

DATE November 17, 2019

COMMONWEALTH OF KENTUCKY
CITY OF ERLANGER
ORDINANCE NO. 2484

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY

BY Janice DeLoach
AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED
TERRITORIES WITHIN THE COUNTY OF KENTON,
KENTUCKY AND CONTIGUOUS TO THE PRESENT BOUNDARY
LINES OF THE CITY OF ERLANGER, KENTUCKY, 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 ERLANGER, KENTUCKY:

SECTION I

That the City of Erlanger does hereby and herewith annex to its present boundaries and include the same within the territorial limits of the City of Erlanger, Kenton County, Kentucky, the following described unincorporated land and area, located in the County of Kenton, Commonwealth of Kentucky, lying on the west side of Turkeyfoot Road (State Route 1303) approximately 650 feet south of Misty Creek Drive and is more particularly described as follows:

SEE ATTACHED EXHIBIT "A", Legal Description, "B", Plat

SECTION II

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

Adopted this 3rd day of September, 2019

1st Reading - August 20, 2019

2nd Reading - September 3, 2019

Vote: 10, Yes, 0, No

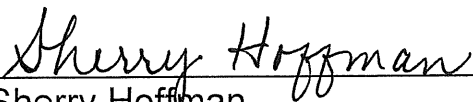
City of Erlanger,
Kenton County, Kentucky

By: Janice DeLoach
Jessica Fette
Mayor

CERTIFICATION

The undersigned, Sherry Hoffman, City Clerk of the City of Erlanger, in Kenton County, Kentucky, hereby certifies as follows:

1. The foregoing Ordinance No. 2484 was introduced in writing and read to the City Council for the City of Erlanger at regular or special meetings thereof on the 6th day of August, 2019, and at which quorums were present; and said ordinance was enacted by the City Council of the City of Erlanger upon the affirmative vote of at least a majority of a quorum thereof, at the meeting thereof on the 3rd day of September, 2019, with the vote of each member of the City Council entered upon the official record of such meeting; and
2. After the passage and adoption of the foregoing Ordinance by the City Council of the City of Erlanger, it was submitted to the Mayor of the City of Erlanger who approved said Ordinance by affixing his signature thereto within ten (10) days after the submission thereof to him; and
3. The foregoing Ordinance was published on the 6th day of September, 2019, in THE KENTUCKY ENQUIRER, a newspaper qualified therefore, pursuant to the provisions of K.R.S. Chapter 424.



Sherry Hoffman
City Clerk

ANNEXATION AGREEMENT

Whereas, the City of Erlanger, Kenton County, Kentucky is desirous of annexing a parcel of property owned by the Drees Company; and

Whereas, the property owners have publicly stated their intention to challenge any and all nonconsensual annexation ordinances by the City of Erlanger pursuant to Kentucky Revised Statute 81A.420.

Whereas, the City of Erlanger is still desirous of annexing the aforementioned property and the Drees Company is agreeable to a consensual annexation, pursuant to Kentucky Revised Statute 81A.412, if certain conditions and considerations are met.

Now Therefore it is Agreed as Follows:

1. That Drees Company (hereinafter "Property Owners") is agreeable and this Agreement shall serve as notice of their intent and/or consent to be annexed into the City of Erlanger pursuant to Kentucky Revised Statute 81A.412. A description and plat of said land to be annexed is attached hereto as Exhibits "A" and "B" and incorporated by reference herein.

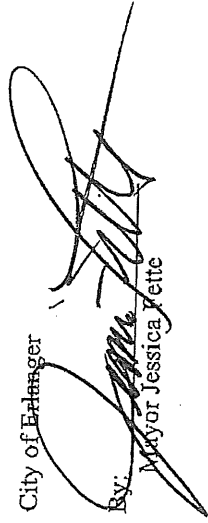
2. That while said annexation will occur upon passage of an ordinance annexing the aforementioned property, no significant city services will be provided to Property Owners during Drees Company's development of the property. The purpose of this annexation is so that future property owners will enjoy services from the City of Erlanger, including but not limited to, police protection and public works. Furthermore, Drees Company acknowledges and agrees that being part of the City of Erlanger is positive for their development and assists in the sale of homes.

