

ORDINANCE NO. 11 -83

AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, ANNEXING CERTAIN REAL PROPERTY CONTIGUOUS AND ADJACENT TO THE EXISTING CORPORATE LIMITS.

WHEREAS, in Ordinance No. 24-82, enacted December 7, 1982, the City Council of the City of Berea, Kentucky, proposed to annex a certain tract of real property lying adjacent and contiguous to the present corporate limits of the City of Berea; and

WHEREAS, said Ordinance was published according to law; and

WHEREAS, the Mayor received a petition objecting to said annexation; and

WHEREAS, thereafter the Madison County Clerk caused an election to be held on May 24, 1983, wherein the voters affected by such proposed annexation were permitted to vote on the question of annexation, pursuant to K.R.S. 81A.420; and

WHEREAS, the County Clerk and Chairman of the Madison County Board of Elections reported that less than seventy-five percent (75%) of the qualified voters in the area to be annexed voted in opposition to the annexation; and,

WHEREAS, K.R.S. 81A.420(2)(b) provides that "If less than seventy-five percent (75%) of qualified voters in the area to be annexed oppose annexation, the unincorporated territory shall become a part of the City"; and

WHEREAS, pursuant to such statutory mandate the City Council having determined to proceed on the annexation of the tract described below,

NOW, THEREFORE, the City Council of the City of Berea, Kentucky, does ordain as follows:

SECTION ONE: That the City of Berea, Kentucky, hereby annexes and makes a part of its corporate area, pursuant to K.R.S. 81A.420, the following described territory:

Beginning at a point in the west right of way line of the Menelaus Road at the northeast corner of the Wayside Christian Church; thence crossing said road 30 feet, more or less, to the common corner between Dump Denny and Mrs. John Park and L.M. Oliver; thence continuing in an easterly direction with the southline of Park 1140 feet, more or less, to a corner; thence 780 feet, more or less, to a point in the existing north city limits line, the north line and existing city limits line of the 60.3 acre L.M. Oliver tract-Silver Creek Acres Subdivision (preliminary plat); thence in a southwesterly direction with the north line of said subdivision, S 43 degrees 03' 10" W 345.65 feet to a steel pin; thence S 53 degrees 31' 24" W 524.83 feet to a steel pin; thence S 76 degrees 21" W 270.43 feet to a steel pin; thence S 39 degrees 58' 56" W 288.89 feet to a steel pin; thence N 89 degrees 28' 11" W 156.77 feet to a steel pin; thence S 03 degrees 00" E 268.19 feet to a steel pin and common corner to Goodyear at a 36" black oak; thence continuing with the existing city limits line S 05 degrees 01' W 224.7 feet to a point in the center of a 60" laural oak; thence S 04 degrees 55' W 235.4 feet to a post, corner to the Nancy Deatherage property; thence S 04 degrees 00' W 316.4 feet to a post, corner to the Bruce Fraley tract; thence S 04 degrees 19' W 385.7 feet to a post, corner to Bruce Fraley; thence with the south line of Fraley N 89 degrees 52' W 65.0 feet to a post, corner to George Strunk and Hiram Angel (now Delta Gas); thence with the east line of Delta Gas S 04 degrees 34' W 384.1 feet; thence S 04 degrees 34' W and passing the centerline of Glades Road at 223.9 feet, in all, 423.9 feet, more or less, to a point in the existing city limits line in the lands of Berea College; thence in a westerly direction through the lands of Berea College 200 feet, more or less, south of and parallel to Glades Road a distance of 700 feet, more or less, to a point in the east line of Walnut Meadow Road; thence in a southeasterly direction with said east line S 35 degrees 20' E 280 feet, more or less, to a point opposite the south line of the old Middle School property; thence crossing Walnut Meadow Road to the southeast corner of the old Middle School property and existing city limits line; thence in a westerly direction with the south line of the Middle School property 1,000 feet, more or less, to a point at the east right of way line of the L & N Railroad; thence north with said right of way line 3,375 feet, more or less, to the south line of Keller Industries; thence east with said south line 530 feet, more or less, to the southwest corner of the wayside Christian Church; thence north with said west line 200 feet, more or less, to the north line of said church; thence east with said north line 150 feet, more or less, to the northeast corner of the Wayside Christian Church and point of beginning.

SECTION TWO: Upon the enactment of this ordinance the territory described herein is a part of the City of Berea for all purposes.

SECTION THREE: The City Clerk or any other officer having custody of official maps or records of the City are

hereby directed to amend such maps or records to reflect the annexation provided for herein.

SECTION FOUR: All ordinances, parts of ordinances, or other actions of the City Council, in conflict with this ordinance, are hereby repealed.

