



CITY OF BERA

CITY ADMINISTRATORS OFFICE

STEVEN CONNELLY
MAYOR

212 CHESTNUT STREET • BERA, KENTUCKY 40403
(859) 986-8528 • FAX (859) 986-7657
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RANDY STONE
CITY ADMINISTRATOR

PROOF OF MUNICIPAL LEGISLATION

I, Randy Stone, City Clerk of the City of Berea, Kentucky, hereby certify that the attached is a true and accurate copy of Ordinance #27-05 adopted by the Berea City Council on November 01, 2005, and I am the custodian of the original, which is maintained at the City Clerk's Office, Berea City Hall, Berea, Kentucky.

August 11, 06
Date

Randy Stone
Randy Stone, City Clerk

RECEIVED AND FILED
DATE August 14, 2006

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Randie Adkinson

ORDINANCE NO. 27 - 05

AN ORDINANCE OF THE CITY OF BEREHA, KENTUCKY, ANNEXING CERTAIN REAL PROPERTY LOCATED NEAR BEREHA, MADISON COUNTY KENTUCKY.

WHEREAS, in Ordinance No. 04-05, the City Council declared its intent to annex certain real property owned by Baker and Oliver, located North of Mt. View and Roselawn; and

WHEREAS, as directed in Ordinance No. 04-05, the Planning Commission held a public hearing on June 28, 2005, and has recommended that the property annexed be assigned a zoning classification of A-1 (Agriculture) for Tract 1, B-2 (Major Commercial) for Tract 2A, and R-1 (Low Density Residential for Tract 2B; and

WHEREAS, the City Council has determined that the tract of land to be annexed is adjacent and contiguous to the current corporate limits and which by reason of population density, use of the land, including subdivision of land, both existing and expected, the land to be annexed is suitable for development for urban purposes, so that the corporate boundaries of the City should be extended to include this area; and

WHEREAS, the City wishes to be able to be in the position to extend certain municipal services to this area; and

WHEREAS, the tract described herein is not already incorporated; and

WHEREAS, the owner of the property agree to the annexation;

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

SECTION I

That the City of Bereha, Kentucky, pursuant to KRS 81A.420 and KRS 81A.412, hereby annexes and makes a part of the corporate area certain tracts of property described as follows:

Attached as Exhibit A.

SECTION II

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

SECTION III

Pursuant to the recommendation of the Planning Commission at its June 28, 2005, regular meeting, and KRS 81A.420, KRS 81A.412, and KRS 100.209, the property annexed herein and described on Exhibit A is hereby assigned the following zoning classifications: A-1 (Agriculture) for Tract 1, B-2 (Major Commercial) for Tract 2A, and R-1 (Low Density Residential) for Tract 2B.

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 and zoning classification provided for and assigned herein.

SECTION V

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

FIRST READING: October 18, 2005.

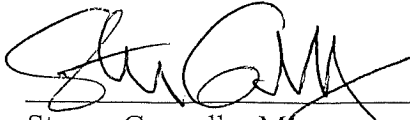
SECOND READING & ENACTMENT November 1, 2005.

CITY OF BERA, KENTUCKY
ATTEST:



Clerk of the City Council

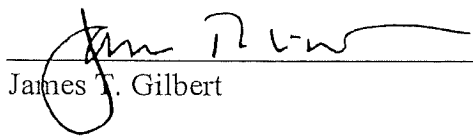
APPROVED:



Steven Connelly, Mayor

PREPARED BY:

COY, GILBERT & GILBERT
212 North Second Street
Richmond, Kentucky 40475
(859) 623-3877



James T. Gilbert

OLIVER / BAKER ANNEXATION PARCELS

TRACT 1

A currently unincorporated tract of land surrounded by the current corporate limits of the City of Berea; said tract is currently zoned agricultural (Madison County zoning) and is recommended by the Berea Planning and Zoning Commission to remain agricultural by being zoned A-1 (Berea zoning); said tract lying at the northerly ends of both Elizabeth Street and Kenway Avenue; said tract also being a portion of the property conveyed to L. Marion Oliver and John C. Baker by Deed Book 176, Page 174 and more particularly bounded and described as follows:

Beginning at a point in the current City of Berea corporate boundary at the approximate NAD 1983 Kentucky South state plane coordinates of North 2,102,964 by East 2,067,165; thence with the current City of Berea corporate boundary N 01°24'10" W, 600.34 feet to a point in the center of Silver Creek; thence with the current City of Berea corporate boundary and the center of Silver Creek for eight (8) calls:

N 68°27'37" E, 75.80 feet to a point in the center of Silver Creek;
N 48°38'54" E, 278.51 feet to a point in the center of Silver Creek;
N 52°47'20" E, 134.98 feet to a point in the center of Silver Creek;
S 89°11'48" E, 98.31 feet to a point in the center of Silver Creek;
N 62°42'39" E, 86.54 feet to a point in the center of Silver Creek;
S 87°54'48" E, 57.76 feet to a point in the center of Silver Creek;
S 47°58'53" E, 160.49 feet to a point in the center of Silver Creek;
S 27°07'14" E, 274.49 feet to a point in the center of Silver Creek; thence leaving Silver Creek and continuing with the City of Berea corporate boundary S 55°46'13" W, 1027.68 feet to the point of beginning and containing approximately 10 acres.

