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OCT 11 1999

SECRETARY OF STATE
COMMONWEALTH OF KY

ORDINANCE NO. 13 - 99

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

WHEREAS, interest has been evidenced in annexing two (2) tracts of land located near Berea, Madison County, Kentucky; 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 tracts described herein are not already incorporated; and

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

NOW, THEREFORE, the City Council of 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 certain tracts of property described as follows:

SEE ATTACHED EXHIBITS A and B

SECTION II

Upon the enactment of this ordinance, the territory described in Exhibits A and B are 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All ordinance or parts of ordinances in conflict with this ordinance are hereby repealed.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: July 6, 1999.

SECOND READING & ENACTMENT July 20, 1999.

CITY OF BEREA, KENTUCKY
ATTEST:

Patricia D. Abrams
Clerk of the City Council

APPROVED:

Clifford F. Kerby
Clifford F. Kerby, M.D., Mayor

PREPARED BY:

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

James T. Gilbert
James T. Gilbert

A certain tract or parcel of land lying and being in Madison County, Kentucky, on the west side of the Peggy's Flat Road Relocation approximately 0.3 mile north of Kentucky Route 595, and being more particularly described as follows:

BEGINNING at a point at the center of the back face of a right of way monument on the west side of Peggy's Flat Road Relocation at an angle in the west right of way of said road, set an iron pin; thence with said right of way line S 02° 49' 20" W 23.45 feet to an iron pin and cap set at a corner common to Ralph Williams at a railroad tie post; thence leaving the road with the line of Williams S 88° 01' 13" W 352.87 feet to the center of a twenty-two (22) inch Black Walnut, a corner common to Williams and Lewis Calico property; thence with the Calico line S 89° 19' 32" W 77.31 feet to an iron pin and cap set in the fence, approximately 21 feet west of the center of the branch, a new corner common to J.W. Kidd; thence severing the lands of J.W. Kidd, two new lines, N 25° 06' 58" E 169.96 feet to an iron pin and cap set on the west side of the branch approximately 6.4 feet from the west edge; thence N 88° 30' 56" E 355.81 feet to an iron pin and cap set in the west right of way line of the aforesaid road, being a new corner common to J.W. Kidd; thence with the right of way line S 01° 29' 04" E 126.63 feet to point of beginning, containing 1.125 acres, more or less, as shown by plat prepared by Alvin E. Martin, Jr.

AND BEING THE SAME PROPERTY conveyed to Ernest L. Kidd, by deed of conveyance dated _____, from James W. Kidd and Ruby Kidd, and recorded in Deed Book 284 at page 577, in the office of the Madison County Clerk.

EXHIBIT A

A certain tract or parcel of land lying and being in Madison County, Kentucky, on the West side of the Peggy's Flat Road relocation, approximately 0.3 mile north of Ky. Route #595, as shown on a plat titled "LOT SURVEY FOR HARVEY KIDD", dated April 23, 1981, prepared by Alvin E. Martin, Jr., Registered Land Surveyor 1254, a copy of which is recorded in Plat Book 6 at page 316, in the Madison County Clerk's Office, reference to which is made a part of this description.

Beginning at an existing iron pin and cap in the west right-of-way line of Peggy's Flat Road relocation, a corner to Ernest L. Kidd, thence leaving the road with the fence and the line of Ernest L. Kidd, S 88° 28' 45" W 355.69 feet (for S 88° 30' 56" W 355.81) to an existing iron pin and cap a corner to Ernest L. Kidd and J.W. Kidd at a fence corner on the west side of the branch; thence with the fence a new line to J.W. Kidd, N 11° 24' 16" W 164.04 feet to an iron pin and cap set in the existing fence, approximately 20 feet west of the branch, a new corner common to J.W. Kidd; thence a new line severing the lands of J.W. Kidd, N 88° 30' 56" E 383.95 feet to an iron pin and cap set in the west right-of-way line of said road; thence with the west line of said road S 01° 29' 04" E 161.35 feet to the point of beginning, containing 1.3709 acres, more or less.

AND BEING THE SAME PROPERTY conveyed to Harvey Wayne Kidd, by deed of conveyance dated _____, from James W. Kidd and Ruby Kidd, and recorded in Deed Book ____ at page _____, in the office of the Madison County Clerk.

