



CITY OF BERA

CITY ADMINISTRATORS OFFICE

STEVEN CONNELLY
MAYOR

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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 06-08 adopted by the Berea City Council on 5.19.08, and I am the custodian of the original, which is maintained at the City Clerk's office, Berea City Hall, Berea, Kentucky.

December 19, 08
Date

Randy Stone
Randy Stone, City Clerk
City of Berea, Kentucky

RECEIVED AND FILED
DATE December 22, 2008

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Fandie Adkins

ORDINANCE NO. 06 - 08

AN ORDINANCE OF THE CITY OF BEREА, KENTUCKY, ANNEXING CERTAIN REAL PROPERTY OWNED BY TROY AND AMANDA VANWINKLE LOCATED AT 2237 MENELAUS ROAD NEAR BEREА, MADISON COUNTY KENTUCKY, AND ASSIGNING SUCH ANNEXED PROPERTY THE ZONING CLASSIFICATION OF B-2 (MAJOR COMMERCIAL).

WHEREAS, in Ordinance No. 20-07, the City Council declared its intent to annex certain real property owned by Troy and Amanda VanWinkle, located at 2237 Menelaus Road; and

WHEREAS, as directed in Ordinance No. 20-07, the Planning Commission held a public hearing on February 26, 2008, and has recommended that the property annexed be assigned a zoning classification of B-2 (Major Commercial); 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 agrees to the annexation;

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

SECTION I

That the City of Bereа, 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 February 26, 2008, 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 zoning classification of B-2 (Major Commercial).

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: May 6, 2008.

SECOND READING & ENACTMENT May 19, 2008.

CITY OF BEREА, KENTUCKY
ATTEST:

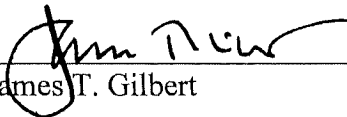
Randy Ho
Clerk of the City Council

APPROVED:

Steven Connelly
Steven Connelly, Mayor

PREPARED BY:

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



James T. Gilbert

EXHIBIT A

VANWINKLE PROPERTY LEGAL DESCRIPTION for ANNEXATION INTO THE CORPORATE LIMITS of THE CITY OF BEREA, KENTUCKY

A certain tract or parcel of land lying contiguous to the City of Berea, Madison County, Kentucky; more particularly bounded and described as follows:

Beginning at a point where the current City of Berea corporate boundary intersects with the westerly right of way of Menelaus Road; said point being at the approximate NAD 1983 Kentucky South state plane coordinates of Northing 2,104,579 Easting 2,060,502; thence with said right of way of Menelaus Road and with said current corporate limits of the City of Berea for three (3) calls

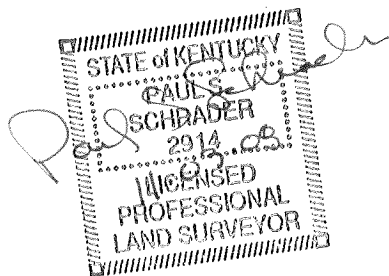
N00°00'00"E, 35.58 feet;

thence N 00°35'06" E, 150.20 feet;

thence N01°11'59"W, 13.21 feet; thence leaving said current corporate limits and with new lines extending the corporate limits of the city of Berea as follows:

N 89°42'34" E, 289.70 feet crossing the right of way of Menelaus Road & subsequently with the line of Hembree to a corner in the line of Burnell thence with the line of Burnell S 16°32'25" W, 225.49 feet to a corner common with Middletown Baptist Church thence with the line of Middletown Baptist Church N 86°02'14" W, 227.30 feet to the point of beginning and containing approximately 1.24 acres.

And being all of the property conveyed to Troy and Jessica Amanda VanWinkle by deed dated March 12, 2007 and recorded in Deed Book 619 Page 176 in the office of the Madison County Court Clerk and being a portion of the right of way of Menelaus Road.



OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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