



City of Newport

Office of the City Manager
Thomas J. Fromme, City Manager

998 Monmouth Street
Newport, Kentucky 41071-2115
Phone: (859) 292-3666
Fax: (859) 292-3669
TDD: (859) 292-3622

October 25, 2013

RECEIVED AND FILED
DATE November 1, 2013

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Hankie Adkinson

Kentucky Secretary of State
Land Office Division
Room T 40
Capitol Annex
702 Capital Avenue
Frankfort, KY 40601

RE: Newport Commissioners Ordinance No. 0-12-024 and Bellevue Commissioners
Ordinance No. 2012-11-03 Amending Territorial Boundary

Dear Sir or Madam:

Pursuant to KRS 81.500 the cities of Bellevue and Newport, Kentucky transferred incorporated areas between the cities. Also pursuant to KRS 81A.470 enclosed is a map of both 8 ½ by 11 and 11 ½ by 14 ½ for clarity purposes and description of the modified boundary line between the cities, together with a copy of the ordinances duly certified by the City Clerk of each city.

Thank you and please feel free to contact me if you have any questions.

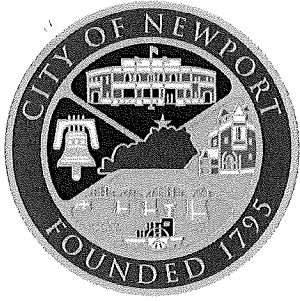
Sincerely,

Robert E. List
Assistant City Attorney
(859) 655-6358

Encl.

www.newportky.gov

Make It Your Home Too!



City of Newport

998 Monmouth Street, Newport, KY 41071
859-292-3668 www.newportky.gov

CERTIFICATION OF CITY CLERK

ORDINANCE NO. O-2012-024

I, Amy B. Able, City Clerk of the City of Newport, Kentucky, do hereby certify that the attached Ordinance is a true and correct copy of Ordinance No. 2012-024 of the City of Newport, that said Ordinance was duly enacted and adopted by the City Commission of the City of Newport on November 26, 2012, and that said Ordinance has been published as required by law on December 6, 2012 in the Campbell County Recorder.

Witness my hand and the official seal of the City of Newport, Kentucky, this 21st day of October, 2013.

Amy B. Able

Amy B. Able,

City Clerk

City Seal

RECEIVED AND FILED
DATE November 1, 2013

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Hardie Adkinson

COMMISSIONERS ORDINANCE NO. O-2012-024

A CONJUNCTIVE ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, KENTUCKY, PURSUANT TO THE PROVISIONS OF KRS CHAPTER 81, AMENDING THE TERRITORIAL BOUNDARIES OF THE TWO CITIES TO PROVIDE THAT CERTAIN REAL PROPERTY, MORE SPECIFICALLY DESCRIBED HEREIN, SHALL BE AND IS HEREBY ADDED TO THE INCORPORATED TERRITORIAL LIMITS OF THE CITY OF NEWPORT, KENTUCKY, FROM THE CITY OF BELLEVUE, KENTUCKY, AND THAT CERTAIN REAL PROPERTY SHALL BE AND IS HEREBY ADDED TO THE INCORPORATED TERRITORIAL LIMITS OF THE CITY OF BELLEVUE, KENTUCKY, FROM THE CITY OF NEWPORT, KENTUCKY.

WHEREAS, the City of Newport, Kentucky (a municipal corporation of the second class) and the City of Bellevue, Kentucky (a municipal corporation of the fourth class), have a common territorial boundary from the Ohio River on the north, extending south to Memorial Parkway; and,

WHEREAS, portions of said property along such territorial boundary, currently within the incorporated limits of the City of Bellevue can best be served by the City of Newport and that portions of said property located in the incorporated limits of the City of Newport can best be served by the City of Bellevue; and,

WHEREAS, both cities are desirous of amending the incorporated territorial boundary line in such a way as to benefit both cities by virtue of such amendment; and,

WHEREAS, the real property involved is publicly owned with no persons or registered voters residing thereon.