EXHIBIT B

*mailed to
Ernest L. Kidd
6-3-75
B. Kidd*

DEED

THIS DEED OF CONVEYANCE by and between James W. Kidd and his wife, Ruby Kidd, of Route 1, Paint Lick, Kentucky, parties of the first part, and ERNEST L. KIDD, of Route 1, Paint Lick, Kentucky, party of the second part,

WITNESSETH: That the first parties, for and in consideration of love and affection and other good and valuable considerations, the receipt of which is hereby acknowledged, do hereby sell, grant and convey unto the party of the second part, his heirs and assigns, the following described property, to-wit:

A certain tract or parcel of land lying and being in Madison County, Kentucky, on the west side of the Peggy's Flat Road Relocation approximately 0.3 mile north of Kentucky Route 595, and being more particularly described as follows:

BEGINNING at a point at the center of the back face of a right of way monument on the west side of Peggy's Flat Road Relocation at an angle in the west right of way of said road, set an iron pin; thence with said right of way line S 02° 49' 20" W 23.45 feet to an iron pin and cap set at a corner common to Ralph Williams at a railroad tie post; thence leaving the road with the line of Williams S 88° 01' 13" W 352.87 feet to the center of a twenty-two (22) inch Black Walnut, a corner common to Williams and Lewis Calico property; thence with the Calico line S 89° 19' 32" W 77.31 feet to an iron pin and cap set in the fence, approximately 21 feet west of the center of the branch, a new corner common to J. W. Kidd; thence severing the lands of J. W. Kidd, two new lines, N 25° 06' 58" E 169.98 feet to an iron pin and cap set on the west side of the branch approximately 6.4 feet from the west edge; thence N 88° 30' 56" E 355.81 feet to an iron pin and cap set in the west right of way line of the aforesaid road, being a new corner common to J. W. Kidd; thence with the right of way line S 01° 29' - 04" E 126.63 feet to point of beginning, containing 1.125 acres, more or less, as shown by plat prepared by Alvin

