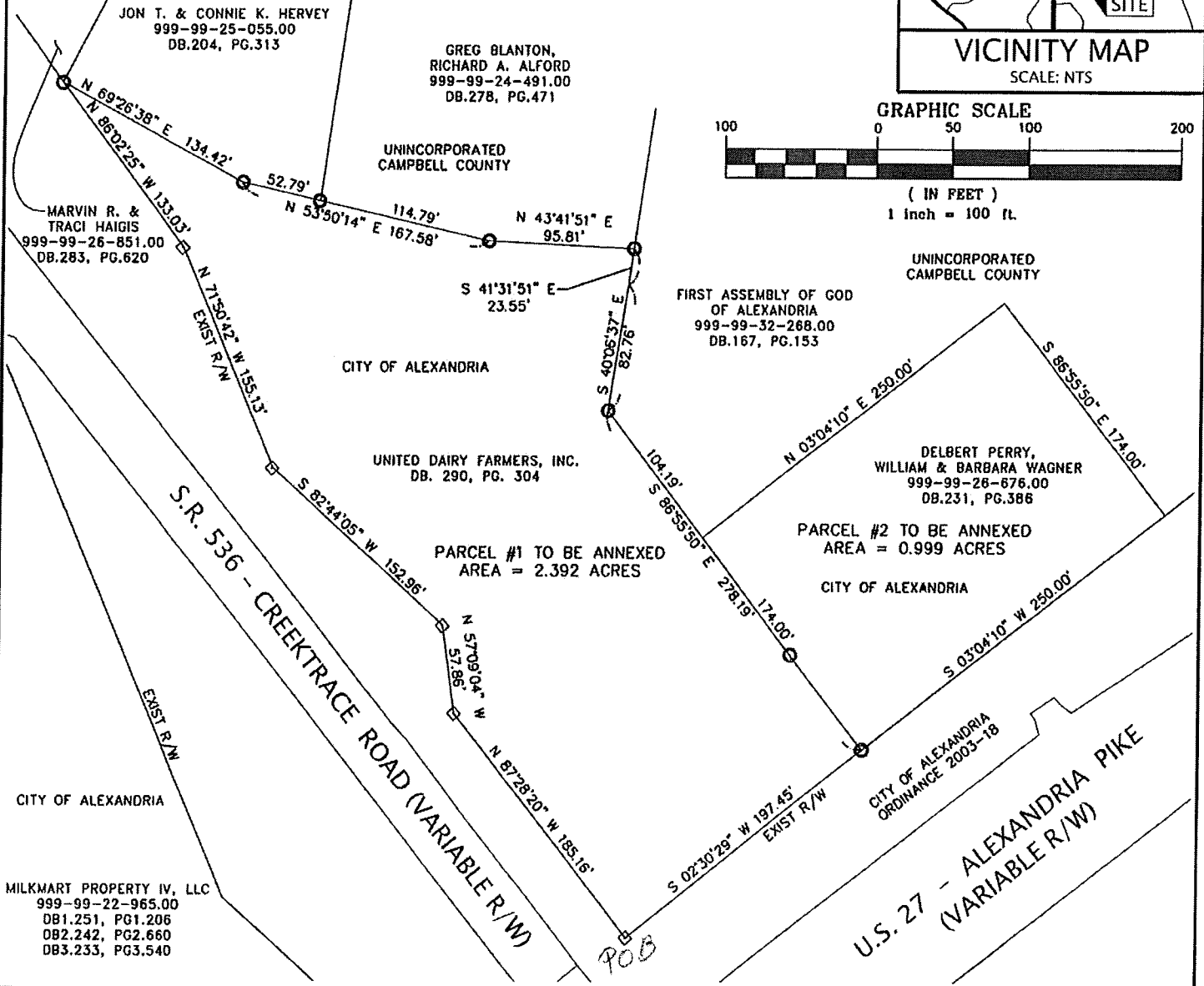
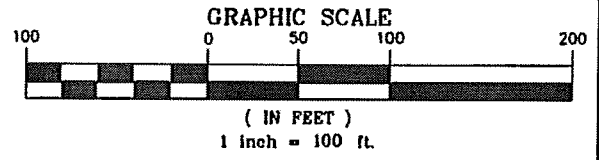
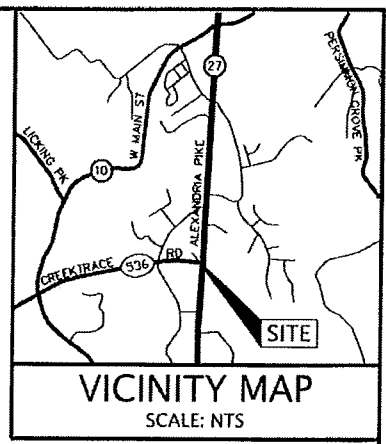


*Steven C. Stubbs*  
2/18/09

MAPS MONUMENTS:  
 INC. 17742 &  
 FSN CERRAME 2002

This plat is based on deeds of record  
 and does not represent an actual field  
 survey by Cardinal Engineering. See  
 attached annexation description for a  
 full description of parcel to be annexed

AREA TO BE ANNEXED INTO  
 THE CITY OF ALEXANDRIA.  
 TOTAL AREA = 3.391 ACRES



**ANNEXATION PLAT**  
 for  
**THE CITY OF ALEXANDRIA**  
 Northwest Quadrant of US 27 & KY SR 536  
 City of Alexandria, Kentucky

**CARDINAL**  
 ARCHITECTURE  
 ENGINEERING  
 LAND SURVEYING

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

STATE OF KENTUCKY  
 STEVEN C. STUBBS  
 3834  
 LICENSED PROFESSIONAL LAND SURVEYOR

PROJECT MANAGER:  
 SCS

DRAWN BY:  
 MWR

DATE:  
 02-17-2009

SCALE:  
 1" = 100'

FILE NO.  
 08-102-02

*Signature*  
 3/24/09