

CERTIFICATION
KRS 81A.470

I certify I am the duly qualified City Clerk of the City of Cold Spring, Kentucky, and the foregoing 4 pages of Ordinance No. 06-912 is a true, correct and complete copy duly adopted by the City Council/Commission at a duly convened meeting held on 9/11/2006, all as appears in the official records of said City.

WITNESS, my hand and (Seal or the Seal of said City), this 19th day of Nov., 2008.

Steve M. Segur
Signature of City Clerk

Seal (Nortarial or City Seal)

RECEIVED AND FILED
DATE March 5, 2010

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY *Randie Adkins*

**COMMONWEALTH OF KENTUCKY
CITY OF COLD SPRING
ORDINANCE NO. 06-912**

**AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED
TERRITORIES WITHIN THE COUNTY OF CAMPBELL, KENTUCKY
AND CONTIGUOUS TO THE PRESENT BOUNDARY LINES OF THE
CITY OF COLD SPRING, KENTUCKY, A CITY OF THE FIFTH CLASS
AND DEFINING BY METES AND BOUNDS THE TERRITORY ANNEXED**

WHEREAS, Kentucky Revised Statute 81A.410 authorizes and delegates city legislative bodies the authority to annex territories; and

WHEREAS, Kentucky Revised Statute 81A.412 provides the manner in which said annexation should be accomplished through the consent of the property owner; and

WHEREAS, the property owner, by way of an annexation agreement, has provided written consent to the annexation; and

WHEREAS, the property herein described is adjacent to and contiguous to the city's boundaries; and

WHEREAS, by reason of population density, commercial, industrial, institutional or governmental use of land, or subdivision of land, said property is urban in character or suitable for urban purposes without unreasonable delay; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLD SPRING, KENTUCKY:

SECTION I

That the City of Cold Spring does hereby and herewith annex to its present boundaries and include the same within the territorial limits of the City of Cold Spring, Campbell County, Kentucky, the following described unincorporated land and area, located in the County of Campbell, Commonwealth of Kentucky, to-wit:

PARCEL NO. 1 (Vaught)

Situation in Campbell County, Kentucky, and being all of Lot numbered five (5) section 'A' of Arcadia Acres Subdivision as shown on Plat recorded in Plat Book 5, Page 28 of the Campbell County Clerk's records at Alexandria, Kentucky.

PARCEL NO. 2 (Presser)

Being Lot number six (6), Section "A" Arcadia Acres Subdivision as shown on Plat recorded in Plat Book 5, Page 28 of the Campbell County records at Alexandria, Kentucky.

PARCEL NO. 3 (Knox)

Situate in Campbell County, Kentucky, and being all of Lot numbered two (2) Section "A" of Arcadia Acres Subdivision as the same appears of record in Plat Book 5, Page 28 (Cabinet D. Slide 434B) of the Campbell County records at Alexandria, Kentucky.

PARCEL NO. 4 (Sanders)

Situated in Campbell County, Kentucky, and being Lot number one (1), Section "A", Arcadia Acres Subdivision as shown on Plat recorded in Plat Book 5, Page 28 of the Campbell County records at Alexandria, Kentucky,

PARCEL NO. 5 (Dalton)

Situated in Campbell County, Kentucky, and lying along the northwest side of the Low Gap Road and more particularly bounded and described as follows:

From a point in the centerline of the Low Gap Road at the northeast corner of the 9.0 acre tract of land which belongs to Arthur and Ida Poweleit, along the center of said road, S 20°30'W 96.0 feet to Point No. 1, a spike in the center of said road (the Point of Beginning of this survey); thence continuing along the centerline of said road, S 18°00' W 104.3 feet to Point No. 2, a spike in the center of said road, the southeast corner of said 9.0 acre tract, N 56°00' W 147.5 feet to Point No. 3, a stake in said southwest line; thence leaving said line, N 34°00' E 100.0 feet to Point No. 4, a stake; thence S 56° 00' E 118.0 feet to the point of beginning, containing 0.30 acres more or less.

PARCEL NO. 6 (Dalton)

Situated in Campbell County, Kentucky, and lying along the northwest side of the Low Gap Road, a survey of a parcel of land now owned by Arthur Poweleit and Ida Poweleit, his wife, and being a part of the original 9.0 acre tract of land recorded in Deed Book No. 91, page 546, (Group 380) of the Campbell County Court Clerk's records at Alexandria, Kentucky, and is bounded and described as follows:

PARCEL NO. 7 (Daly)

Situated on Low Gap Road in Campbell County, Kentucky and being more particularly described at Lot No. 4 of Arcadia Acres Subdivision of the lands of John Christian Thomer and Mildred Thomer

PARCEL NO. 8 (Torbush)

Situated in Campbell County, Kentucky, to wit: Being all of Lot Number Three (3) of Arcadia Acres Subdivision as the same appears of record in Plat Cabinet Book, D, Slide 434 B (formerly know as and referred to as Plat Book 5, Page 28) of the Campbell County Clerk's records at Alexandria, Kentucky.