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C. S. WAGERS, CLERK

MAY 28 2 33 PM '75

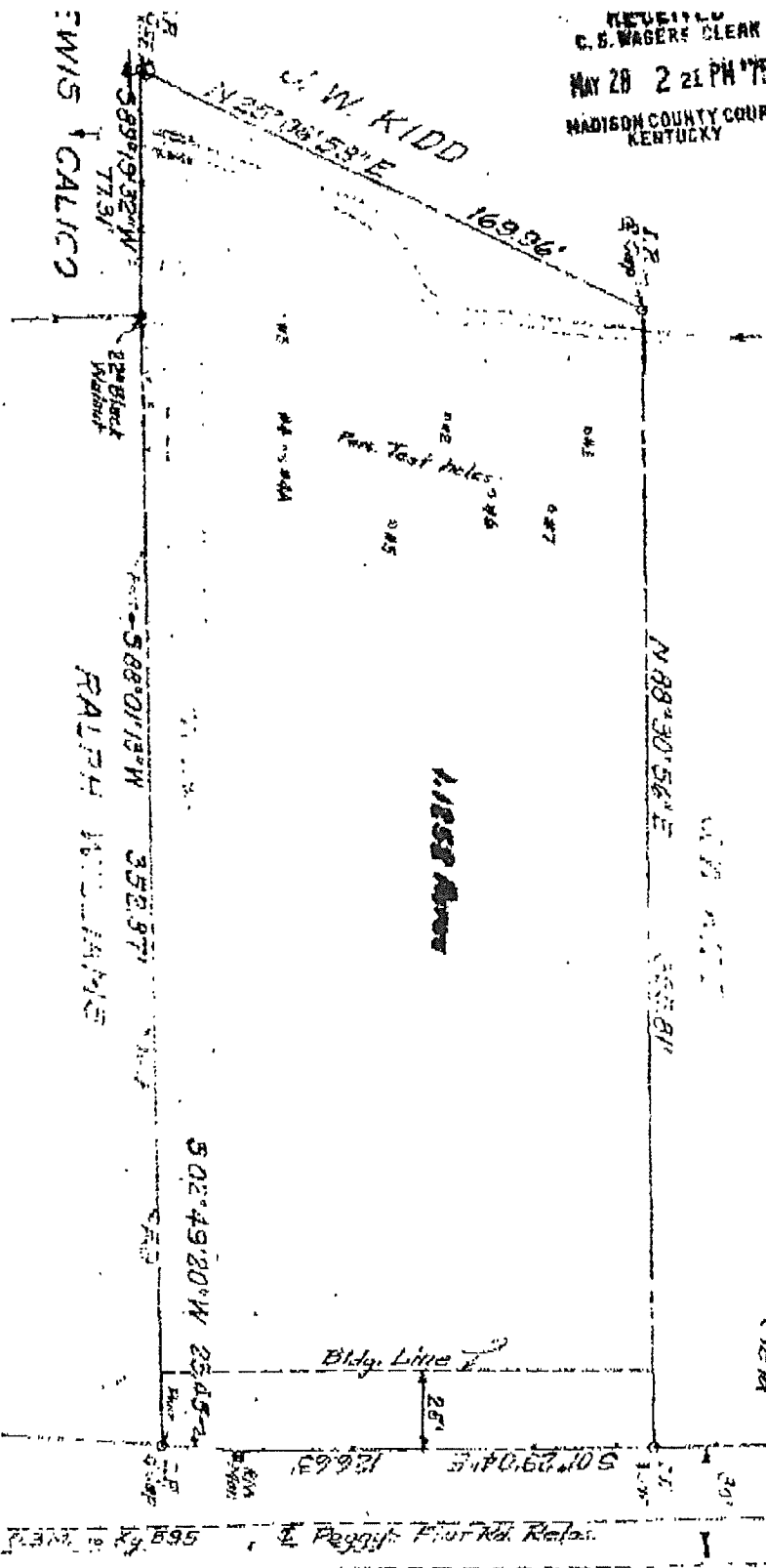
MADISON COUNTY COURT
KENTUCKY

DIXON & LAWRENCE
ATTORNEYS AT LAW
100 BROADWAY AVENUE
BEREA, KENTUCKY
PHONE 444-1111

BOOK 284 PAGE 567

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MAY 28 2 21 PM '75
MADISON COUNTY COURT
KENTUCKY

May 27, 1975
U. W. Kidd
U. W. Kidd



Note: See Attached Reclamation Record.
MUST HAVE AN additional 100' drain
FIELD

County Health District or
Other Approving Agent

CERTIFICATE OF ACCURACY

STATE OF KENTUCKY
MAY 28 1975
RECORDED

Add additional
Lot
FRNF

Delivered to
Kenneth Blumson
2-8-82
Gretta Cooney, W.C.

DEED

THIS DEED OF CONVEYANCE by and between JAMES W. KIDD and his wife, RUBY KIDD, of Route 1, Paint Lick, Kentucky, parties of the first part, and HARVEY WAYNE KIDD, of Route 1, Paint Lick, Kentucky, party of the second part,

WITNESSETH: That the first parties, for and in consideration of the sum of ONE DOLLAR (\$1.00), LOVE AND AFFECTION, and other good and valuable considerations, the receipt of which is hereby acknowledged, do hereby sell, grant and convey unto the party of the second part, his heirs and assigns, the following described property, to-wit:

A certain tract or parcel of land lying and being in Madison County, Kentucky, on the West side of the Peggy's Flat Road relocation, approximately 0.3 mile north of Ky. Route #595, as shown on a plat titled "LOT SURVEY FOR HARVEY KIDD", dated April 23, 1981, prepared by Alvin E. Martin, Jr., Registered Land Surveyor 1254, a copy of which is recorded in Plat Book 6 at page 316, in the Madison County Clerk's Office, reference to which is made a part of this description.

Beginning at an existing iron pin and cap in the west right-of-way line of Peggy's Flat Road relocation, a corner to Ernest L. Kidd, thence leaving the road with the fence and the line of Ernest L. Kidd, S 88° 28' 45" W 355.69 feet (for S 88° 30' 56" W 355.81 feet) to an existing iron pin and cap a corner to Ernest L. Kidd and J. W. Kidd at a fence corner on the west side of the branch; thence with the fence a new line to J. W. Kidd, N 11° 24' 16" W 164.04 feet to an iron pin and cap set in the existing fence, approximately 20 feet west of the branch, a new corner common to J. W. Kidd; thence a new line severing the land of J. W. Kidd, N 88° 30' 56" E 383.95 feet to an iron pin and cap set in the west right-of-way line of said road; thence with the west line of said road S 01° 29' 04" E 161.35 feet to the point of beginning, containing 1.3709 acres, more or less.

REC'D
CLERK
FEB 1 3 17 PM '92
MADISON COUNTY CLERK
KENTUCKY

AND BEING a part of the property conveyed to James W. Kidd by deed of correction from Edward Devere, Sr., et ux., dated the 13th day of February, 1980, which is recorded in Madison County Clerk's office, Richmond, Kentucky, in Deed Book 327 at page 88. SEE ALSO, deed of conveyance dated the 26th day of July, 1965, from Edward Devere, Sr., et ux., and John D. Wilson, a widower, to James W. Kidd, which is