NOW, THEREFORE, BE IT ORDAINED BY BOTH THE CITY OF NEWPORT, KENTUCKY, AND THE CITY OF BELLEVUE, KENTUCKY:

SECTION I

- A. That the area east of the following described territorial boundary line be transferred from the incorporated area of the City of Newport, Kentucky, and be added to the incorporated territorial limits of the City of Bellevue, Kentucky; and,
- B. That the area west of the following described territorial boundary line be transferred from the incorporated area of the City of Bellevue, Kentucky, and be added to the incorporated territorial limits of the City of Newport, Kentucky, as follows:

**CORPORATION LINE AGREEMENT DESCRIPTION
BETWEEN THE CITIES OF NEWPORT AND BELLEVUE KENTUCKY**

Situated in Campbell County, Commonwealth of Kentucky and being more particularly described as follows:

BEGINNING at a point on the State Line between the Commonwealth of Kentucky and the State of Ohio, said point being South 28°15'42" West, 662.64 feet from Point 3946 and North 28°15'42" East, 203.52 feet from Point 3947 as established by Joint Exhibit 30 from Case Number 27, Original of The Supreme Court of the United States, October Term 1984 and at coordinate North 584,471.93, East 1,571,481.48 based on State Plane Coordinate System, Kentucky North Zone (NAD83);

Thence South 47°14'26" East, 1374.20 feet to a point in the northerly right-of-way of Riverboat Row;

Thence with the northerly line of Riverboat Row, along a curve to the right, having a radius of 123.00 feet, an arc length of 154.65 feet, a delta angle of 72°02'21" and a chord bearing of South 83°15'36" East, 144.66 feet;

Thence continuing with the northerly line of Riverboat Row and its prolongation, South 47°14'26" East, 136.02 feet to the prolongation of the south line of Dave Cowens Drive;

Thence with the prolongation of and the south line of said Dave Cowens Drive, along a curve to the left, having a radius of 7596.44 feet, an arc length of 338.37 feet, a delta angle of 2°33'08" and a chord bearing of South 41°25'41" West, 338.34 feet to the northwest corner of a tract conveyed to Bellevue RE, LLC in Deed Book 685, Page 427 at the Campbell County Clerk's Office at Newport, Kentucky;

Thence with the lines of said Bellevue RE, LLC tract the following four (4) courses:

1. South 49°54'20" East, 254.21 feet;
2. South 46°59'41" East, 472.61 feet;
3. South 49°47'42" East, 479.27 feet;
4. North 34°59'19" East, 61.72 feet to the center of Taylor Creek as it exists today;

Thence with the centerline of Taylor Creek as it exists today the following six (6) courses:

1. South 44°35'02" East, 124.12 feet;
2. South 44°18'16" East, 783.05 feet;
3. South 59°03'25" East, 47.12 feet;
4. South 45°48'54" East, 836.48 feet;
5. South 61°48'28" East, 215.74 feet;
6. South 48°41'46" East, 235.99 feet to the centerline of a headwall on Taylor Creek as it emerges from under Interstate Route 471;

Thence leaving said creek South 73°52'26" East, 65.57 feet to a point in the permanent right-of-of way easement for Interstate Route 471 over the C & O Railroad;

Thence with said permanent right-of-way easement, South 59°28'58" East, 206.44 feet to the controlled access right-of-way of Interstate Route 471;

Thence with the controlled access right-of-way of Said Interstate Route 471 the following seven (7) courses:

1. South 37°24'11" East, 187.59 feet;
2. South 59°00'20" East, 130.43 feet;
3. South 64°24'26" East, 349.08 feet;
4. South 66°48'53" East, 129.71 feet;
5. South 52°23'45" East, 154.03 feet;
6. South 51°54'34" East, 102.49 feet;
7. South 49°45'25" East, 40.68 feet;

Thence continuing in part with the controlled access right-of-way of Said Interstate Route 471, South 39°15'43" East, 240.60 feet to a point in the existing corporation line between the cities of Newport and Bellevue Kentucky as shown on the plat of Bonnie Leslie Addition, Block "C" as recorded on Plat Slide 669B of the Campbell County Clerk of Court Records at Newport, Kentucky.

Said point being at coordinate North 580,006.49 and East 1,576,380.00 based on State Plane Coordinate System, Kentucky North Zone (NAD83) and being the **TERMINUS** of this corporation line agreement.

The above described real property upon its transfer to the City of Newport, Kentucky, shall have the zoning classification of R-2, in accordance with the Zoning Ordinance of the City of Newport, Kentucky and, the above described real property upon its transfer to the City of Bellevue, Kentucky shall have the zoning classification of multiple zones in accordance with the Zoning Ordinance of the City of Bellevue, Kentucky.

SECTION II

That there shall be no financial payment required from either City to the other as a result of the transfer described in Section I above. The City of Newport agrees to pay

the cost of the survey conducted herein and used to establish the corporation line as described and set forth in Section I above.

