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*also admitted in Ohio

August 29, 1994

Commonwealth of Kentucky
Office of Secretary of State
State Capitol Building
Frankfort, Kentucky 40601,

and

Commonwealth of Kentucky
Department of Local Government
1024 Capital Center Drive
Frankfort, Kentucky 40601

and

Mr. Jack Snodgrass
Campbell County Clerk
4th & York Streets
Newport, Kentucky 41071

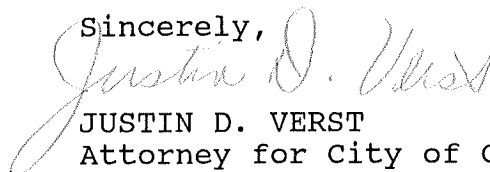
Re: City of Cold Spring, Campbell County, Kentucky
Annexation of Unincorporated Territory
Ordinance #94-668

Pursuant to the requirements of KRS 81A.470, attached is a certified copy of an Annexation Ordinance along with an accurate map of the annexed area with metes and bounds description as to the unincorporated territory recently annexed by the City of Cold Spring, Campbell County, Kentucky.

Pursuant to the requirements of KRS 81A.470, a certified copy of this Annexation Ordinance No. 94-668 has been recorded in the Office of the Campbell County Clerk.

Pursuant to the requirements of KRS 81A.475, the Campbell County Clerk, as part of the attached ordinance, is being provided with a map clearly delineating the boundaries of the area affected. Also attached for the Campbell County Clerk is a list of the names and addresses of those property owners and/or registered voters who reside in such area.

Sincerely,



JUSTIN D. VERST
Attorney for City of Cold Spring

JDV/gh

cc: City of Cold Spring

RECEIVED
AUG 31 1994
SECRETARY OF STATE
COMMONWEALTH OF KY

CITY OF COLD SPRING, KENTUCKY
ORDINANCE NO. 94-668

AN ORDINANCE ANNEXING TO THE CITY OF COLD SPRING, CAMPBELL COUNTY, KENTUCKY, A FIFTH CLASS CITY, CERTAIN UNINCORPORATED TERRITORY LYING ADJACENT TO THE EXISTING CITY LIMITS OF THE CITY OF COLD SPRING.

* * * * *

WHEREAS, the City Council of the City of Cold Spring, by its Ordinance No. 94-658 as passed at first reading on May 17, 1994 and at second reading on June 7, 1994, did declare its intention to annex certain unincorporated territory lying adjacent to the existing city limits of the City of Cold Spring pursuant to KRS 81A.420; and

WHEREAS, said annexation is being conducted pursuant to the written consent of the property owners pursuant to KRS 81A.412; and

WHEREAS, pursuant to KRS 100.209, the City has elected to amend its comprehensive plan and official zoning map relative to establishing zoning and other land use regulations for the property prior to the adoption of the final ordinance of annexation and pursuant to such referred the matter to the Cold Spring Zoning Commission for review; and

WHEREAS, the Cold Spring Planning and Zoning Commission conducted a public hearing with appropriate notice on June 8, 1994 and after said hearing has submitted its findings and recommendations as to amending the City's comprehensive plan and as to the appropriate zoning and other land use regulations to be effective for the property upon its annexation; and

WHEREAS, the City Council has reviewed and discussed the findings and recommendations of the Cold Spring Planning and Zoning Commission and desires to follow said recommendations;

NOW, THEREFORE, the City Council of the City of Cold Spring does hereby ordain as follows:

SECTION ONE

That the City Council of the City of Cold Spring, Campbell County, Kentucky, an incorporated City of the Fifth Class, hereby annexes to the City of Cold Spring the below described unincorporated territory. The City Council hereby declares that it is desireable to annex said unincorporated territory to the City of Cold Spring and has found pursuant to

