



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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CHERYL CHASTEEN
CITY CLERK

PROOF OF MUNICIPAL LEGISLATION

I, Cheryl Chasteen, City Clerk of the City of Berea, Kentucky, hereby certify that the attached is a true and accurate copy of Ordinance #19-2012, adopted by the Berea City Council on December 4, 2012, and I am the custodian of the original, which is maintained at the City Clerk's Office, Berea City Hall, Berea Kentucky.

Date: December 7, 12

Cheryl Chasteen
Cheryl Chasteen, City Clerk
City of Berea, Kentucky

RECEIVED AND FILED
DATE December 11, 2012

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Barbie Adkins

ORDINANCE NO. 19 - 2012

AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, AMENDING ORDINANCE NO. 5-09, BY REVISING AND CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ANNEXED THEREIN.

WHEREAS, the Commonwealth of Kentucky Transportation Cabinet, Department of Highways (The Cabinet), obtained the right-of-way necessary for the construction of the Berea 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 previously enacted Ordinance No. 5-09, annexing the Bypass right-of-way, consisting of approximately 18 acres, into the corporate limits; and

WHEREAS, it now appears that the legal description of the property annexed in Ordinance No. 5-09 was and is incorrect, inasmuch as it included property outside of the right-of-way boundary;

WHEREAS, the City Council desires to correct the erroneous description by the enactment of this Ordinance amending Ordinance No. 5-09;

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

SECTION I

That the legal description of the property annexed into the City pursuant to Ordinance No. 5-09 is hereby corrected and amended as set out on Exhibits A and B, attached hereto, and the City of Berea, pursuant to KRS 81A.420 and KRS 81A.412, hereby annexes and makes a part of the corporate area the property described therein.

SECTION II

The description in Ordinance No. 5-09 is hereby withdrawn and repealed, and the description

set out on Exhibits A and B hereto is substituted in its place. Except for the amended legal description of the property annexed, all of the provisions of Ordinance No. 5-09 remain in full force and effect.

SECTION III

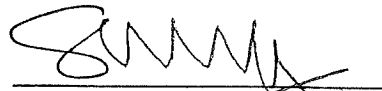
The City Clerk or any other officer having custody of official maps or records of the City is hereby directed to amend such maps or records to reflect the annexation and zoning classification provided for and assigned herein.

FIRST READING: November 20, 2012.

SECOND READING & ENACTMENT December 4, 2012.

CITY OF BEREA, KENTUCKY

APPROVED:



Steven Connelly, Mayor

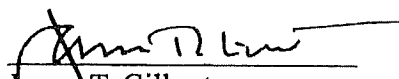
ATTEST:



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

PARCEL #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. 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 deeds upon digital ortho photography flown in the summer of 2008 and the use of survey grade GPS (Trimble R8 GNSS) for locating existing monumentation for the purposes of annexation into corporate limits:

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 2,104,386 by East 2,060,496;

thence diverging from said corporate limits and crossing the right of way of Menelaus Road S 87°50'50" E, 59.97 feet; thence with the line of Parsons for five (5) calls:

S 88°50'22" E, 376.93 feet;

N 81°31'36" E, 213.23 feet;

S 86°40'59" E, 364.34 feet;

N 81°07'47"E, 490.06 feet;

N 87°34'35"E, 260.21 feet;

thence with the lines of Parsons (DB 595, PG 164), Chasteen (DB 595, PG 717), and Coffey (DB595, PG 713) N 83°23'06"E, 582.69 feet to the current corporate limits of the City of Berea; thence with the current corporate limits S 24°44'06"E, 222.73 feet;

thence with the line of Chasteen and Parsons S 82°29'57"W, 1093.54 feet; thence continuing with the line of Parsons for five (5) calls:

S 88°46'26"W, 276.80 feet;

S 70°45'31"W, 41.50 feet;

N 78°53'56"W, 117.90 feet;

S 78°28'39"W, 206.98 feet;

N 87°17'22"W, 637.47 feet; thence crossing the right of way of Menelaus Road

S 81°20'02"W, 84.83 feet to a point in the current limits of the City of Berea; thence with the current corporate limits of the City of Berea for three (3) calls:

N 01°46'32"E, 37.23 feet;

N 86°37'20"E, 11.14 feet;

N 00°12'16"W, 173.91 feet to the point of beginning and containing approximately 12 acres.

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

PARCEL #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. 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 deeds upon digital ortho photography flown in the summer of 2008 and the use of survey grade GPS (Trimble R8 GNSS) for locating existing monumentation for the purposes of annexation into corporate limits:

Beginning at a point in the current City of Berea corporate limits and approximately 400 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 2,065,740; thence extending the line of the City of Berea Corporate Limits and with the lines of Smith for two (2) calls:

N 86°34'35"E, 279.50 feet;

S 83°08'37"E, 204.11 feet to a point in the current corporate limits of the City of Berea;

thence with said corporate limits S 37°23'59"E, 314.17 feet;

thence leaving the City of Berea corporate limits and with the lines of Smith for two (2) calls:

N 81°37'42"W, 321.13 feet;

S 84°02'46"W, 299.31 feet to a point in the current corporate limits of the City of Berea;

thence with said corporate limits for two (2) calls:

N 13°46'07"W, 195.57;

N 11°30'54"W, 52.66 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.