



CITY OF BEREA

CITY ADMINISTRATORS OFFICE

STEVEN CONNELLY  
MAYOR

212 CHESTNUT STREET • BEREA, KENTUCKY 40403  
(859) 986-8528 • FAX (859) 986-7657  
T.D.D.# 1-800-648-6057

RANDY STONE  
CITY ADMINISTRATOR

PROOF OF MUNICIPAL LEGISLATION

I, Randy Stone, City Administrator/Clerk of the City of Berea, Kentucky, hereby certify that the attached is a true and accurate copy of Ordinance # 05-09 adopted by the Berea City Council on April 7, 2009, and I am the custodian of the original, which is maintained at the City Clerk's Office, Berea City Hall, Berea, Kentucky.

May 5, 09  
Date  
Randy Stone  
Randy Stone, Administrator/Clerk

RECEIVED AND FILED  
DATE May 7, 2009

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Randie Adkinson

**ORDINANCE NO. 05 - 09**

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

**WHEREAS**, the Commonwealth of Kentucky Transportation Cabinet, Department of Highways (The Cabinet), has obtained the right-of-way necessary for the construction of the Bereha Bypass (Highway 956)(the Bypass); and

**WHEREAS**, the Cabinet has constructed the portion of the Bypass from Interstate 75 to U.S. 25, and plans to complete the construction of the Bypass from U.S. 25 to Kentucky Highway 21; and

**WHEREAS**, the City Council has determined that it is in the public interest to annex the Bypass right-of-way, consisting of approximately 18 acres, into the corporate limits,; and

**WHEREAS**, the City Council has determined that the land proposed to be annexed is adjacent and contiguous to the current corporate limits and which by reason of population density, use of the land as a public highway, the land proposed to be annexed is adjacent to land 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 te areas adjoining the Bypass right-of-way; and

**WHEREAS**, the Cabinet has given prior consent to the annexation so that there is no requirement of an intent to annex ordinance;

**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**

Since the property annexed hereby is a highway right-of-way, it is unnecessary to submit it to the Planning Commission pursuant to KRS 100.209 for a recommendation of zoning classification, and as a result of the use of the property as a highway right-of-way, the City Council hereby assigns the classification of PSF (Public Facilities District).

**SECTION III**

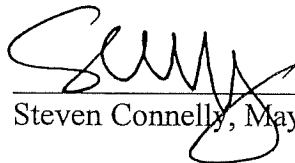
The City Clerk or any other officer having custody of official maps or records of the City is hereby directed to amend such maps or records to reflect the annexation and zoning classification provided for and assigned herein.

FIRST READING: March 17, 2009.

SECOND READING & ENACTMENT April 7, 2009.

CITY OF BERA, KENTUCKY

APPROVED:

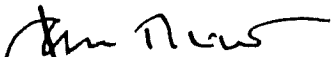
  
Steven Connelly, Mayor

ATTEST:

  
Clerk of the City Council

PREPARED BY:

James T. Gilbert  
Corporation Counsel  
212 North Second Street  
Richmond, Kentucky 40475  
(859) 623-3877

  
James T. Gilbert

# EXHIBIT A

## KENTUCKY DEPARTMENT OF TRANSPORTATION LEGAL DESCRIPTION

### for ANNEXATION INTO THE CORPORATE LIMITS of THE CITY OF BEREAS, KENTUCKY

Two tracts or parcels of land lying contiguous to the City of Berea, Madison County, Kentucky; more particularly bounded and described as follows. Please note that the metes and bounds shown hereon have not been surveyed "on the ground" nor according to the minimum standards of practice (201 KAR 18:150). These calls have been determined via the plotting of right of way plans for the construction of Highway 956 as provided by the Kentucky Department of Transportation for the purposes of annexation into corporate limits:

#### Tract #1

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 in the current City of Berea corporate limits and in the westerly right of way of Menelaus Road; said point being at the approximate NAD 1983 Kentucky South state plane coordinates of North 2,104,576 by East 2,060,502;

thence with the current corporate limits of the City of Berea and crossing the right of way of Menelaus Road S 85°59'50" E, 70.90 feet;

thence extending the corporate limits of the City of Berea for eleven (11) calls:

S 05°47'42" E, 100.20 feet;

S 86°47'57" E, 397.14 feet;

N 18°25'54" E, 94.25 feet;

S 73°00'31" E, 419.98 feet;

S 85°15'46" E, 168.13 feet;

N 82°03'02" E, 828.07 feet;

S 89°39'07" E, 185.58 feet;

N 83°18'29" E, 126.20 feet;

N 64°46'09" E, 67.25 feet;

N 12°04'56" W, 49.09 feet;

N 77°55'04" E, 37.68 feet to a point in the current corporate limits of the city of Berea;

thence with said corporate limits S 24°44'06" E, 363.91 feet; thence leaving the City of Berea corporate limits and extending said limits for seventeen (17) calls:

S 80°29'43" W, 67.48 feet;

N 25°06'39" W, 50.18 feet;

S 87°55'14" W, 238.70 feet;

S 81°49'58"W, 344.15 feet;  
S 21°33'25"W, 106.70 feet;  
N 73°00'31"W, 278.12 feet;  
S 70°56'17"W, 144.88 feet;  
S 87°39'32"W, 273.37 feet;  
S 78°50'58"W, 43.61 feet;  
N 76°05'35"W, 81.01 feet;  
S 82°35'25"W, 267.17 feet;  
N 85°05'29"W, 278.76 feet;  
N 89°38'55"W, 318.17 feet;  
S 07°00'43"W, 112.04 feet;  
S 01°21'05"W, 112.86 feet;  
S 02°41'12"W, 254.63 feet;  
S 89°56'24"W, 73.11 feet to a point in the current corporate limits of the City of Berea;  
thence with said corporate limits and the westerly right of way of Menelaus Road for six (6)  
calls;  
N 00°03'36"W, 301.43 feet;  
N 00°54'51"E, 202.17 feet;  
N 86°37'20"E, 11.14 feet;  
N 00°12'16"W, 215.89 feet;  
N 08°31'21"E, 38.07 feet;  
N 00°00'00"E, 109.88 feet to the point of beginning and containing approximately 15 acres.

And being portion of the Right of Way of KY Highway 956 and a portion of the right of way of Menelaus Road.

#### **Tract #2**

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 in the current City of Berea corporate limits and approximately 391 feet east of the centerline of US Highway 25 North; said point being at the approximate NAD 1983 Kentucky South state plane coordinates of North 2,104,888 by East 2,065,730; thence extending the line of the City of Berea Corporate Limits for three (3) calls:  
N 86°34'35"E, 289.64 feet;  
S 83°51'15"E, 143.17 feet;  
N 08°19'14"E, 30.30 feet to a point in the current corporate limits of the City of Berea;  
thence with said corporate limits S 36°46'15"E, 367.78 feet; thence leaving the City of Berea corporate limits and extending said corporate limits for two (2) calls:  
N 85°28'57"W, 296.72 feet;  
S 89°34'17"W, 301.81 feet to a point in the current corporate limits of the City of Berea;  
thence with said corporate limits N 13°35'51"W, 248.51 feet to the point of beginning and containing approximately 3 acres.

And being portion of the right of way of KY Highway 956.

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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