KRS 81A.410 that said unincorporated territory is adjacent to and contiguous to the City's boundaries at the time this annexation proceeding is being conducted and that by reason of the population density of the area, said area is urban in character and suitable for development for urban purposes without delay. Furthermore, no part of the area to be annexed is presently within the boundaries of any other incorporated city. Pursuant to KRS 100.209, the City hereby amends its comprehensive plan to designate the site in question for commercial land use. Furthermore, the land in question is hereby zoned Neighborhood Shopping Center (NSC) under the requirements of the Cold Spring Zoning Ordinance. The Council agrees with the findings and recommendations made by the Cold Spring Planning and Zoning Commission as contained in their minutes and written report which are made a part of this ordinance as if fully set out herein.

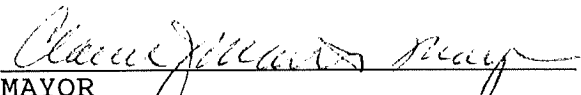
The boundaries of the unincorporated territory to be annexed by this Ordinance are as shown on the attached legal description and plat, which are attached hereto and made a part of this ordinance.

SECTION TWO

That this ordinance shall be read and adopted on two separate dates, signed by the Mayor, attested by the City Clerk, recorded and published according to law. Same shall be in effect at the earliest time provided by law.

PASSED AT FIRST READING on the 19th day of July,
1994.

PASSED AT SECOND READING on the 16th day of August,
1994.


MAYOR
CITY OF COLD SPRING, KENTUCKY

ATTEST:


CITY CLERK

PUBLISHED: CAMPBELL COUNTY RECORDER IN SUMMARY FORM ON THE
24th DAY OF August, 1994.

CITY\94-ANNEX.CS



**DESCRIPTION OF
PART OF THE
ELMER AND FAYELLA WEINEL PROPERTY
U.S. ROUTE 27 AND A-A HIGHWAY
CAMPBELL COUNTY, KENTUCKY
CONTAINING 3.938 ACRES
AUGUST 9, 1994**

Situate in the County of Campbell, Commonwealth of Kentucky, and being part of that tract of land conveyed to Elmer and Fayella Weinel as recorded in Deed Book 130, Page 552 (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Campbell County Recorders Office, unless noted otherwise) and being more particularly bounded and described as follows:

Commencing for reference at a concrete highway monument (found) in the southwesterly right-of-way line of U. S. Route 27 conveyed to the Commonwealth of Kentucky as recorded in Deed Book 75, Page 427 and Deed Book 141, Page 617 and at the northwest corner of a tract of land conveyed to Elizabeth Simon as recorded in Deed Book 188, Page 145 and in the corporation line for the City of Cold Spring;

thence departing said southwesterly right-of-way line and along the west line of said Simon land and along said corporation line, South thirteen degrees thirty-five minutes seven seconds West (S13°35'07"W) for five hundred twenty-one and 70/100 feet (521.70') to an iron pin (found) at the western most corner of a tract of land conveyed to SuperAmerica Group, Inc. as recorded in Deed Book 193, Page 205;

thence departing said corporation line and along the southwesterly line of said SuperAmerica Group, Inc. land, South twenty-three degrees fifty-four minutes thirty-four seconds East (S23°54'34"E) for three hundred thirty and 00/100 feet (330.00') to a 5/8 inch iron pin (set) at a northeast corner of a tract of land conveyed to William and Catherine Smith as recorded in Deed Book 84, Page 263 and in said corporation line;

thence along a north line of said Smith land and said corporation line, South seventy degrees twenty-one minutes twenty-nine seconds West (S70°21'29"W) for one thousand forty-six and 11/100 feet (1046.11') to a 5/8 inch iron pin (set) in the east line of said Weinel land and being the **TRUE POINT OF BEGINNING** of the herein described tract of land;

409 East Monument Avenue
Dayton, Ohio 45402-1261
513.461.5660
Fax: 513.461.0713



Description of
Parcel C
Proposed Meijer Site
U.S. Route 27 and A-A Highway
Campbell County, Kentucky

