

CITY OF BEREA

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 #19-05 adopted by the Berea City Council on September 20, 2005, and I am the custodian of the original, which is maintained at the City Clerk's Office, Berea City Hall, Berea, Kentucky.**

October 19, 2006  
Date

Randy Stone  
Randy Stone, City Clerk

RECEIVED AND FILED  
DATE January 29, 2007

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Dandie Adkins

**ORDINANCE NO. 19 - 05**

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

**WHEREAS**, in Ordinance No. 04-05, the City Council declared its intent to annex certain real property owned by the Roy Todd Builders, Inc., located on Old US 25; and

**WHEREAS**, as directed in Ordinance No. 04-05, the Planning Commission held a public hearing on June 28, 2005, and has recommended that the Roy Todd Builders property annexed be assigned a zoning classification of B-2 (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 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 a certain tract 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 January 25, 2005, 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 following zoning classifications: B-2 (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: September 6, 2005.

SECOND READING & ENACTMENT September 20, 2005.

CITY OF BEREА, KENTUCKY  
ATTEST:

  
\_\_\_\_\_  
Clerk of the City Council

APPROVED:

  
\_\_\_\_\_  
Steven Connelly, Mayor

CITY OF BERE, KENTUCKY  
PLANNING COMMISSION

In Re: Annexation Zone Classification Recommendation for  
Roy Todd Builders, Inc.  
US 25 North  
Berea, Kentucky 40403

**RECOMMENDATION OF ZONING CLASSIFICATION FOR ANNEXED PROPERTY**

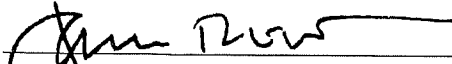
This matter having been heard on June 28, 2005, at a public hearing before the Berea Planning Commission, for the purpose of recommending the zoning classification to be assigned to the property to be annexed, and the Planning Commission having considered the fact that the City Council adopted Ordinance No. 04-05, declaring its intention to annex certain property located on US 25, owned by Roy Todd Builders, Inc., and the Commission considering the records of the City of Berea, including the Comprehensive Plan, the requests of the owner that the property be assigned a classification of B-2 (Commercial) for the property owned by Roy Todd Builders, Inc.; the Planning Commission makes the following Recommendation:

1. That because of the Roy Todd Builder tract's location on a major arterial route (Old Hwy 25), and is near to the proposed By-pass/Old Hwy 25 intersection, and because the owner requested a commercial classification, the most appropriate classification for the Roy Todd Builder tract to be annexed is B-2 (Commercial), and the Planning Commission therefore recommends that the Roy Todd Builder tract to be annexed be assigned the zoning classification of B-2 (Commercial).

Dated: August 23, 2005

By: Ira Neuman  
Chairman, City Planning  
Commission

Prepared by:

  
\_\_\_\_\_  
James T. Gilbert  
Corporation Counsel

# EXHIBIT

## A

### **Ordinance 19-05 Legal Description**

**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 Old US Highway 25 North; said point being at the approximate NAD 1983 Kentucky South state plane coordinates of North 2,103,417 by East 2,070,493; thence with new lines extending the corporate limits of the City of Berea as follows: with said corporate boundary and said westerly right of way N 03°04'45" E, 184.13 feet; thence leaving said corporate boundary and crossing the right of way of Old US Highway 25 for six (6) calls:**

**N 86°20'27" E, 494.39 feet; S 00°13'00" E, 179.04 feet; S 87°19'00" E, 43.30 feet; N 82°01'09" E, 458.71 feet; S 66°49'09" E, 235.24 feet; S 37°14'41" W, 340.52 feet to a point in the current corporate boundary; thence following said corporate boundary for six (6) calls N 88°30'59" W, 480.63; N 89°13'01" W, 198.28 feet; N 88°54'21" W, 80.00 feet; N 88°04'04" W, 36.62 feet; N 35°18'41" E, 285.80 feet; N 87°49'27" W, 381.79 feet to the point of beginning and containing approximately 8 acres.**

**And being all of parcel #1 as shown on the attached annexation map; Parcel #1 being a portion of Deed Book 578, Page 006 & Deed Book 578, Page 012 and a portion of the right of way of Old US Highway 25 North.**

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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