

**STEVEN J. FRANZEN**

*Attorney & Counselor at Law*

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

**RECEIVED**

**JUN 13 1995**

**SECRETARY OF STATE  
COMMONWEALTH OF KY**

June 6, 1995


Secretary of State  
State Capitol  
Frankfort, KY 40601

RE: Annexation

Dear Sir:

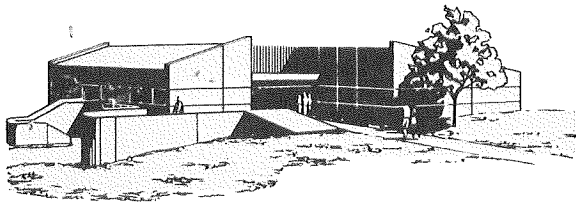
Enclosed please find a certified copy of an ordinance annexing new property into the City of Highland Heights, Kentucky. Also enclosed please find an accurate map with metes and bounds descriptions of the new property. Please record this with your office. Please provide our office with file stamped copies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

Sincerely,

  
Steven J. Franzen

SJF/jsr  
hhltr5

enclosure



CITY OF  
**HIGHLAND HEIGHTS**

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

**RECEIVED**

JUN 13 1995

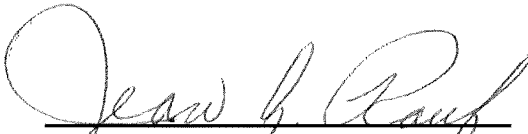
SECRETARY OF STATE  
COMMONWEALTH OF KY



**CERTIFICATION**

I, Jean A. Rauf, Clerk Treasurer, City of Highland Heights, Campbell County Kentucky, do hereby certify the attached is a true and exact copy of Ordinance #14-95 passed by the City Council of said City on the 22nd day of May 1995, and recorded in the official Ordinance Book of said City.

Given under my hand, this 6th day of June, 1995.

  
\_\_\_\_\_  
Jean A. Rauf, Clerk/Treasurer

Encl.

CITY OF HIGHLAND HEIGHTS, KENTUCKY

ORDINANCE NO. 14-95

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, Frank W. Losey and Michele Losey the owners of real estate recorded in the Campbell County Clerk's records at Newport, Kentucky in Deed Book 426, Page 126 with legal description hereinafter set forth; these described property owners 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:

Located in Campbell County, Commonwealth of Kentucky, and lying contiguous to the corporation line of the City of Highland Heights, also being contiguous to the easterly line of David Caywood and the southerly line of Andrew Fueglein, and being more particularly described as follows:

Beginning at the original southerly common corner of Lot 2 and Lot 3 of the Mary L. Hawthorne Subdivision as recorded in Plat Book 8, Page 3 of the Campbell County Clerk's records at Newport, Kentucky, said point also being the northwesterly corner of Lot 1 of the William F. Williamson Subdivision as recorded on Plat Book 10 Page 34 of the Campbell County Clerk's records at Newport, Kentucky, said point also being in the centerline of Blange Road, said point also being a common corner of the Fueglein property and the Commonwealth of Kentucky property;

Thence along the common line of Lot 3 of said Mary L. Hawthorne Subdivision and Lot 1 of said William F. Williamson Subdivision, said line also being the southerly common line of Fueglein and the northerly line of the Commonwealth of Kentucky, south  $60^{\circ} 00'$  west a distance of 60 feet, more or less, to the Real Point of Beginning, said point being a common corner of Franklin W. Losey and Michele Losey and the Commonwealth of Kentucky westerly right-of-way of River Road;

Thence, along said westerly right-of-way of River Road, south  $50^{\circ} 06' 59''$  east a distance of 126.04 feet to a point;

Thence, continuing along said westerly right-of-way of said River Road, south  $41^{\circ} 08' 45''$  east a distance of 29.42 feet to a point, said point being a common corner of Losey, The Columbia Gas Company, The Commonwealth of Kentucky right-of-way for River Road;

Thence along the common line of Losey and The Columbia Gas Company, south  $35^{\circ} 45'$  west a distance of 81.54 feet to a point, said point being the southerly common corner of Losey and The Columbia Gas Transmission Corporation;

Thence leaving said common line of Losey and The Columbia Gas Company, along the common line of Losey and Ernst, north  $49^{\circ} 58'$  west a distance of 10.00 feet to a point, said point being a common corner of Losey and Ernst;

Thence continuing along said common line of Losey and Ernst, south  $60^{\circ} 00'$  west a distance of 280.93 feet to a point, said point being the southerly common corner of Losey and Caywood;

Thence leaving said common line of Losey and Ernst, along the

common line of Losey and Caywood, north 30° 00' west a distance of 173.00 feet to a point, said point being the northerly common corner of Losey and Caywood, said point also being on the dividing line between Lot 3 of said Mary L. Hawthorne Subdivision and Lot 1 of said Williams F. Williamson Subdivision;

Thence continuing along the common line of said Lot 3 of said Mary L. Hawthorne Subdivision and Lot 1 of said William F. Williamson Subdivision, said line also being the common line of Losey and Fueglein, north 60° 00' east a distance of 291.41' to a point and being the Real Point of Beginning;

Said description includes 1.26 acres, more or less.

Being the property conveyed to:

Frank W. Losey and Michele Losey by Deed Book 426, Page 126  
(less exceptions)

Section IV

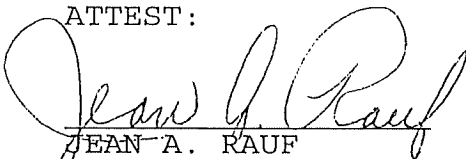
That this ordinance shall be read and adopted on two (2) separate days, signed by the Mayor, attested by the City Clerk/Treasurer, recorded and published according to law. Same shall be in effect at the earliest time provided by law.

