



CITY OF BEREA

CITY CLERKS OFFICE

CLIFFORD F. KERBY, M.D.  
MAYOR

312 CHESTNUT STREET • BEREA, KENTUCKY 40403  
(606) 986-4976

PATRICIA D. ABRAMS  
CITY CLERK

PROOF OF MUNICIPAL LEGISLATION

I, Patricia D. Abrams, City Clerk of the City of Berea, Kentucky, hereby certify that the attached is a true and accurate copy of Ordinance #15-91 of the City of Berea, Kentucky, adopted June 18, 1991 and effective June 18, 1991, and that I am the custodian of the original, which is maintained at the City Clerk's Office, Berea City Hall, Berea, Kentucky.

August 13, 1991

DATE

Patricia D. Abrams

PATRICIA D. ABRAMS, CITY CLERK

d:\ACTIVITY\TA\CERT

ORDINANCE NO. 15-91

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

WHEREAS, in Ordinance No. 4-90 enacted March 20, 1990, the City Council of the City of Berea 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, more than sixty days have elapsed since the enactment of said ordinance and no petition has been received by the Mayor objecting to said annexation; and

WHEREAS, the Planning Commission of the City of Berea held a public hearing on May 16, 1991, pursuant to KRS 100.209, and has made Findings of Fact and Recommendations for the zoning classifications for the property to be annexed;

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

SECTION I:

That the City of Berea, Kentucky, pursuant to KRS 81A.420, hereby annexes and makes a part of the corporate area the certain tract of property described as follows:

SEE ATTACHED EXHIBIT A

SECTION II

Upon the enactment of this ordinance, the territory described in Exhibit A is part of the City of Berea for all purposes.

SECTION III

The City Council adopts the findings of facts and recommendations of the Planning Commission attached as Exhibit B, and, pursuant to KRS 100.209 - 213, the area annexed herein is hereby assigned the zoning classifications set out on the map attached as Exhibit C.

SECTION IV

The City Clerk or any other officer having custody of official maps or records of the City is hereby directed to amend such maps or records to reflect the annexation provided for herein.

SECTION V

All ordinance or parts of ordinances in conflict with this ordinance are hereby repealed.

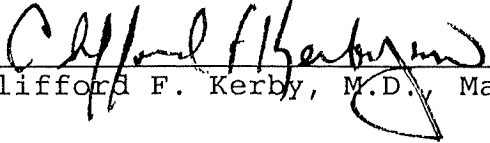
FIRST READING: June 4, 1991.

SECOND READING & ENACTMENT (AS AMENDED) June 18, 1991.


CITY OF BEREA, KENTUCKY  
ATTEST:

Patricia D. Abrams  
Clerk of the City Council

APPROVED:

  
\_\_\_\_\_  
Clifford F. Kerby, M.D., Mayor

PREPARED BY:

  
\_\_\_\_\_  
James T. Gilbert,  
Corporation Counsel  
City of Berea, Kentucky

BOUNDARY DESCRIPTION  
PROPOSED ANNEXATION  
1990  
CITY OF BEREA

Several tracts or parcels of land situated adjacent to the present corporate limits of the City of Berea, located generally northerly of the central portion of the City of Berea and as shown on the attached Map designated as Exhibit A and titled "Proposed Annexation to the City of Berea, Madison County, Kentucky, February 19, 1990", and identified as Parcels A, B, C, D, E, F, G and H and being more particularly described as follows, TO WIT:

PARCEL A

A boundary or strip of land being the right-of-way of Interstate Route 75 and being held in title by the Commonwealth of Kentucky under various deeds and said strip of land beginning at the location of the transverse intersection of present (1990) corporate limits of City of Berea, said location being the southerly boundary of Old Angel Road approximate mainline Station 4001+00, thence continuing in a generally northerly direction to mainline Station 4151+00.

PARCEL B

A boundary or tract of land situated and being in the southwesterly quadrant of the intersection of I-75 and Walnut Meadow Road and being that property now (1990) held in title by Douglas Wade Hall and Ida C. Hall, his wife, of deed of record dated July 25, 1985 lodged in the office of Clerk of Madison County in Deed Book 370, Page 488.

There is excluded from this description that boundary of land previously conveyed to the Commonwealth of Kentucky by deed dated July 28, 1965 and lodged of record in the Office of Clerk of

Madison County in Deed Book 217, Page 150 and deed dated May 13, 1986 in Deed Book 377, Page 268.

PARCEL C

A boundary or tract of land situated and being in the northwesterly quadrant of the intersection of Peggy Flat Road Relocated and Walnut Meadow Road and being that property now (1990) held in title by Lewis R. Calico and Pauline Calico, his wife, of deed of record dated September 17, 1955 lodged in the office of Clerk of Madison County in Deed Book 162, Page 540.

There is excluded from this description that boundary of land previously conveyed to the Commonwealth of Kentucky by deed dated March 10, 1986 and lodged of record in Deed Book 376, Page 191 and that boundary previously annexed and conveyed to John R. Turner and John P. Cooper by deed lodged of record in Deed Book 396, Page 392.

