

RECEIVED

JUN 19 1997

ORDINANCE NO. 1997-O-11

SECRETARY OF STATE
COMMONWEALTH OF KY

AN ORDINANCE ANNEXING APPROXIMATELY 64.75 ACRES OF LAND ON OLIVER ROAD, KENTON COUNTY, KENTUCKY, SAID PROPERTY BEING OWNED BY ALLEN EUGENE TURNER AND WANDA JEAN TURNER, HUSBAND AND WIFE, AS CONVEYED TO THEM BY DEED BOOK 276, PAGE 288 OF THE KENTON COUNTY CLERK'S RECORDS AT INDEPENDENCE, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS HEREINAFTER, AND PROVIDING CERTAIN DEVELOPMENTAL RESTRICTIONS ON SAID PROPERTY. THIS ANNEXATION IS BY WRITTEN CONSENT OF THE PROPERTY OWNERS.

WHEREAS, Allen Eugene Turner and Wanda Jean Turner are the sole owners of the property herein to be annexed and have consented to and requested such annexation in writing, and

WHEREAS, the property to be annexed is contiguous to the present boundary of the City of Independence as described herein, and

WHEREAS, the herein described property is presently in an unincorporated area not within the boundaries of another municipality, and

WHEREAS, it is in the best interest of the City of Independence to annex the property herein, and

WHEREAS, the City of Independence deems it appropriate to place certain developmental conditions and restrictions on said property.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF INDEPENDENCE AS FOLLOWS:

SECTION 1

That the City of Independence, by this Ordinance, hereby annexes into its boundaries that certain parcel of land containing 64.75 acres, more or less, being owned by Allen Eugene Turner and Wanda Jean Turner, and being more

particularly described as set out in the attachment hereto as Exhibit "A", and as set forth in Deed Book 276, Page 288 of the Kenton County Clerk's records at Independence, Kentucky.

SECTION II

That the herein annexation is made with the written consent and at the request of the property owner or owners, a copy of this consent and request is attached hereto as Exhibit "B".

SECTION III

The current Zoning of R-1C shall remain unchanged by virtue of this Ordinance and annexation.

SECTION IV

There is excluded here from any area already in any incorporated city, including, but not limited to the City of Independence, Kentucky.

SECTION V

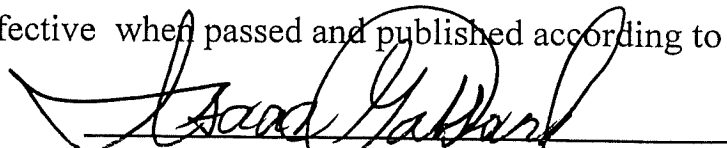
As a condition to annexation, the following restrictions shall apply to any residential development on the property herein annexed:

1. Sidewalks, on both sides of the streets, cul-de-sacs, and boulevards shall be required and provided throughout any development.
2. There shall be street lighting installed, not less than 250 feet nor more than 300 feet between lights, throughout any development at the cost of developer. Said lighting shall apply to all streets, cul-de-sacs and boulevards. Decorative lighting must be installed and any such plan for said lighting must be approved by the City of Independence prior to installation. Street lighting must be installed for each phase of a development after the completion of the first house in each phase.
3. All structures shall be brick or stone wrapped on the first story.

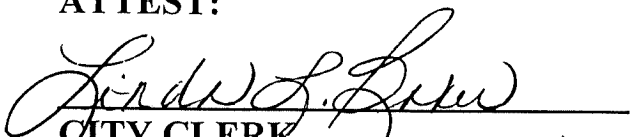
4. All Single-family residential dwellings will have a double car garage and a driveway capable of parking two cars side by side. If the garage is on the side or in the rear, it will be equipped with a parking pad at the driveway to discourage on-street parking.
5. All utilities shall be underground as provided by current City Ordinances.
6. Developers are required to meet all zoning ordinances of the City.
7. Two-story homes shall be at least 1700 gross square feet of living space if garages are in the basement area, at least 1500 gross square feet of living space if garages are attached.
8. Ranch-style one-story homes shall be at least 1500 gross square feet of living space if garages are in the basement area, at least 1300 square feet of living space if garages are attached.
9. Developers / Builders shall retain as much original vegetation and trees as possible.
10. Bi-levels shall not be permitted in any development.

SECTION VI

This ordinance shall be effective when passed and published according to law.


MAYOR OF INDEPENDENCE

ATTEST:


CITY CLERK
FIRST READING: 5/27/97
SECOND READING 6/10/97
PUBLICATION DATE: _____

RECEIVED & FILED
JUN 18 11 35 AM '97
JOHN A. EROWN III
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY _____