

STEVEN J. FRANZEN
Attorney & Counselor at Law

319 York Street • Newport, Kentucky 41071 • Phone: (606) 491-7700 • Fax: (606) 491-4025

RECEIVED

MAR 20 1995

SECRETARY OF STATE
COMMONWEALTH OF KY
K. Adkinson

March 15, 1995

Secretary of State
State Capitol
Frankfort, KY 40601

RE: Herbst Annexation

Dear Sir:

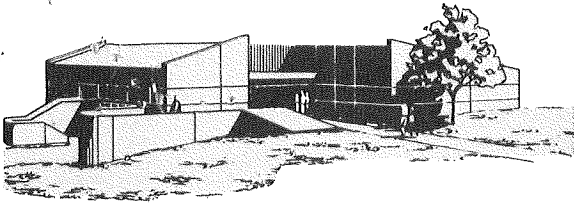
Enclosed please find a certified copy of an ordinance annexing new property into the City of Highland Heights, Kentucky. Also enclosed please find an accurate map with metes and bounds descriptions of the new property. Please record this with your office. Please provide our office with file stamped copies and return in the enclosed self-addressed, stamped envelope.

Sincerely,

Steven J. Franzen
Steven J. Franzen

SJF/jsr
hhltr5

enclosure



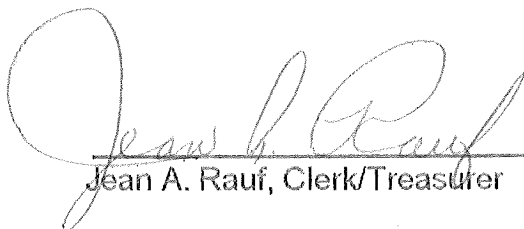
CITY OF
HIGHLAND HEIGHTS

175 JOHNS HILL ROAD · HIGHLAND HEIGHTS, KENTUCKY 41076 · (606) 441-8575



CERTIFICATION

This is to certify the attached is a true and exact copy of Ordinance #02-95, An Ordinance annexing to the City of Highland Heights Kentucky, a Fourth Class City, unincorporated area lying adjacent and contiguous to the existing city limits of the City of Highland Heights, Kentucky.


Jean A. Rauf, Clerk/Treasurer

CITY OF HIGHLAND HEIGHTS, KENTUCKY

ORDINANCE NO. 02-95

AN ORDINANCE ANNEXING TO THE CITY OF HIGHLAND HEIGHTS, KENTUCKY, A FOURTH CLASS CITY, UNINCORPORATED AREA LYING ADJACENT AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF HIGHLAND HEIGHTS, KENTUCKY.

WHEREAS, George R. Herbst, Janet Herbst, Carolyn R. Herbst, Vera Herbst, Leslie Herbst, Leroy Herbst and Rae Reynolds Herbst, the record owners of a parcel of property known as the property adjacent to the George and Rosalyn Steffen property commonly referred to as 550 Johns Hill Road, Highland Heights, Kentucky and containing 24 acres more or less of vacant land and more specifically described below, are interested in a voluntary annexation process into the City of Highland Heights, and;

WHEREAS, the City Council for the City of Highland Heights desires to annex into the City of Highland Heights the unincorporated territory described below; and

WHEREAS, the owners of the parcel have executed a voluntary annexation waiver form pursuant to KRS 81A.412; (See attached)

BE IT ORDAINED by the City of Highland Heights, Kentucky:

Section I

That the City Council of the City of Highland Heights, Campbell County, Kentucky, an incorporated city of the fourth class, hereby annexes to the City of Highland Heights the below described unincorporated territory. City Council hereby declares that it is desirable to annex said unincorporated territory to the City of Highland Heights, Kentucky 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 and the commercial and industrial use and potential use of the land, 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.

Section II

The City Council for the City of Highland Heights, Kentucky has found that the annexation of the property described will benefit the health, safety and welfare of the citizens of Highland Heights, Kentucky.