PARCEL D

A boundary or tract of land consisting of several parcels conveyed by different Grantors to the Commonwealth of Kentucky for purposes of constructing Exit 77 of I-75 and relocation of Peggy Flat Road, said project plan being designated as Project Number SSP-076-0075-077-078-003 to which plans reference is made for a more accurate and detailed description.

PARCEL E

A boundary or tract of land consisting of five (5) parcels situated northeasterly and adjoining KY-595 (Walnut Meadow Road) and bounded on the west and north by Berea Interchange Development Authority, Inc. on the east by CSX Railroad and on the south by

Sonic Property, said five (5) parcels being that property held in title by:

E-1	Robert Ross Geneva (wf)	DB 150, Page 475
E-2	Big "G", Inc.	DB 384, Page 63
E-3	Jennings Webb	DB 151, Page 41
E-4	James E. Morgan Juanita (wf)	DB 243, Page 564
E-5	Richard Rice Ruth Kennedy	DB 395, Page 414

#### PARCEL F

A boundary or tract of land situated and being in the northeasterly quadrant of the intersection of Interstate Route 75 and KY-595 (Walnut Meadow Road) and being that property now (1990) held in title by the Heirs of Robert M. Carpenter and Beulah Carpenter, his wife, of deed of record dated October 30, 1937 lodged in the office of Clerk of Madison County in Deed Book 117, Page 331.

There is excluded from this description that boundary of land previously conveyed to the Commonwealth of Kentucky by deed dated April 11, 1986 and lodged of record in Deed Book 377, Page 653 in the office of Clerk of Madison County.

#### PARCEL G

A boundary or tract of land consisting of four (4) separate parcels held by the following:

The Berea Industrial Development Authority	DB 401, PG 807
The Louisville & Nashville Railroad Co.	DB 98, PG 233
Moss & Mary Farris	DB 322, PG 208, DB 127, PG 351

The exterior consolidated boundary being described as follows,

TO WIT:

Beginning at a point on the present (1990) northern corporate limits of City of Berea, said point being the intersection of said corporate limits and easterly right-of-way of L & N Railroad, thence northerly with said easterly right-of-way to the southerly right-of-way of Mayde Road, thence easterly with said right-of-way to KY-1983 (Menelous Pike) and crossing said road to the easterly right-of-way thence continuing in a northwesterly direction to a point perpendicularly opposite the northerly most point of L & N Railroad property as designated in Deed Book 98, Page 233, thence leaving said easterly right-of-way and crossing KY-1983 and L & N mainline in a westerly direction to a point on the westerly right-of-way of L & N Railroad, thence southerly to the northerly right-of-way of Mayde Road, thence with said property line and northerly right-of-way in a westerly direction to the boundary of the Berea Industrial Development Authority Property, (DB 401, Page 807), thence continuing with said boundary along the easterly, northerly and westerly boundary of said tract to the westerly most corner being the northerly boundary of the Lee Roy Roberts property, thence continuing in an easterly direction with the northerly boundary of the Lee Roy Roberts property to the northeasterly corner of said property, thence continuing in a southerly direction to the southeasterly most corner, said point being on the present (1990) corporate limits of City of Berea, thence continuing with said corporate limits in a southerly direction with Mayde Road to



a point on the northerly boundary of the Berea Industrial Development Authority (DB 381, Page 15) said point being on the present (1990) corporate limit of the City of Berea, thence continuing in an easterly direction with said boundary and corporate limits and crossing the L & N Railroad to the easterly right-of-way of said railroad and the point of beginning.

PARCEL H

A parcel or strip of land being the entire width of right-of-way of the Louisville & Nashville Railroad (CSX Railroad) from a point, said point being the intersection of said right-of-way and the present (1990) northerly corporate limits and being approximate valuation station 6860+84.5 and continuing in a northerly direction with said L & N Railroad to a point being the intersection of said right-of-way and the present (1990) corporate limits of the City of Berea and being approximate valuation station 6847+70.2.

CITY OF BEREA, KENTUCKY  
PLANNING COMMISSION

In Re: Public Hearing on Land Annexed to City of Berea;  
Area of I-75 North Interchange

FINDINGS OF FACT AND RECOMMENDATION

This matter having been heard on May 16, 1991, at a public hearing before the Berea Planning Commission, pursuant to KRS 100.209-213, and subsequent to the enactment of Ordinance No. 4-90, proposing the annexation of the property herein, and the Planning Commission having considered the map of the area prepared by the City Engineer, with proposed zoning classifications, the records of the City of Berea, including the Comprehensive Plan, and the statements and testimony offered by members of the general public, and having further considered the nature of the newly-annexed and surrounding property, and the records of the City Clerk; the Planning Commission makes the following FINDINGS OF FACT:

1. That proper notification of the hearing was given pursuant to KRS 100.209 and 100.212, and §820 of the City of Berea Zoning Ordinance (Appendix A, Berea City Code).

2. That the City of Berea has, by Ordinance No. 4-90, expressed its intention to annex the property herein into the City.

3. That the proposed zoning classifications on the map prepared by the City Engineer are in agreement with the Comprehensive Plan of the City of Berea, and including the future land use portion, because, inter alia: 1) with

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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