3. In as much that no services will be provided until the property is ultimately transferred the parties agree for each calendar year that Drees Homes is the title owner of any parcel, home, and/or any other dwelling, the property shall have an assessed value for Erlanger tax purposes of \$0. This determination shall be made based on the title owner of the property as of January 1 of each year. Absent a prior transfer, this abatement for Drees Home shall continue until December 31, 2023. Beginning January 1, 2024, Drees Homes shall pay ad valorem taxes.

4. This agreement constitutes the entire agreement of the parties and may not be modified.

City of Erlanger


By:



Mayor Jessica Veitc

Drees Company

By:

A handwritten signature in black ink, appearing to read "Jeff Hebeier", written over a series of horizontal wavy lines.

Jeff Hebeier

Asst. Secretary/Cincinnati Land

ENQUIRER MEDIA

PART OF THE USA TODAY NETWORK

Advertiser:

CITY OF ERLANGER
505 COMMONWEALTH AVE

ERLANGER KY 41018

AFFIDAVIT OF PUBLICATION

Newspaper: CIN-EN Kentucky Enquirer

LEGAL NOTICE
ATTACHED

State of Wisconsin

RE: Order # 0003774236

Account #: CIN-620034
Total Cost of the Ad: \$37.24
of Affidavits: 1
Last Run Date: 09/06/2019

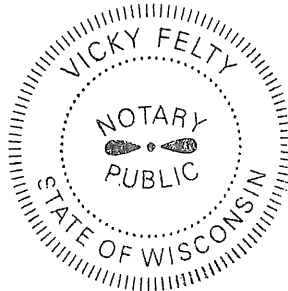
I, [Signature]
of the The Enquirer, a newspaper printed in Cincinnati, Ohio and published in Cincinnati, in said County and State, and of general circulation in said county, and as to the Kentucky Enquirer published in Ft. Mitchell, Kenton County, Kentucky, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper times, once in each issue as follows:

09/06/19

.....
[Signature]
Subscribed and sworn to before me this 6th day of September, 2019

[Signature]
Notary Public

9-19-21
Commission expires



The City of Erlanger has adopted Ordinance No. 2484 annexing certain unincorporated territories within Kenton County, Kentucky and contiguous to the present boundary lines of the City of Erlanger. The ordinance may be viewed in full at www.erlangerkv.gov.
KY, Sept 6, 19#3774236

The City of Erlanger has adopted Ordinance No. 2484 annexing certain unincorporated territories within Kenton County, Kentucky and contiguous to the present boundary lines of the City of Erlanger. The ordinance may be viewed in full at www.erlangerky.gov.



Sherry Hoffman <sherry.hoffman@cityoferlanger.com>

PIDN of the Property Annexed

David Hahn <david.hahn@cityoferlanger.com>

Wed, Sep 25, 2019 at 7:31 AM

To: Sherry Hoffman <sherry.hoffman@cityoferlanger.com>

016-30-12-001.00 (3453 Turkeyfoot)
016-40-02-002.00 (3463 Turkeyfoot)
016-40-02-001.00 (3459 Turkeyfoot)
016-30-12-001.09 (No Address Shown)

--

P. David Hahn
City of Erlanger
505 Commonwealth Avenue
Erlanger, Kentucky 41018
(859) 727-7995 (Direct)
(859) 727-7944 (Fax)
(859) 393-6912 (Cell)

Exhibit A Legal Description



VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road | 215B Main Street,
Erlanger, Kentucky 41018 | Milford, Ohio 45150

Tel: 859.727.3293 | Tel: 513.576.1000
Fax: 859.727.8452

www.vioxinc.com

July 18, 2019

PARCEL TO BE ANNEXED BY ERLANGER, KENTUCKY DESCRIPTION OF 7.826 ACRES

Located in Kenton County, Kentucky, lying on the east side of Turkeyfoot Road (State Route 1303) approximately 100 feet south of Southway Ridge and is more particularly described as follows:

BEGINNING at a point at the most southerly common corner of The Drees Company (Record Book C-6699, page 64) and Lot 25 of the Enclave at South Ridge Subdivision (Plat Slide 2186B) and in the north corporation line of the City of Erlanger (Ordinance 2276);

THENCE with the south line of The Drees Company and said north corporation line N 72°36'52" W a distance of 571.33 feet to a point in the east corporation line of Erlanger, Kentucky (Ordinance 1246);

THENCE with said corporation line for the following two courses:

1. N 14°18'46" E a distance of 428.35 feet to a point;
2. N 03°45'51" E a distance of 310.52 feet to a point in the south line of Lot 2 of the Enclave at South Ridge Subdivision and also the south corporation line of Erlanger, Kentucky (Ordinance 2440);

