

ORDINANCE NO. 4 - 2008

AN ORDINANCE ANNEXING TO THE CITY OF BELLEFONTE, KENTUCKY CERTAIN TERRITORY OF LAND CONTIGUOUS TO THE EXISTING CITY LIMITS OF BELLEFONTE, KENTUCKY; AND OTHER MATTERS.

WHEREAS, the City Commission of the City of Bellefonte, Kentucky has determined that the hereinafter described territory is urban in character and/or suitable for development for urban purposes by reason of population density and/or commercial and industrial use of land; and

WHEREAS, the City Commission has determined that no part of the area to be annexed is included within the boundary of another city; and

WHEREAS, pursuant to KRS 81A.425 notice was sent by first-class mail to each property listed on the records of the Greenup County Property Valuation Administrator as of January 1, 2007; and

WHEREAS, said notice was mailed no later than fourteen days prior to the meeting at which the Ordinance proposing the annexation and stating the intention of the City of Bellefonte to annex the territory received its second reading; and

WHEREAS, Ordinance No. 4-2007 proposing the annexation was duly read in accordance with Kentucky Revised Statutes and was published and went into effect on December 13, 2007; and

WHEREAS, more than sixty days have elapsed since Ordinance No. 3-2007 went into effect and no petition containing signature of property owners in the area to be annexed has been received by the Mayor pursuant to KRS 81A.420; and

WHEREAS, all notices required by Kentucky Revised Statutes have been provided for and/or published according to law;

RECEIVED AND FILED
DATE August 20, 2008

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Hardie Adkins

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Bellefonte, Kentucky that the City of Bellefonte hereby ratifies the Mayor's signature upon and approves any and all documents necessary to effectuate the intent of this Ordinance including, but not limited to, the annexation and, further, the City hereby annexes the following described unincorporated area and makes it a part of the City of Bellefonte, Kentucky:

**SEE PROPERTY DESCRIPTION ATTACHED AS EXHIBIT 1 AS INCORPORATED
HEREIN BY REFERENCE.**

That the said territory described by the attached Exhibit 1 shall be annexed to the City of Bellefonte, Kentucky in the manner provided by the laws of the Commonwealth of Kentucky and the Mayor of the City of Bellefonte is authorized and directed to cause the advertisement of this Ordinance pursuant to law.

Be it further ordained that the Mayor of the City of Bellefonte shall cause an accurate map of the annexed area together with the meets and bounds description and including a certified copy of this Ordinance to be recorded in the office of the Greenup County Clerk and in the office of the Secretary of State for the Commonwealth of Kentucky.

Be it further ordained that the annexed property set forth in Exhibit 1 shall be zoned as residential use only consistent with Section 4 of the Ordinance of the City of Bellefonte, Kentucky, Ordinance No. 1-1987 and all other applicable ordinances.

SECTION 2: That all ordinances in conflict herewith are specifically hereby repealed to the extent of said conflict only.

SECTION 3: That each section and each sentence of this ordinance is enacted separately and the invalidity and/or unconstitutionality of any one particular sentence and/or section shall not affect the validity and/or constitutionality of any other sentence and/or section.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.


MAYOR, CITY OF BELLEFONTE, KENTUCKY

**LEGAL DESCRIPTION OF A TRACT OF LAND FOR THE CITY OF BELLEFONTE
PROPOSED ANNEXATION "ANNEX - 2" POWELL PROPERTY**

Being a parcel of land Lying Between Bellefonte Country Club and Lawhorn Hollow Road and adjacent to the City of Russell and the Boyd County line and being unincorporated lands lying in Greenup and Boyd Counties, Kentucky, and being more particularly described as follows: Beginning at point on the existing City of Bellefonte Corporate limits line and being corner to Bellefonte Country Club (Deed Book 71, Page 62); Thence leaving line of Country Club and with line of City of Bellefonte Corporate Limits and through lands of Bellefonte Country Club property **South 11°02'00" East 91.79 feet** to a point on the Boyd County Line; Thence with line of Greenup and Boyd Counties and with a new division line through said Country Club, Bellefonte Country Club (Deed Book 245, Page 469), Bellefonte Estates, LLC (Deed Book 533, Page 121, Tract 1), Barbara Daniels (Deed Book 585, Page 400 - Boyd Co.), Joyce Hart Stevens (Deed Book 607, Page 20 - Boyd Co.) and with a new proposed Corporate limits line of the city of Bellefonte **South 49°56'05" West 2,373.53 feet** to a point at the corner of James Honaker (Deed Book 261, Page 8); Thence leaving Boyd County line and with three (3) lines of Honaker, **North 35°27'30" West 389.70 feet** to a point; Thence continuing with line of Honaker, **South 89°22'30" West 15.00 feet** to a point at the corner to Robert Fuller (Deed Book 523, Page 261); Thence leaving line of Honaker and with line of Fuller **North 05°25'44" West 467.22 feet** to a point; Thence **North 09°44'00" East 184.20 feet** to a point; Thence **South 83°39'00" West 241.00 feet** to a point; Thence **South 56°39'00" West 302.00 feet** to a point at the corner of Jason Vaughan (Deed Book 533, Page 217); Thence leaving Fuller and with line of Vaughan **North 52°56'00" West 339.00 feet** to a point being a corner to Bellefonte Estates, LLC (Deed Book 533, Page 121 Tract - 2); Thence leaving Vaughan and with a new line through Bellefonte Estates **North 46°32'27" West 432.24 feet** to a point; Thence **North 36°51'00" West 436.24 feet** to a point; Thence **North 57°21'00" West 476.42 feet** to a point; Thence up the centerline of a drain **North 42°55'30" East 199.47 feet** to a point; Thence **North 48°07'47" East 238.04 feet** to a point; Thence **North 57°59'15" East 172.75 feet** to a point on top of ridge on the existing Corporate Limits line of Russell; Thence with Corporate line of Russell **South 40°24'00" East 426.57 feet** to a point; Thence leaving line of said Bellefonte Estates, LLC and through lands of Bellefonte Land, Inc. and continuing with line of Russell **South 84°16'20" East 1,127.50 feet** to a point on the line of Bellefonte Country Club (Deed Book 71, Page 62); Thence leaving Corporate line of Russell and with line of Country Club **South 63°37'00" East 1,080.77 feet** to a point; Thence **North 74°58'00" East 1,000.10 feet** to the Point of Beginning, containing **72.80 Acres** more or less, as described and platted by Anthony A. Kelbler, PLS No. 3662 and dated 08-26-07.

The above described land was established by mapping Deed Descriptions, Plats of Record, Property Valuation Maps and visible occupation only. The above described land measurements were not confirmed by field survey. The above described land was prepared using methods approved by the Kentucky State Board of Licensure for Professional Land Surveyors for City Annexation Boundaries.

ATTEST:

Ronald L. Fraley
CITY CLERK-TREASURER

FIRST READING: June 23, 2008

SECOND READING: June 30, 2008

PUBLISHED DATE: July 17, 2008

Ronald L. Fraley
I, RONALD L. FRALEY, City Clerk for the
City of Bellefonte, Kentucky do hereby
certify that the foregoing is a true
and correct copy of the Ordinance of the
City of Bellefonte, Kentucky.

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

To research the map, contact the
Office of Secretary of State
or the County Clerk.