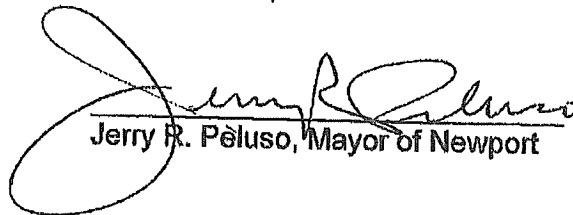
SECTION III

That any tax revenue generated from any real property so transferred from the City of Newport to the City of Bellevue shall become solely that of the City of Bellevue and that any such tax revenue generated from any real property so transferred from the City of Bellevue to the City of Newport shall become solely that of the City of Newport.

SECTION IV

That this Conjunctive Ordinance shall be signed by the respective Mayors of each City and shall be attested by the City Clerk of each City, recorded, published in summary and be effective upon publication.

PASSED: First reading October 29, 2012
PASSED: Second reading November 26, 2012


Jerry R. Peluso, Mayor of Newport

ATTEST:



Amy B. Able, City Clerk



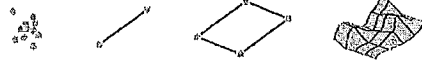
Edward Riehl, Mayor of Bellevue

ATTEST:



Mary H. Scott, City Clerk

PUBLISHED: In by title and summary in the Campbell County Recorder the 6th day of December, 2012.



CORPORATION LINE AGREEMENT DESCRIPTION BETWEEN THE CITIES OF NEWPORT AND BELLEVUE KENTUCKY

Situated in Campbell County, Commonwealth of Kentucky and being more particularly described as follows:

BEGINNING at a point on the State Line between the Commonwealth of Kentucky and the State of Ohio, said point being South $28^{\circ}15'42''$ West, 662.64 feet from Point 3946 and North $28^{\circ}15'42''$ East, 203.52 feet from Point 3947 as established by Joint Exhibit 30 from Case Number 27, Original of The Supreme Court of the United States, October Term 1984 and at coordinate North 584,471.93, East 1,571,481.48 based on State Plane Coordinate System, Kentucky North Zone (NAD83);

Thence South $47^{\circ}14'26''$ East, 1374.20 feet to a point in the northerly right-of-way of Riverboat Row;

Thence with the northerly line of Riverboat Row, along a curve to the right, having a radius of 123.00 feet, an arc length of 154.65 feet, a delta angle of $72^{\circ}02'21''$ and a chord bearing of South $83^{\circ}15'36''$ East, 144.66 feet;

Thence continuing with the northerly line of Riverboat Row and its prolongation, South $47^{\circ}14'26''$ East, 136.02 feet to the prolongation of the south line of Dave Cowens Drive;

Thence with the prolongation of and the south line of said Dave Cowens Drive, along a curve to the left, having a radius of 7596.44 feet, an arc length of 338.37 feet, a delta angle of $2^{\circ}33'08''$ and a chord bearing of South $41^{\circ}25'41''$ West, 338.34 feet to the northwest corner of a tract conveyed to Bellevue RE, LLC in Deed Book 685, Page 427 at the Campbell County Clerks Office at Newport, Kentucky;

Thence with the lines of said Bellevue RE, LLC tract the following four (4) courses:

1. South $49^{\circ}54'20''$ East, 254.21 feet;
2. South $46^{\circ}59'41''$ East, 472.61 feet;
3. South $49^{\circ}47'42''$ East, 479.27 feet;
4. North $34^{\circ}59'19''$ East, 61.72 feet to the center of Taylor Creek as it exists today;



CORPORATION LINE AGREEMENT DESCRIPTION
BETWEEN THE CITIES OF NEWPORT AND BELLEVUE KENTUCKY
Page 2

Thence with the centerline of Taylor Creek as it exists today the following six (6) courses:

1. South 44°35'02" East, 124.12 feet;
2. South 44°18'16" East, 783.05 feet;
3. South 59°03'25" East, 47.12 feet;
4. South 45°48'54" East, 836.48 feet;
5. South 61°48'28" East, 215.74 feet;
6. South 48°41'46" East, 235.99 feet to the centerline of a headwall on Taylor Creek as it emerges from under Interstate Route 471;

Thence leaving said creek South 73°52'26" East, 65.57 feet to a point in the permanent right-of-way easement for Interstate Route 471 over the C & O Railroad;

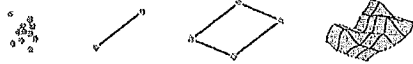
Thence with said permanent right-of-way easement, South 59°28'58" East, 206.44 feet to the controlled access right-of-way of Interstate Route 471;

Thence with the controlled access right-of-way of Said Interstate Route 471 the following seven (7) courses:

1. South 37°24'11" East, 187.59 feet;
2. South 59°00'20" East, 130.43 feet;
3. South 64°24'26" East, 349.08 feet;
4. South 66°48'53" East, 129.71 feet;
5. South 52°23'45" East, 154.03 feet;
6. South 51°54'34" East, 102.49 feet;
7. South 49°45'25" East, 40.68 feet;

G.J. Berding Surveying, Inc.