Section III

The boundaries of the unincorporated territory proposed to be annexed are as follows:

Being located in the Commonwealth of Kentucky, County of Campbell, south of Johns Hill Road and east of Interstate 275, and being a portion of the property conveyed in Will Book 2, Page 273 of the records of the Campbell County Clerk in Newport, Kentucky, and being more particularly described as follows:

BEGINNING at a point in the existing Highland Heights City Limits, said point being the northwest corner of the parcel described herein, and being a common corner with Arthur & Grace Smith as described in DB 419, PG 270, and Meadowbrook Apartments Limited Partnership as described in DB 542, PG 303, and Northern Kentucky University as described in DB 555, PG 447;

THENCE along the northerly line of the parcel described herein and the Northern Kentucky University Property and the existing Highland Heights City Limits S 37-48-08 E, a distance of approximately 622.03 feet to a point, said point being a common corner with Ann C. & Margaret Robinson as described in Deed Book 311, Page 489;

THENCE leaving the existing Highland Heights City Boundary along the line common with the Robinson property S 40-51-00 W, a distance of 932.25 feet to a point being common with Arthur & Grace Smith as listed in Deed Book 520, Page 409;

THENCE along the line being common with Smith S 41-30-00 W, a distance of approximately 621.5 feet to a point common with the property of George Steffen as listed in Deed Book 377, Page 520;

THENCE along a line common with Steffen N 12-45-00 W, a distance of approximately 660 feet to a point;

THENCE along a line common with Steffen N 10-00-00 W, a distance of approximately 297 feet to a point;

THENCE along a line common with Steffen N 15-30-00 W, a distance of 594 feet to a point, said point being common with Arthur & Grace Smith as listed in Deed Book 419, Page 270;

THENCE along a line common with Smith S 42-10-05 E, a distance of approximately 552.56 feet to a point;

THENCE along a line common with Smith N 48-00-00 E, a distance of approximately 841.50 feet to the POINT OF BEGINNING.

Said above described parcel containing approximately 23 acres, with the above description being written from bearings and distances recorded in the deeds for the adjoining properties. A map of the area to be annexed is attached hereto and incorporated herein by reference.

Section IV

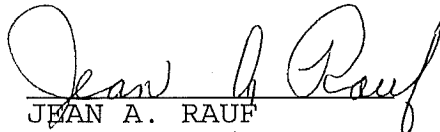
That this ordinance shall be read and adopted on two (2) separate days, signed by the Mayor, attested by the City Clerk/Treasurer, recorded and published according to law. Same shall be in effect at the earliest time provided by law.

First Reading this 8th day of March, 1995.

Passed this 9th day of March, 1995.


MAYOR CHARLES ROETTGER, III

ATTEST:


JEAN A. RAUF
CITY CLERK/TREASURER

PUBLISH: CCR 3-15-95

ord95.5



CITY OF HIGHLAND HEIGHTS

175 JOHNS HILL ROAD · HIGHLAND HEIGHTS, KENTUCKY 41076 · (606) 441-8575

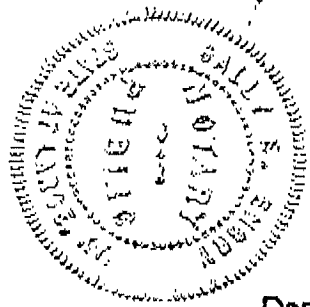


CONSENT TO ANNEXATION

Pursuant to KRS.81A.412 the undersigned hereby certifies to the City of Highland Heights, Kentucky, that they are the record owners of the land described below and that by placing their signature upon this document they hereby consent to be annexed into the City of Highland Heights, Kentucky, and specifically waive the sixty (60) day waiting period provided for in KRS.81A.420 (2).

This waiver is made knowingly, voluntarily, and with the expressed desire to be annexed into the City of Highland Heights, Kentucky as soon as legally possible.

Signed: George R. Herbert
Janet Herbert

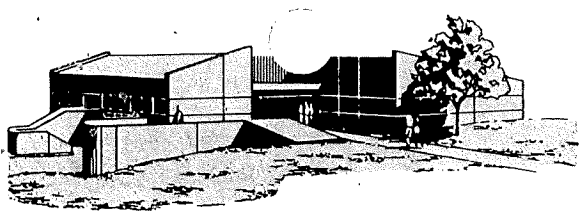


Description of Property: _____

Seen to and subscribed before me this 3rd day of March, 1995

Witness my hand and official seal
Notary Public Sally E. Adams

Date signed: Mar 3 / 1995



CITY OF

HIGHLAND HEIGHTS

175 JOHNS HILL ROAD · HIGHLAND HEIGHTS, KENTUCKY 41076 · (606) 441-8575

CONSENT TO ANNEXATION



Pursuant to KRS.81A.412 the undersigned hereby certifies to the City of Highland Heights, Kentucky, that they are the record owners of the land described below and that by placing their signature upon this document they hereby consent to be annexed into the City of Highland Heights, Kentucky, and specifically waive the sixty (60) day waiting period provided for in KRS.81A.420 (2).

This waiver is made knowingly, voluntarily, and with the expressed desire to be annexed into the City of Highland Heights, Kentucky as soon as legally possible.

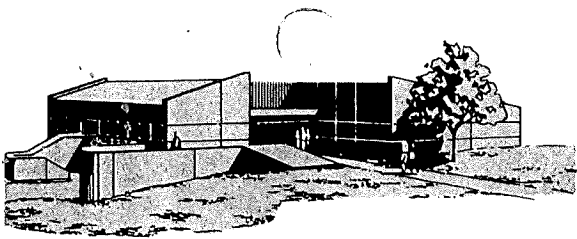
Signed: Carolyn R. Herbst

550 Johns Hill Rd. Highland Hts, Ky.

Description of Property: 550 Johns Hill Rd.

24 acres - adjoining H. Schweitzer

Date signed: March 3, 1995



CITY OF

HIGHLAND HEIGHTS

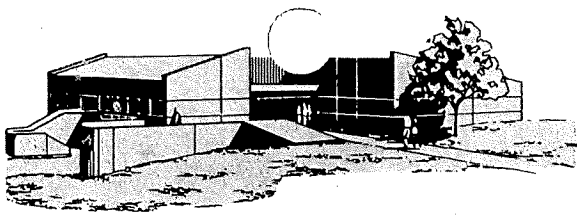
175 JOHNS HILL ROAD · HIGHLAND HEIGHTS, KENTUCKY 41076 · (606) 441-8575



Subscribed and sworn to before me this 3rd
day of March 1995 by Carolyn R. Herbst

Jean A. Rauf
NOTARY

My commision expires: 3-30-96



CITY OF

HIGHLAND HEIGHTS

175 JOHNS HILL ROAD · HIGHLAND HEIGHTS, KENTUCKY 41076 · (606) 441-8575



CONSENT TO ANNEXATION

Pursuant to KRS.81A.412 the undersigned hereby certifies to the City of Highland Heights, Kentucky, that they are the record owners of the land described below and that by placing their signature upon this document they hereby consent to be annexed into the City of Highland Heights, Kentucky, and specifically waive the sixty (60) day waiting period provided for in KRS.81A.420 (2).

This waiver is made knowingly, voluntarily, and with the expressed desire to be annexed into the City of Highland Heights, Kentucky as soon as legally possible.

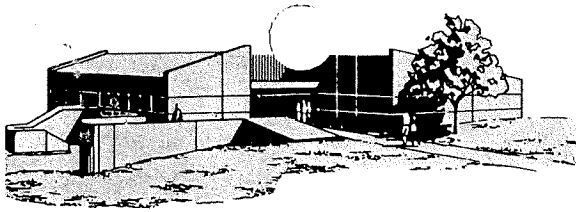
Signed: Nera Herbst
Leslie Herbst

NOTARY H. K. H. Ry MY COMMISSION EXPIRES 6/27/95

Description of Property: 24 acres - in rear of 550
Johns Hill Road, Highland Hts, Ky
a joining H. Schweitzer

Date signed: 3/4/95

HIGHLAND HEIGHTS



175 JOHNS HILL ROAD · HIGHLAND HEIGHTS, KENTUCKY 41076 · (606) 441-8575



CONSENT TO ANNEXATION

Pursuant to KRS.81A.412 the undersigned hereby certifies to the City of Highland Heights, Kentucky, that they are the record owners of the land described below and that by placing their signature upon this document they hereby consent to be annexed into the City of Highland Heights, Kentucky, and specifically waive the sixty (60) day waiting period provided for in KRS.81A.420 (2).

This waiver is made knowingly, voluntarily, and with the expressed desire to be annexed into the City of Highland Heights, Kentucky as soon as legally possible.

Signed:

[Handwritten signature]

Rae Reynolds Herbst, Trustee

Trustees of the Herbst Family Trust w/A dated 6-30-94

Description of Property: Being the property recorded in Deed Book 568, p. 81, & Deed Book 568, p. 336, of the Official Records of Campbell Co., Kentucky (24 acres more or less of vacant land).

Date signed: March 5, 1995

State of Ohio

County of Clermont:

On this date, March 5, 1995, personally appeared Leroy Herbst and Rae Reynolds Herbst, Trustees, who swore to, acknowledged, and signed the statements on page 1 of this document in my presence.