PARCEL NO. 9 (Helton)

Being situated in Campbell County, Kentucky, along the north side of the Low Gap Road approximately 0.2 mile east of US 27 near the boundaries of the cities of Alexander and Cold Spring and being a combination of a 0.3711 acre tract in Deed Book 150, page 572 and a new land addition to the same, and being more particularly described:

Beginning at a 5/8" rebar set at the northeast corner of the Kenneth E. Dalton parcel 2 in Deed Book 194, page 391; thence along Dalton at 31 degrees 00" W 65.00 ' to the corner of Daltons Parcel 1 and Parcel 2; thence a 34 degrees 00'00" W 100.00 to a 5/8" rebar set; thence along the Ronald Poweleit 4.73 acre tract as in Deed Book 157, page 557 N 49 degrees 13'13" W 100.54 " to the original northwest corner of the 0.2711 acre land addition N 49 degrees 13"13" W 66.74' to 5/8" rebar set; thence N 23 degrees 45"57" E 142.47' to a 5/8" rebar set, crossing a 5/8" rebar set at 38.66'; thence S 62 degrees 39'54" E 92.05' to the northeast corner of the 0./3711 acre tract; thence S. 52 degrees 45'00" E 100.00' to the point of beginning. Containing 0.7422 acres.

SECTION II

The City Council of the City of Cold Spring finds that the aforementioned territory is by reason of population density, commercial, industrial, institutional or governmental use of land, or subdivision of land, is urban in character or suitable for development for urban purposes without unreasonable delay.

SECTION III

That any section, or part of any section, or any provision of this Ordinance which is declared invalid by a Court of appropriate jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance.

SECTION IV

That this ordinance shall take effect and be in full force from and after its passage, publication and recording, according to law.

ADOPTED this 11th day of September, 2006.

FIRST READING: 6/26/2006 Vote 6, Yes; 0 No

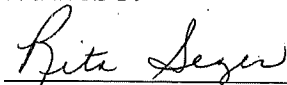
SECOND READING: 9/11/2006 Vote 6, Yes; 0 No

**CITY OF COLD SPRING
CAMPBELL COUNTY, KENTUCKY**



MARK STOEBER - Mayor

ATTEST:



RITA SEGER, City Clerk

DESCRIPTION OF PARCELS TO BE ANNEXED: ORDINANCE 06-912

Eight tracts of land situated in Campbell County, Kentucky, and lying on the north side of Low Gap Road and being of record in the Campbell County Court Clerk's office in Alexandria, Kentucky, and being more particularly described as follows:

Unless stated otherwise, any monument referred to herein as a "pin and cap" is a set 1/2" diameter rebar, eighteen (18) inches in length, with a plastic cap stamped "W.R.Reis PLS 2597". All bearings stated herein are based on the bearing of record of the northwesterly line of Ronald and Joyce Poweleit (N 33 35 41 E) as recorded in DB 276, Pg 504 in the Campbell County Court Clerk's Office in Alexandria, Kentucky.

Parcels 1 and 2

Being Lot 5 (Vaught DB 179, Pg 197) and Lot 6 (Presser DB 204, Pg 522) of Arcadia Acres Subdivision as recorded on Plat D-434B: Beginning at an existing 1/2" pipe in concrete, the northwest corner of lot 5; thence along the northwesterly line of lot 5 N 29 57 28 E, 99.83 feet to an existing 1/2" pin with no cap; thence along the northwesterly line of lot 6 N 29 56 48 E, 100.00 feet to a point, a 5/8" pin with a cap stamped PLS 3390 bears N 73 58 17 E, 4.16 feet: thence along lot 6/7 S 60 03 12 E, 202.88 feet to a point, a 5/8" pin with a cap stamped PLS 3390 bears S 76 24 58 E, 3.38 feet: thence along the R/W of Low Gap Road S 45 36 26 W, 104.45 feet to an existing 1/2" pin with no cap; thence S 46 19 18 W, 103.45 feet to a point, a 1/2" pin with no cap bears S 44 45 04 W, 11.34 feet; thence along the southwesterly line of lot 5 N 60 03 21 W, 145.54 feet to the point of beginning and containing 0.80 acres of land more or less.

Parcels 3, 4 7, and 8

Being Lot 1 (Chowning DB 277, Pg 176), Lot 2 (Knox DB 252, Pg 574), Lot 3 (Torbusch DB 259, Pg 681), and Lot 4 (Daly DB 279, Pg 802) of Arcadia Acres Subdivision as recorded on Plat D-434B: Beginning at the southeast corner of Lot 1 at an existing 1/2" pin with a cap stamped Ament 1729 in the R/W of Low Gap Road; thence along the southwesterly line of lot 1 N 54 35 32 W, 142.31 feet to an existing 1/2" pin with a cap stamped Ament 1729; thence along the northwesterly line of lots 1 through 4 N 30 14 04 E, 81.56 feet to an existing 1/2" pin with a cap stamped Ament 1729; thence N 29 55 00 E, 200.26 feet to an existing 1/2" pin with no cap; thence N 29 45 47 E, 100.50 feet to the northwest corner of lot 4, a 5/8" pin with a cap stamped PLS 3390 bears N 45 14 10 E, 2.80 feet: thence along the northeasterly line of lot 4 S 60 03 21 E, 142.00 feet to a point, a 5/8" pin with a cap stamped PLS 3390 bears N 60 08 35 E, 1.56 feet: thence along the R/W of Low Gap Road S 30 11 05 W, 101.89 feet to an existing 1/2" pin with no cap; thence S 29 32 52

