



CITY OF BELLEVUE

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BELLEVUE, KY 41073
(859) 431-8888
FAX: (859) 261-8387

JOHN "JACK" MEYER
MAYOR

MARY H. SCOTT
CITY CLERK / TREASURER

I certify I am the duly qualified City Clerk of the City of Bellevue, Kentucky, and the foregoing Ordinance 92-4-1 is a true, correct and complete copy duly adopted by the Bellevue City Council on 5/27/92, all as appears in the official records of the City.

WITNESS, my hand and Seal, this 16th day of December 2008.

Mary H. Scott
Mary H. Scott, City Clerk

Seal

RECEIVED AND FILED
DATE July 23, 2009

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Hankie Adkins

CITY OF BELLEVUE ORDINANCE 92-4-1

AN ORDINANCE OF THE CITY OF NEWPORT, KENTUCKY AND THE CITY OF BELLEVUE, KENTUCKY, PURSUANT TO THE PROVISIONS OF KRS CHAPTER 81, AMENDING THE TERRITORIAL BOUNDARIES OF THE TWO CITIES TO PROVIDE THAT CERTAIN PROPERTY, MORE SPECIFICALLY DESCRIBED IN THIS ORDINANCE SHALL BE ADDED TO THE TERRITORIAL LIMITS OF THE CITY OF BELLEVUE, KENTUCKY, FROM THE CITY OF NEWPORT, KENTUCKY, AND THAT CERTAIN PROPERTY BE ADDED TO THE TERRITORIAL LIMITS OF THE CITY OF NEWPORT, KENTUCKY, FROM THE CITY OF BELLEVUE, KENTUCKY.

WHEREAS, the Kentucky General Assembly recently adopted House Bill 234, which created a new section of KRS Chapter 81 relating to the transfer of incorporated areas between cities of the second through sixth classes; and

WHEREAS, such act of the General Assembly is now in full force and effect; and

WHEREAS, the cities of Newport and Bellevue, Kentucky, have a common boundary along a portion of Taylor Creek in the vicinity of Riviera Drive, extending north to the Ohio River, and

WHEREAS, a portion of said property along said boundary, currently in the City of Bellevue can be best served by the City of Newport and a portion of said property located in the incorporated limits of Newport can best be served by the City of Bellevue; and

WHEREAS, the cities are desirous of amending the boundary lines in said area in such a way to benefit both parties; and

WHEREAS, the property involved is currently undeveloped and is publicly owned with no persons or registered voters residing thereon.

BE IT ORDAINED BY THE CITY OF NEWPORT, KENTUCKY AND THE CITY OF BELLEVUE, KENTUCKY:

SECTION I

A. That the following described area shall be transferred from the incorporated area of the City of Newport, Kentucky, and be added to the territorial limits of the City of Bellevue, Kentucky:

Situated in the City of Newport, Campbell County, Commonwealth of Kentucky and being more particularly described as follows;

Commencing at a point in the intersection of the southerly right-of-way line of State Route 8 (Riverside Drive) and the easterly Corporation line of the City of Newport and the westerly Corporation line of the City of Bellevue, said point also being approximately station 103+94.04, 43.00 feet left of the centerline of State Route 8;

Thence South 52°50'04" East along said corporation lines 13.04 feet to the Real Point of Beginning;

Thence South 52°50'04" East along said corporation lines 62.81 feet to a point;

Thence South 37°32'33" East continuing along said corporation lines 68.88 feet to a point;

Thence South 39°29'07" East continuing along said corporation lines 108.35 feet to a point;

Thence South 40°15'19" East continuing along said corporation lines 118.03 feet to a point;

Thence South 43°09'48" East continuing along said corporation lines 204.07 feet to a point;

Thence South 45°33'42" East continuing along said corporation lines 121.18 feet to a point;

Thence South 43°23'24" East continuing along said corporation lines 186.50 feet to a point;

Thence South 48°15'08" East continuing along said corporation lines 63.06 feet to a point;

Thence South 44°27'57" East continuing along said corporation lines 128.11 feet to a point;

Thence South 42°40'56" East continuing along said corporation lines 45.18 feet to a point;