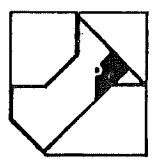
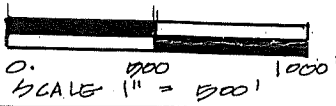
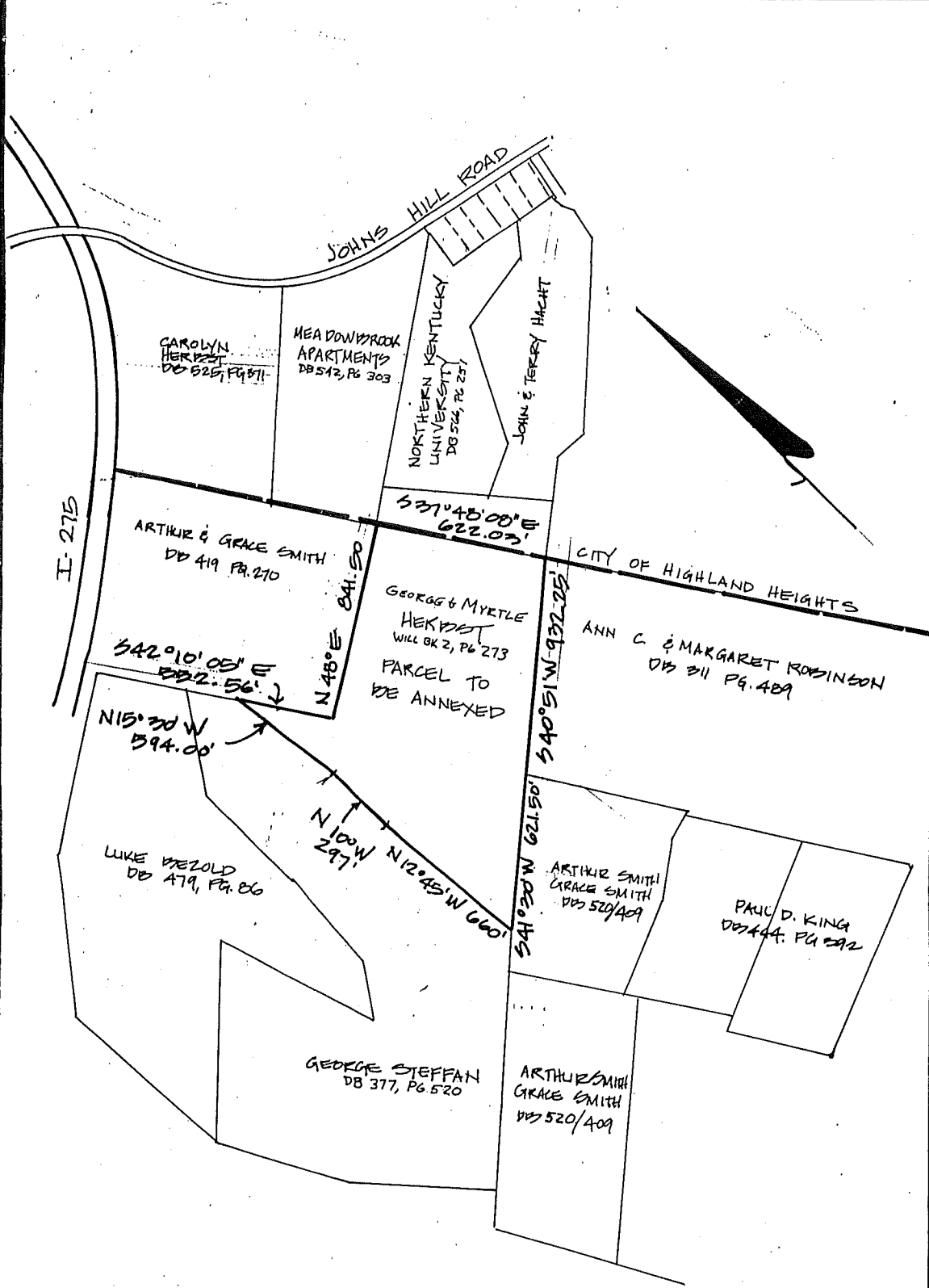
Kathleen Yoest Overstreet

Notary Public

My Commission Expires 11/18/95



KATHLEEN YOEST OVERSTREET
Notary Public State of Ohio
My Commission Expires Nov. 18, 1995



CARDINAL
 ARCHITECTURE
 ENGINEERING
 LAND SURVEYING

**CITY OF HIGHLAND HEIGHTS
 ANNEXATION DRAWING**

ORDINANCE 02-95

ONE MOOCK ROAD
 WILDER, KENTUCKY
 41071 (606) 581-9600

Drawn By:
J.A.

Date:
3/8/95

Scale:
1" = 500'

File No.
95-041