TRACT 2

A currently unincorporated tract of land lying within the current corporate limits of the City of Berea; said tract adjoining and lying to the west of Silver Creek; said tract also lying to the north of Mountain View Subdivision; said tract also being a portion of the property conveyed to L. Marion Oliver and John C. Baker by Deed Book 176, Page 174 and more particularly bounded and described as follows:

Beginning at a point in the current City of Berea corporate boundary at the approximate NAD 1983 Kentucky South state plane coordinates of North 2,104,352 by East 2,066,626; thence with said current City of Berea corporate boundary N 47°58'25" E, 401.94 feet; thence continuing with said current City of Berea corporate boundary N 62°19'08" E, 7.09 feet to a point in the center of Silver Creek; thence continuing with said current City of Berea corporate boundary and with the center of Silver Creek for three (3) calls:
S 22°34'54" W, 88.65 feet to a point in the center of Silver Creek;

S 17°57'20" E, 310.47 feet to a point in the center of Silver Creek;
S04°27'24" E, 52.53 feet to a point in the center of Silver Creek; thence leaving Silver Creek and continuing with said current City of Berea corporate boundary S 58°19'00" W, 1052.88 feet; thence leaving said current City of Berea corporate boundary and with new lines extending the corporate limits of the City of Berea for two (2) calls:
N 20°49'00"W, 188.62 feet;
N 47°58'25" E, 797.45 feet to the point of beginning and containing approximately 7.1 acres.

TRACT 2a

That portion of Tract 2 which is currently zoned commercial (Madison County zoning) and is recommended by the Berea Planning and Zoning Commission to remain commercial by being zoned B-2 (Berea zoning) more particularly bounded and described as follows:

Beginning at a point in the current City of Berea corporate boundary at the approximate NAD 1983 Kentucky South state plane coordinates of North 2,104,352 by East 2, 066,626; thence with said current City of Berea corporate boundary N 47°58'25" E, 401.94 feet; thence continuing with said current City of Berea corporate boundary N 62°19'08" E, 7.09 feet to a point in the center of Silver Creek; thence continuing with said current City of Berea corporate boundary and with the center of Silver Creek for three (3) calls:
S 22°34'54" W, 88.65 feet to a point in the center of Silver Creek;
S 17°57'20" E, 310.47 feet to a point in the center of Silver Creek;
S04°27'24" E, 52.53 feet to a point in the center of Silver Creek; thence leaving Silver Creek and with the current zone boundary S 90°00'00" W, 545.02 feet to a point in the new corporate boundary; thence with said new corporate boundary N 47°58'25" E, 234.78 feet to the point of beginning and containing approximately 2.5 acres.

TRACT 2b

That portion of Tract 2 which is currently zoned low density residential (Madison County zoning) and is recommended by the Berea Planning and Zoning Commission to remain low density residential by being zoned R-1 (Berea zoning) more particularly bounded and described as follows:

Beginning at a point in the center of Silver Creek and in the current City of Berea corporate boundary at the approximate NAD 1983 Kentucky South state plane coordinates of North 2,104,195 by East 2,066,997; thence leaving said Silver Creek and with said current City of Berea corporate boundary S 58°19'00" W, 1052.88 feet; thence leaving said current City of Berea corporate boundary and with new lines extending the corporate limits of the City of Berea for two (2) calls:
N 20°49'00"W, 188.62 feet;

N 47°58'25" E, 562.67 feet to a point in the current zone boundary; thence with said current zone boundary N 90°00'00" E, 545.02 feet to the point of beginning and containing approximately 4.6 acres.

CITY OF BEREHA, KENTUCKY
PLANNING COMMISSION

In Re: Annexation Zone Classification Recommendation for
Baker and Oliver
North of Mt. View and Roselawn
Berea, Kentucky 40403

RECOMMENDATION OF ZONING CLASSIFICATION FOR ANNEXED PROPERTY

This matter having been heard on June 28, 2005, at a public hearing before the Berea Planning Commission, for the purpose of recommending the zoning classification to be assigned to the property to be annexed, and the Planning Commission having considered the fact that the City Council adopted Ordinance No. 04-05, declaring its intention to annex certain property located North of Mt. View and Roselawn, owned by Baker and Oliver, and the Commission considering the records of the City of Berea, including the Comprehensive Plan; the Planning Commission makes the following Recommendation:

1. That because the property owner did not make a request for specific classification, the Commission believes that the most appropriate classification for these tracts is the existing classification of A-1 (Agriculture) for Tract 1, B-2 (Major Commercial) for Tract 2A, and R-1 (Low Density Residential for Tract 2B, the Planning Commission therefore recommends that the said tracts to be annexed be assigned the zoning classification of A-1 (Agriculture) for Tract 1, B-2 (Major Commercial) for Tract 2A, and R-1 (Low Density Residential for Tract 2B.

Dated: October 5, 2005

By: Ira Neuman
Chairman, City Planning
Commission

Prepared by:

James T. Gilbert
James T. Gilbert
Corporation Counsel

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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