THENCE with said Subdivision line and corporation line for the following fourteen courses:

1. S 63°23'18" E a distance of 62.52 feet to a point;
2. N 48°23'34" E a distance of 12.41 feet to a point;
3. N 02°06'31" E a distance of 42.00 feet to a point;
4. N 27°50'49" W a distance of 83.25 feet to a point;
5. N 41°34'42" E a distance of 15.19 feet to a point;
6. S 62°46'47" E a distance of 29.36 feet to a point;
7. S 69°34'52" E a distance of 86.62 feet to a point;
8. S 56°07'17" E a distance of 57.92 feet to a point;
9. S 49°27'09" E a distance of 76.15 feet to a point;
10. S 41°26'59" E a distance of 47.00 feet to a point;
11. S 63°08'20" E a distance of 41.85 feet to a point;
12. S 26°54'52" W a distance of 76.67 feet to a point;
13. S 19°00'50" E a distance of 284.02 feet to a point;
14. S 04°52'45" E a distance of 488.10 feet to the point of beginning containing 7.826 acres.

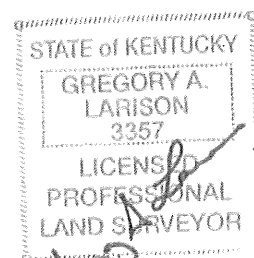


Exhibit B
Plat

PLAT OF 7.826 ACRES
TO BE ANNEXED BY
ERLANGER, KENTUCKY

KENTON COUNTY KENTUCKY

EAST SIDE OF TURKEYFOOT ROAD
650' ± SOUTH OF MISTY CREEK DRIVE

JULY 18, 2019 SCALE: 1"=100'



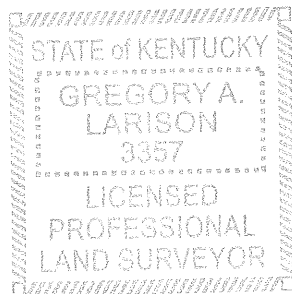
VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects
466 Erlanger Road • Erlanger, Kentucky 41018
215B Main Street • Milford, Ohio 45150
Ph Erlanger (859)727-3293 • Ph Milford (513)576-1000 • www.vioxinc.com



This plat was prepared using existing deeds of record, City of Erlanger, Kentucky Ordinances 1246, 1437 and 2276, unrecorded maps in the possession of the City Engineer, James H. Viox, III, and existing GIS data obtained from Planning and Development Services of Kenton County.

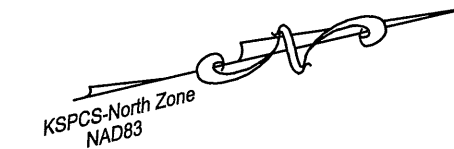
Gregory A. Larison
Gregory A. Larison
PLS 3357
Date 7/18/19



BETHANY LUTHERAN CHURCH
D.B. 577, PG. 314

N: 545612.92
E: 1546720.22

EXISTING CITY OF
ERLANGER BOUNDARY
ORDINANCE 2276
UNINCORPORATED
KENTON COUNTY



THE DREES COMPANY
R.B. C-6699, Page 064

7.826 Acres

LINE	BEARING	DISTANCE
L1	S63°23'18"E	62.52'
L2	N48°23'34"E	12.41'
L3	N02°06'31"E	42.00'
L4	N27°50'49"W	83.25'
L5	N41°34'42"E	15.19'
L6	S62°46'47"E	29.36'
L7	S69°34'52"E	86.62'
L8	S56°07'17"E	57.92'
L9	S49°27'09"E	76.15'
L10	S41°26'59"E	47.00'
L11	S63°08'20"E	41.85'
L12	S26°54'52"W	76.67'

POINT OF
BEGINNING

ENCLAVE AT SOUTH RIDGE
SUBDIVISION
PLAT SLIDE 2186B

EXISTING CITY OF
ERLANGER BOUNDARY
ORDINANCE 2440

EXISTING CITY OF
ERLANGER BOUNDARY
ORDINANCE 1437

TURKEYFOOT ROAD
S.R. 1303

EXISTING CITY OF
ERLANGER BOUNDARY
ORDINANCE 1246
UNINCORPORATED
KENTON COUNTY

EXISTING CITY OF
ERLANGER BOUNDARY
ORDINANCE 2440