FIRST READING: August 16, 1983

SECOND READING AND

ENACTMENT: September 6, 1983

CITY OF BEREA

ATTEST:

Patricia D. Abrams
Clerk of the City Council

PUBLISHED THIS 15th day of Sept, 1983.

APPROVED BY:

Clifford F. Kerby
Clifford F. Kerby, M.P., Mayor

PREPARED BY:

James T. Gilbert
James T. Gilbert, City Attorney

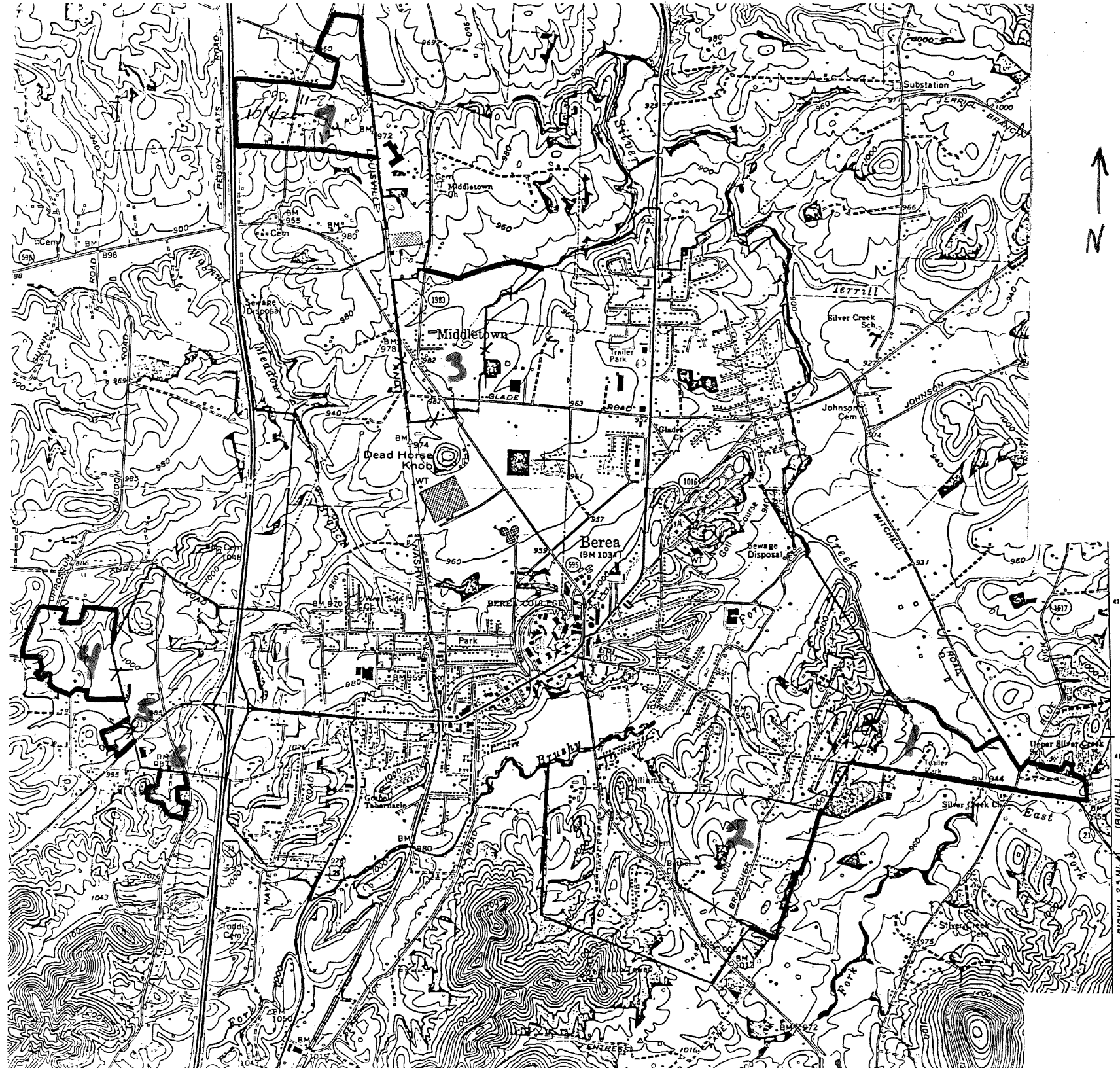
I, Patricia D. Abrams, City Clerk of Berea, Kentucky do hereby attest that the above is a true copy of Ordinance #11-83.

Patricia D. Abrams
PATRICIA D. ABRAMS, CITY CLERK

CITY OF
BEREA

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COUNTY

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