Thence South 35°05'52" West along a line 64.27 feet to a point;

Thence North 49°47'30" West along a line 479.27 to a point;

Thence North 46°59'29" West along a line 472.61 feet to a point;

Thence North 49°54'08" West along a line 254.00 feet to a point in the existing right-of-way of State Route 8;

Thence along the existing southerly right-of-way line of State Route 8 and the arc of a curve to the right, having a radius of 7596.44 feet, for a distance of 106.59 feet, the long chord of said arc bears North 40°33'33" East 106.59 feet to a point;

Thence South 49°02'20" East along a line 13.00 feet to a point;

Thence along the existing southerly right-of-way line of State Route 8 and the arc of a curve to the right, having a radius of 7583.44 feet, for a distance of 82.13 feet, the long chord of said arc bears North 41°16'17" East 82.13 feet to the point of beginning;

Containing 3.2871 acres of land and being subject to all easements of record.

The above described property upon its transfer to the City of Bellevue, Kentucky, shall have the zoning classification of MLU (mixed land use) in accordance with the Zoning Ordinance of the City of Bellevue, Kentucky..

B. That the following described area shall be transferred from the incorporated area of the City of Bellevue, Kentucky, and be added to the territorial limits of the City of Newport, Kentucky.

Situated in the City of Newport and the City of Bellevue, County of Campbell, Commonwealth of Kentucky, being part of Lot 57 of Newport Manufacturing Company's Addition as recorded in Plat Book 9, Page 17, and Part of Lots 20, 19, 18, and 17 of Taylor's Addition to Bellevue as recorded in Plat Book 6, Page 4, and being more particularly described as follows:

Commencing at a point in the east line of the property conveyed to the City of Newport in Deed Book 230, Page 379 and the north Controlled Access (C.A.) right-of-way line of State Route 8 (Riverside Drive), said point also begin station 106+71.03, 43.00 feet right;

Thence North 47°48'52" West along said east line 270.96 feet to a point in the northwest corner of a tract of land currently owned by the Kentucky Department of Highways, hereafter referred to as KDOT, as recorded in Deed Book 394, Page 438;

Thence North 42°27'07" East along the northerly line of said KDOT tract of land 17.00 feet to a point in the northwest corner of a tract of land currently owned by the KDOT as recorded in Deed Book 254, Page 177;

Thence North 27°50'42" East along the northerly line of said KDOT tract of land 97.92 feet to a point in the northwest corner of a tract of land currently owned by the KDOT as recorded in Deed Book 504, Page 574 and the westerly Corporation Line of the City of Bellevue and the Real Point of Beginning for the tract of land herein described;

Thence North 30°28'23" East along the northerly line of said KDOT tract of land 178.84 feet to a point;

Thence South 52°55'47" East along a line 181.14 feet to a point in the centerline of River Dock Road, said point being station 52+52.59;

Thence with the centerline of River Dock Road and with the arc of a curve to the right, having a radius of 100.00 feet, 166.68 feet to a point, the long chord of said arc bearing North 84°49'13" East a distance of 148.04 feet;

Thence South 47°25'47" East continuing along said centerline 42.91 feet to a point in the northerly right-of-way line of State Route 8 (Riverside Drive), said point being station 102+61.00, 43.00 feet right;

Thence with the northerly right-of-way of State Route 8 and the arc of a curve to the left, having a radius of 7682.44 feet, 190.64 feet to a point in the westerly Corporation Line of the City of Bellevue, the long chord of said arc bearing South 41°51'39" West for a distance of 190.64 feet to said point;

Thence North 68°33'56" West along the said westerly Corporation Line, 308.38 feet to the point of beginning.

Containing 1.26 acres of land and subject to all easements of record.

The above described property upon transfer to the City of Newport, Kentucky shall have the zoning classification of Conservation in accordance with the Zoning Ordinance of the City of Newport, Kentucky.

