



CITY OF BEREA

CITY CLERKS OFFICE

CLIFFORD F. KERBY, M.D.
MAYOR

212 CHESTNUT STREET • P.O. Box 8 • BEREA, KENTUCKY 40403
(606) 986-8528 Fax (606) 986-7657
T.D.D.# 1-800-648-6057

PATRICIA D. ABRAMS, CMC/AE
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 #26-98 adopted by the Berea City Council on October 6, 1998 and that I am the custodian of the original, which is maintained at the City Clerk's Office, Berea City Hall, Berea, Kentucky.

November 6, 1998
DATE

Patricia D. Abrams
PATRICIA D. ABRAMS, CMC/AE
CITY CLERK

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ORDINANCE NO. 26 - 98

AN ORDINANCE OF THE CITY OF BEREА, KENTUCKY, ANNEXING CERTAIN REAL PROPERTY OWNED BY JOSEPH OSOLNIK LOCATED ON OPOSSUM KINGDOM ROAD, BEREА, MADISON COUNTY KENTUCKY.

WHEREAS, Joseph Osolnik is the owner and developer of The Oaks Subdivision on Opossum Kingdom Road, consisting of approximately 70 acres and 140 residential lots, and has requested that said property be annexed by the City; and

WHEREAS, the City Council has determined 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, Joseph Osolnik, agrees to the annexation;

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

SECTION I

That the City of Berea, Kentucky, pursuant to KRS 81A.420 and KRS 81A.412, 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

Pursuant to Section 81.402(6) of the Berea City Code, the

Planning Commission shall hold a public hearing on the zoning classification to be assigned to the property annexed herein, and until the City Council acts on the Planning Commission's recommendation, the property annexed shall be classified R-1 (Single Family Residential).

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: September 15, 1998.

SECOND READING & ENACTMENT October 6, 1998.

CITY OF BEREA, KENTUCKY
ATTEST:

Patricia D. Alzamas
Clerk of the City Council

APPROVED:

Clifford F. Kerby, M.D., Mayor

PREPARED BY:

COY, GILBERT & GILBERT
212 North Second Street
Richmond, Kentucky 40475
(606) 623-3877

James T. Gilbert

Tract I:

A tract of land lying in Madison County, Ky. on the Walnut Meadow Fork of Paint Lick Creek which was sold as the land of John Burnam Heirs containing one hundred and fifty-eight and 3/4 acres and bounded as follows, to-wit:

Beginning at a white oak corner to the Nancy Bess old place in the old Canody line thence with Best line S 88 E 143 poles to a stake on a branch thence N 62 1/2 E 12 1/4 poles to a stone near a branch on a line of Sarah Burnam and corner to dower land of Nancy Burnam widow of John Burnam Dec. thence with line of the dower land N 17 W 66 poles to a forked black walnut on branch thence N 3 E 103 poles to a stake on line of Madison Todds. Thence with Todds line N 73 1/2 W 123 poles to a stake on said line and corner to the five acres of timber land allotted to the widow as part of her dower, thence South 1 1/2 W 40 poles to a hickory, thence N 73 1/2 W 20 poles to a stake on an old line of George E. Ballard. Thence with his line S 1/2 W 107 poles to the beginning.

EXCLUDED from said property is that portion conveyed to the Commonwealth of Kentucky Department of Highways by deed dated December 7, 1964 recorded in said office in Deed Book 213 at page 97.

Tract II:

A certain triangular tract or parcel of land lying on the waters of Walnut Meadow Creek near Berea, in Madison County, Kentucky, and being on West side of I-75 and more particularly described as follows:

Beginning at Highway Station 4028+50, in line of Elizabeth M. Parks and being south corner of this tract; thence northwardly with right of way of I-75 a distance of 2470 feet more or less to Station 4053+20 a corner to Elizabeth M. Parks; thence southwest with Elizabeth M. Parks 1505 feet, more or less to Station 4038+15; thence south with Elizabeth M. Parks, a distance of 1000 feet, more or less to a point, Station 4028+50, a corner to Mrs. Elizabeth M. Parks the point of beginning.

EXCLUDED FROM the above and not conveyed herein is the following described property conveyed to CKS Development, Inc., a Kentucky corporation, by deed recorded in Deed Book 472, at page 548, to-wit:

A certain tract of land located on the East side of Opossum Kingdom Road, approximately 3,400 feet South of the intersection of Opossum Kingdom Road and Guynn Road in Madison Co., Ky. And being bound by survey (job no. 5802) made November 14, 1996, by Charles E. Black, a licensed land surveyor (L.S. 670) and further described as follows:

TRACT 2, 100.00 ACRES

Beginning at a steel pin the East right of way line of Opossum Kingdom Road and corner to Wallace Williams; thence leaving the line of Williams with the east right of way line of Opossum Kingdom Road three (3) calls: N05°45'50"E 639.26 feet to a steel pin; thence, N05°00'19"E 772.43 feet to a steel pin; thence, N0°06'00"E 478.61 feet to a steel pin in the East right of way line of Opossum Kingdom Road; thence leaving said right of way line on a new line dividing the lands of Osolnik S76°14'52"E 2465.74 feet to a steel pin in the West right of way line of Interstate 75; thence leaving said new line with the West right of way line of Interstate 75 six (6) calls: S00°20'33"E 284.60 feet to a P.K. Nail; thence, S00°16'26"E 440.55 feet to a P.K. Nail; thence, S00°18'17"E 104.08 feet to a P.K. Nail, thence, S08°53'38"W 114.48 feet to a P.K. Nail, thence, S09°09'50"W 441.05 feet to a P.K. Nail, thence S04°55'08"W 128.54 feet to a steel pin in the West right of way line of Interstate 75 and corner to Wallace Williams; thence leaving said right of way line with the line of Williams nine (9) calls: S59°52'37"W 151.58 feet to a steel pin; thence, S82°48'00"W 64.34 feet to a steel pin; thence, N83°17'09"W 353.19 feet to a steel pin; thence, N82°54'11"W 365.68 feet to a steel pin; thence, N82°47'23"W 370.03 feet to a steel pin; thence, N80°54'26"W 363.11 feet to a steel pin; thence, N84°01'35"W 182.54 feet to a steel pin; thence, N82°24'34"W 361.76 feet to a steel pin; thence, N83°02'48"W 309.99 feet to a steel pin in the East right of way line of Opossum Kingdom Road and point of beginning and containing 100.00 acres.

Being the same property conveyed to Joseph Osolnik by George W. Moore, Jr. and Katharine S. Moore, husband and wife, by deed dated January 7, 1997, and recorded in Deed Book 472, at page 545, in the Madison County Court Clerk's Office.

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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