First Reading this 18th day of May, 1995.

Passed this      day of 22nd, 1995.

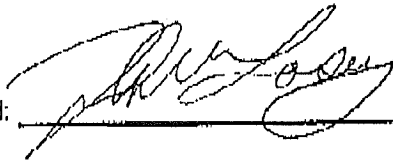
  
MAYOR CHARLES ROETTGER, III

ATTEST:

  
JEAN A. RAUF  
CITY CLERK/TREASURER

CITY OF HIGHLAND HEIGHTS

Signed: \_\_\_\_\_

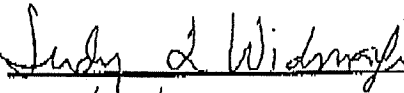


Description of Property: SLIGHTLY LESS THAN 2 ACRES

ON CORNER OF SCARBOROUGH RD & RT. 8 IN BAPT, KY.

\* (SEE "1948" ANNOTATION ON BOTTOM OF PAGE 1)

Witnessed: \_\_\_\_\_



Date: \_\_\_\_\_

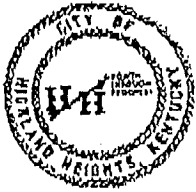
4/27/95



CITY OF  
**HIGHLAND HEIGHTS**

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

CONSENT TO ANNEXATION



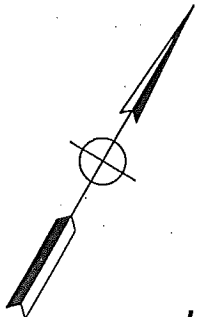
Pursuant to KRS. 81A.412 the undersigned hereby certifies to the City of Highland Heights, Kentucky, that they are the record owners of land described below and that by placing their signature upon this document they hereby consent to be annexed into the City of Highland Heights, Kentucky, and specifically 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 as soon as legally possible.

For this annexation, the City of Highland Heights, Kentucky hereby agrees to do the following at no cost to the property owner/s:

- 1) Install, within the dedicated right-of-way and/or Permanent Easements, an Eight (8) Inch diameter water main line with fire hydrants as per Code.
- 2) Install a water service up to the property line of private property where upon residential and/or non-residential buildings currently exist. This water service includes the main line tap in, curb valve, meter and hookup stub.
- 3) Install a section of water service line from the hook up stub through a creek to an accessible point on the opposite side of the creek for user connection where deemed necessary.
- 4) If buildings do not currently exist on a parcel of private property, the city will install a water service at time of construction, provided construction begins within one (1) year from completion of main line.

*[Signature]* AS LONG AS YOU START BUILDING YOUR HOUSE BY 1998  
THE ABOVE AGREEMENT APPLIES. PER GENE WHITE. *[Signature]*



MARY L. HAWTHORNE SUBDIVISION  
PB 3 PG 3

**LEGEND**

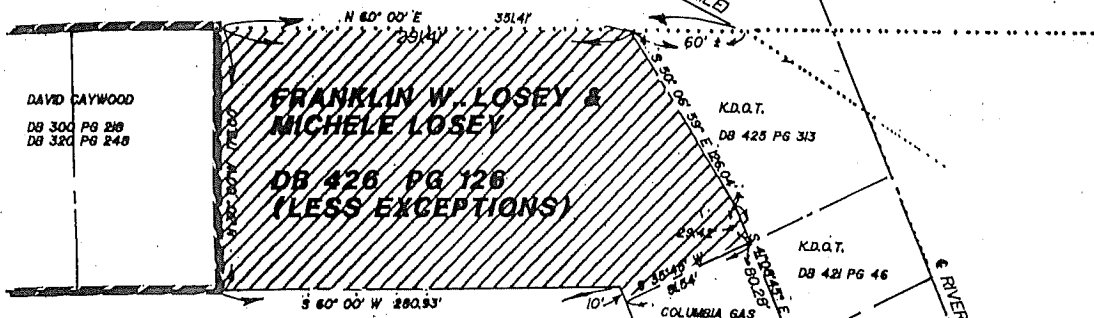
- ..... OLD SUBD BOUNDARIES
- PROPERTY LINES
- ROAD CENTERLINE
- RIGHT-OF-WAY
- EXISTING CITY OF HIGHLAND HEIGHTS CORPORATION LINE
- ////// PROPERTIES TO BE ANNEXED

LOT 3

ANDREW FUEGLEN  
DB 347 PG 555  
(LESS EXCEPTIONS)

LOT 2

BLANGE ROAD (OLD TWELVE MILE)



DAVID CAYWOOD  
DB 300 PG 218  
DB 320 PG 248

FRANKLIN W. LOSEY &  
MICHELE LOSEY  
DB 426 PG 126  
(LESS EXCEPTIONS)

K.D.O.T.  
DB 425 PG 313

K.D.O.T.  
DB 421 PG 46

COLUMBIA GAS  
DB 239 PG 217

ROBERT DETISCH  
DB 452 PG 145

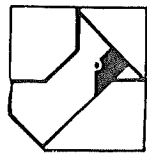
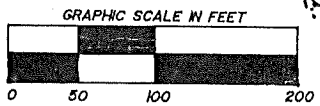
RIVER ROAD (OLD TWELVE MILE)

WILLIAM F. WILLIAMSON  
PB 10 PG 34

CAROL R. ERNST  
DB 564 PG 308

LOT 1

LOT 6



**CITY OF HIGHLAND HEIGHTS**  
**ANNEXATION DRAWING**  
**ORDINANCE #14-95**

ARCHITECTURE  
ENGINEERING  
LAND SURVEYING

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

Drawn By:	KGH
Date:	5-1-95
Scale:	1" = 100'
File No.	