DUERSON & DUERSON
ATTORNEYS AT LAW
100 WOODLAND AVENUE

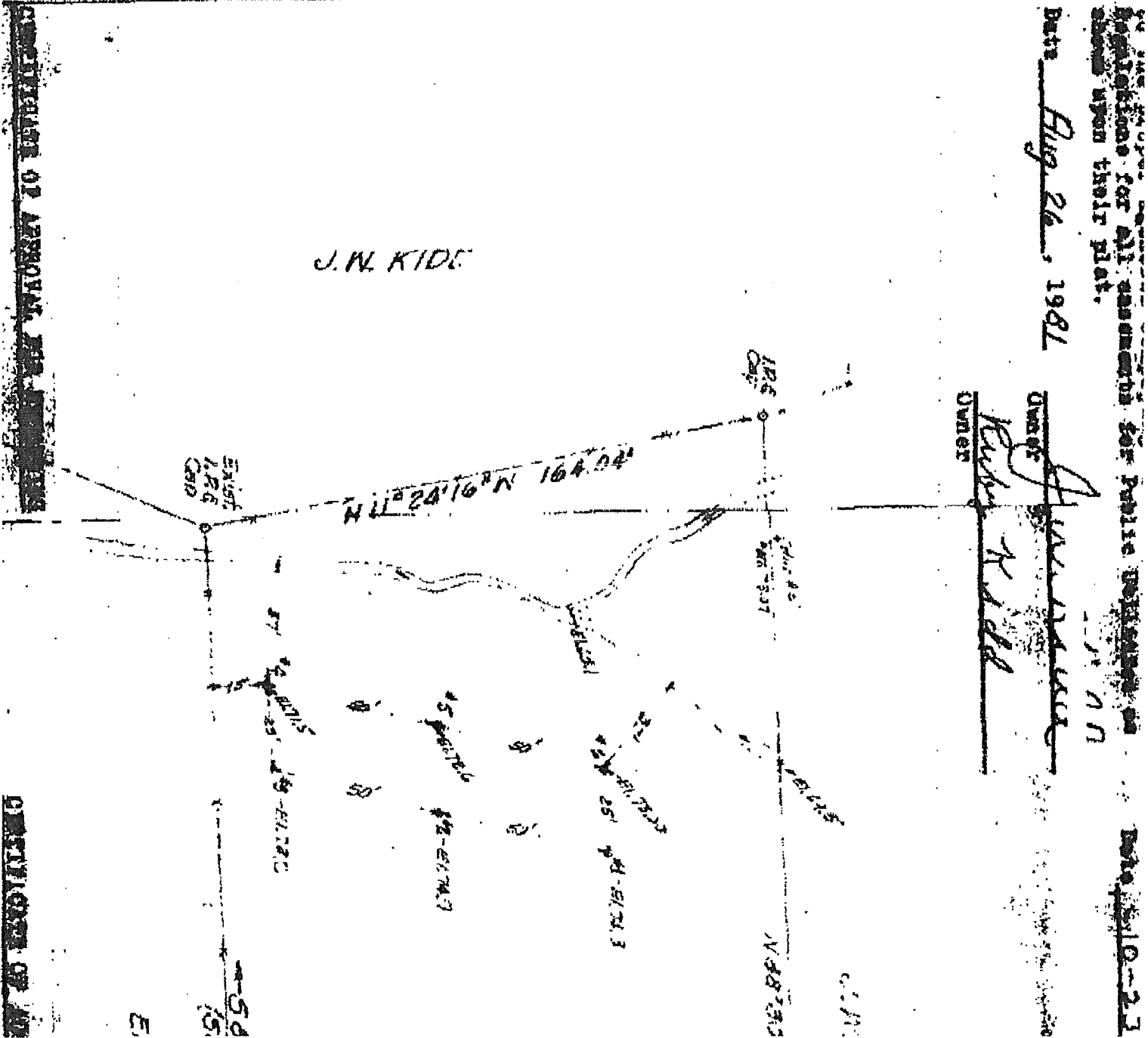
Responsible for all assessments for Public Utilities shown upon their plat.

Date Aug 26, 1981

OWNER James W. Kidd
OWNER

Date 10-23

J. W. KIDD



W. J. H. & J. H. ...

Assumed Elev. 102.20'

56' E 98.95'

1.3709 Acres

El. 72.5'

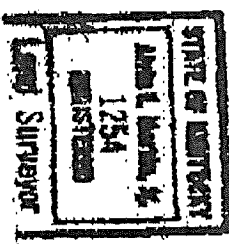
Building Line 2

S 01° 29' 04" E 161.35'

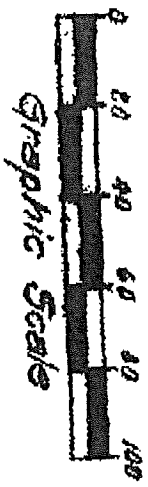
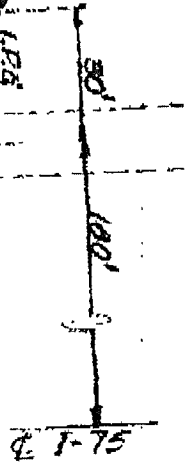
28' 45" N 55.5 34'

WEST L. 1055'

TOTAL P. 06



0.5 Mi. to KY 295 & Peggy's Flat Road Reloc.



Plot Available Page 316

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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