August 9, 1994
Page 2

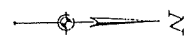
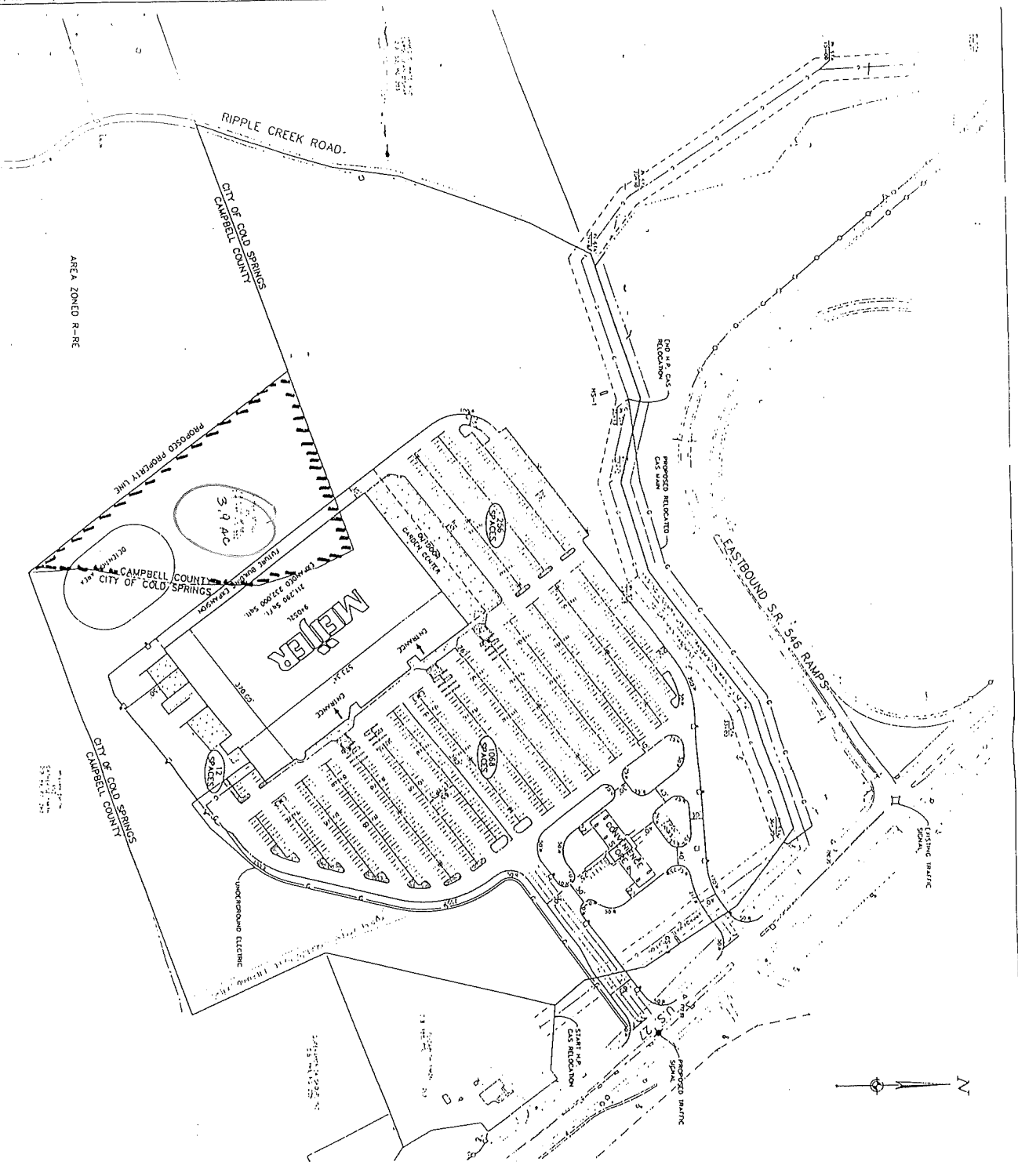
thence departing said east line and said corporation line and over said Weinel land on a new division line, North thirty-seven degrees thirty-two minutes thirty-two seconds West ($N37^{\circ}32'32''W$) for seven hundred thirty-eight and 06/100 feet (738.06') to a 5/8 inch iron pin (set) in the south line of a tract of land conveyed to James Clifford Ware and Carol Jean Ware Dischar as recorded in Will Book 52, Page 203 and being part of that same tract of land conveyed to Edward Ware as recorded in Deed Book 55, Page 472 and being in said corporation line;