SECTION II

That there shall be no financial payment required from either city to the other as a result of the transfer described in Section I above, except that each party shall convey to the other any interest in the real estate it may have in the area to be transferred to the other party, provided, however, that the City of Newport may retain easements in the real estate it conveys to the City of Bellevue (to allow for the maintenance of any

storm and/or sanitary lines which may run through the property) and to have access to maintain its floodwall system. Any applicable conveyance from the City of Newport shall be to the City of Bellevue Urban Renewal of Community Development Agency.

SECTION III

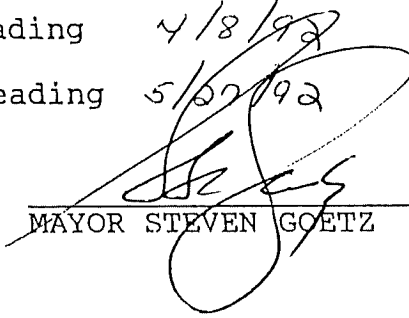
That since the areas involved in the transfers referred to in Section I above are publicly owned, no tax revenues are generated from the sites.

SECTION IV

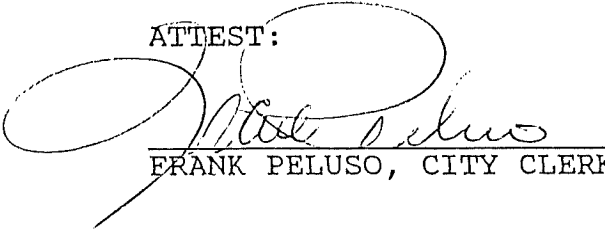
That this Ordinance shall be signed by the Mayor, attested by the City Clerk of each respective city, recorded, published and effective upon publication.

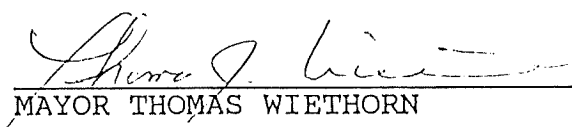
PASSED: First reading 4/18/92

PASSED: Second reading 5/27/92


MAYOR STEVEN GOETZ

ATTEST:


FRANK PELUSO, CITY CLERK


MAYOR THOMAS WIETHORN

2ATTEST:

Mary N. Scott
MARY SCOTT, CITY CLERK

PUBLISHED: In full in the Campbell County Recorder the
15 day of July, 1992.

landtran

81.500 Transfer of incorporated areas between cities of the second through sixth classes.

- (1) When two (2) cities of the second through the sixth class have a common boundary and it is determined that a specified area within one (1) city can be better served by the adjoining city, the specified incorporated area may be transferred to the adjoining city upon enactment of identical ordinances by each city legislative body and the submission of a petition in support of the transfer signed by voters in the area to be transferred.
- (2) The ordinances declaring the transfer of property between two (2) cities shall include, but not be limited to, the following:
 - (a) A definition of the area to be transferred;
 - (b) A statement of the financial considerations between the two (2) cities regarding the area and the terms of any financial agreements;
 - (c) The resolution of any taxes or revenues from the area; and
 - (d) A statement of the land use or zoning regulations which would be applicable to the area being transferred if planning and zoning is in effect pursuant to KRS Chapter 100 in either city.
- (3) Prior to the effective date of the transfer of the property, a petition in support of the transfer, containing a number of signatures of residents in the area to be transferred which is not less than fifty-one percent (51%) of the number of registered voters in the area to be transferred, shall be submitted to the county clerk of the county from which the property is being transferred. The county clerk shall within ten (10) working days of receipt of the petition notify each city of the validity of each signature and address on the petition. No petition shall be required to be submitted when the property proposed for transfer contains no residents and the property owners consent in writing to the transfer.
- (4) The enactment of ordinances by each city shall be pursuant to KRS 83A.060.
- (5) The authority for the transfer of incorporated property between cities shall be exclusive of the provisions of KRS 81A.440.
- (6) In addition to other public notice requirements, cities involved in the transfer of incorporated areas between cities shall comply with the provisions of KRS 81A.470 and 81A.475.
- (7) The incorporated area being transferred shall assume the local option status of the city to which it is being transferred.

Effective: February 28, 1992 .

History: Created 1992 Ky. Acts ch. 17, sec. 1, effective February 28, 1992.

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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