W, 99.01 feet to an existing 1/2" pin with a cap stamped Ament 1729; thence S 30 07 06 W, 194.97 feet to the point of beginning and containing 1.27 acres of land more or less.

Parcels 5 and 6

Being the property conveyed to Kenneth D. and Gloria D. Dalton (DB 267, Pg 573):

Beginning at a MAG nail set in Low Gap Road at the southeasterly line of Fay and Allen Kenneth Racke (DB 271, Pg 123) and a corner to Dalton; thence along Low Gap Road S 18 16 59 W, 165.82 feet to a MAG nail, a corner to Ronald A. and Joyce C. Poweleit (DB 276, Pg 504); thence along the northeasterly line of Poweleit N 56 21 24 W, 147.02 feet to a pin and cap, a corner to Howard Donald Jr. and Stephanie Marie Baxter (DB 284, Pg 781); thence along the southeasterly line of Baxter N 33 22 33 E, 165.21 feet to a pin and cap in Rackes' line; thence along said line S 53 26 04 E, 104.00 feet to the point of beginning and containing 0.47 acres of land more or less.

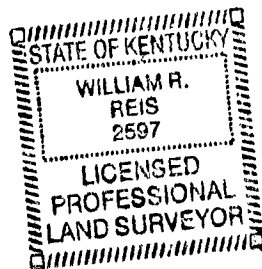
Parcel 9

Being the property conveyed to Howard Donald Jr. and Stephanie Marie Baxter (Db 284, Pg 781):

Beginning at a pin and cap in the southeasterly line of Fay and Allen Kenneth Racke (DB 271, Pg 123) and a corner to Kenneth D. and Gloria D. Dalton (DB 267, Pg 573; thence along Rackes' line N 53 26 05 W, 100.00 feet to a pin and cap; thence N 63 20 58 W, 92.05 feet to an existing 5/8" pin with a cap stamped Schultz 2777; thence S 23 12 30 W, 142.48 feet to a point under a shed (passing an existing 5/8" pin with a cap stamped Schultz 2777 at a distance of 103.49 feet) in the northeasterly line of Ronald A. and Joyce C. Poweleit (DB 276, Pg 504); thence along said line S 49 50 29 E, 167.28 feet to a pin and cap; thence along the northwesterly line of Dalton N 33 22 33 E, 165.21 feet to the point of beginning and containing 0.64 acres of land more or less.

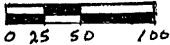
This description prepared from a physical survey conducted by William R. Reis P.L.S. 2597 on March 12, 2008.

William R. Reis 6.24.08



PLAT OF ANNEXATION

for
 CITY OF COLD SPRING, KENTUCKY
 5694 East Alexandria Pike, Cold Spring, Ky 41076
 for property located at
 north side Low Gap Rd., Cold Spring, Ky 41076
 Scale: 1"=100'



Drawn By: William Reis
 Date: June 23, 2008
 Drawing Number: 2008-757B
 By: William R. Reis R.L.S. 2597(859)635-2869
 12794 Shaw Goetz Rd., Calif, Ky 41007

CITY CLERK CERTIFICATION

I certify I am the duly certified city clerk of Cold Spring, Kentucky, and the foregoing _____ pages of ordinance No. _____ is a true, correct, and complete copy duly adopted by the city commission at a duly convened meeting held on _____, all as appears in the official records of said city.

Witness, my hand and (seal or the seal of said city), this _____ day of _____ 2008.

signature of city clerk _____ date _____

SURVEYORS CERTIFICATE

hereby certify that I am a duly qualified and Licensed Kentucky Surveyor in accordance with KRS 322 and that this plat depicts a survey performed by me, or under my direct supervision, in accordance with the Code of Professional Practice and Conduct for Professional Engineers and Professional Surveyors, by the method of random traverse with sideshots. The unadjusted precision ratio of the random traverse was 1:10,000. This survey was adjusted for closure. The survey as shown hereon is a Class A survey and the accuracy and precision of said survey meets all the specifications of this class. This plat meets or exceeds the minimum requirements of 201 KAR 18.150. The basis of the bearings on this plat is the bearing of record of the northwesterly line of Ronald and Joyce Poweleit (N 33 35 41 E) as recorded in DB 276, Pg 504 in the Campbell County Court Clerk's Office in Alexandria, Kentucky.

William R. Reis R.L.S. 2597 6.24.08
 William R. Reis date