thence along said south line and said corporation line, North seventy degrees fifty-six minutes eighteen seconds East ($N70^{\circ}56'18''E$) for four hundred thirty-three and 81/100 feet (433.81') to a point in the centerline of an unimproved road and in the west line of another tract of land conveyed of said James Clifford Ware and Betty Jean Ware Dischar and being that same tract of land conveyed to Edward Ware as recorded in Deed Book 51, Page 184;

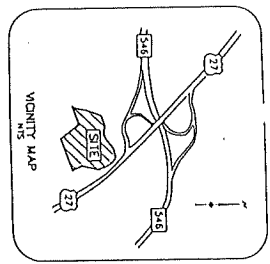
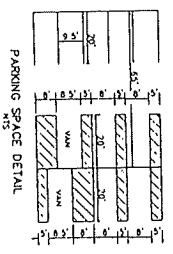
thence along said west line and said corporation line for the following five (5) described courses:

- 1) South twenty-one degrees thirty-two minutes thirty seconds East ($S21^{\circ}32'30''E$) for one hundred forty-eight and 50/100 feet (148.50');
- 2) South ten degrees seventeen minutes thirty seconds East ($S10^{\circ}17'30''E$) for ninety-nine and 00/100 feet (99.00');
- 3) South one degree twenty-seven minutes thirty seconds West ($S01^{\circ}27'30''W$) for ninety-nine and 00/100 feet (99.00');
- 4) South eleven degrees fifty-seven minutes thirty seconds West ($S11^{\circ}57'30''W$) for one hundred sixty-five and 00/100 feet (165.00');
- 5) South one degree two minutes thirty seconds East ($S01^{\circ}02'30''E$) for two hundred thirty-one and 00/100 feet (231.00') to the **TRUE POINT OF BEGINNING**, containing three and 938/1000 (3.938) acres, more or less.

This description was prepared from a field survey performed by Woolpert in February of 1994, with bearings based upon the bearing shown for U. S. Route 27 on the right-of-way plans for the A-A Highway Project No. SSP 019 0546 000 - 010.



PARKING DATA
 15% REQUIRED SPACES
 1500 TOTAL PARKING SPACES
 20 CAR SPACES TO BE INCLUDED IN
 EXISTING PARKING SPACES
 TOTAL TOTAL PARKING SPACES
 SITE ADEQUATE = 43+ SPACES



SHEET NO. DP-1	FILE NO. (CJA)	MEIJER DESIGN 2919 WALKER AVE., N.W. GRAND RAPIDS, MI. 49501 (616) 453-8711	409 East Monument Avenue Dayton, Ohio 45402-1261 513.461.5660 FAX: 513.461.0743	CONTRACT No. 10-10032-01 DATE MAR 21, 1993 SCALE 1"=100' DCS. HBD DR. DAW END. SUN	NO. DATE REVISIONS 1 2/28/93 ISSUED TO MEIJER FOR REVIEW 2 3/4/94 BEFORE SUBMISSION
					U.S. 27 COLD SPRINGS, KENTUCKY DEVELOPMENT PLAN

CITY OF COLD SPRING
LIST OF PROPERTY OWNERS
LIST OF REGISTERED VOTERS
ORDINANCE NO. 94-668

The only property owners and/or registered voters as to the property being annexed are Elmer and Fayella Weinel.