741 Main Street • Milford, OH 45150 • 513 831 5505 tel • 513 831 6761 fax • www.berdingsurveying.com

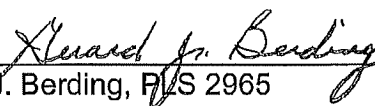


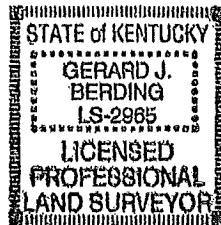
CORPORATION LINE AGREEMENT DESCRIPTION
BETWEEN THE CITIES OF NEWPORT AND BELLEVUE KENTUCKY
Page 3

Thence continuing in part with the controlled access right-of-way of Said Interstate Route 471 South 39°15'43" East, 240.60 feet to a point in the existing corporation line between the cities of Newport and Bellevue Kentucky as shown on the plat of Bonnie Leslie Addition, Block "C" as recorded on Plat Slide 669B of the Campbell County Clerk of Court Records at Newport, Kentucky.

Said point being at coordinate North 580,006.49 and East 1,576,380.00 based on State Plane Coordinate System, Kentucky North Zone (NAD83) and being the **TERMINUS** of this corporation line agreement.

The above described line is based on a review of the records and an actual field survey performed in the fall of 2010 under the direct supervision of Gerard J. Berding, PLS.


Gerard J. Berding, PLS 2965

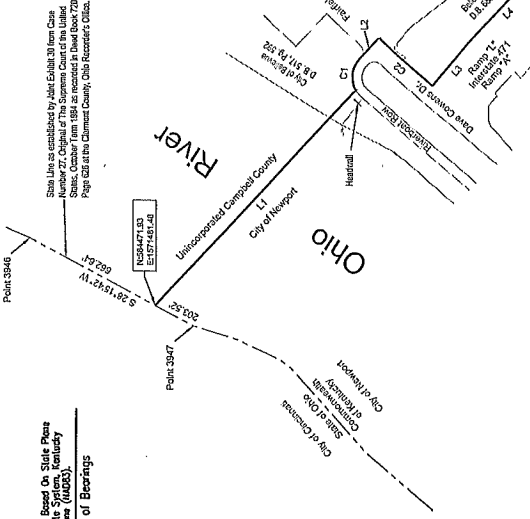


9-6-12
Date

Coordinates Shown Below are State Plane Coordinates Kentucky North Zone (NAD83) and are Grid Values.

Point	Bearing	Distance	Northing	Easting
1	S 47°14'26" E	1374.20	594471.33	1571461.48
2	Radius: 123.00 Chord: 144.66 Length: 154.65 Chord Brg: S 53°15'35" E Radius PntNo: 5 N: 383431.67 E: 1363321.98		593538.96	1572490.43
3	Radius: 76.6644 Chord: 338.34 Length: 338.37 Chord Brg: S 41°25'41" W Radius PntNo: 6 N: 578277.62 E: 1578316.32		592889.97	1572650.18
4	S 46°54'20" E	254.21	593012.22	1572704.56
5	S 46°59'41" E	472.61	592889.97	1572650.18
6	S 49°47'42" E	479.27	592360.49	1573416.21
7	N 34°59'19" E	61.72	592431.05	1573451.61
8	S 44°35'02" E	124.12	592342.65	1573538.73
9	S 44°18'16" E	783.05	591782.27	1574085.67
10	S 45°48'54" E	836.48	591175.04	1574725.92
11	S 61°48'28" E	215.74	591073.12	1574916.06
12	S 48°41'46" E	235.59	590917.35	1575093.34
13	S 73°52'26" E	65.57	590898.14	1575156.33
14	S 59°28'58" E	2 06.44	590794.31	1575334.17
15	S 37°24'11" E	187.59	590645.29	1575448.11
16	S 64°24'26" E	348.08	590427.34	1575874.75
17	S 66°48'53" E	129.71	590376.27	1575993.99
18	S 52°25'45" E	154.03	590282.28	1576116.02
19	S 51°54'34" E	102.49	590193.05	1576196.68
20	S 49°45'25" E	40.68	590192.77	1576227.73
21	S 39°15'43" E	240.60	590006.49	1576380.00

Bearings Based On State Plane North Zone (NAD83) and are Grid Values.
 Basis of Bearings
 Point 3946
 Point 3947
 Point 3948



LINE	BEARING	DISTANCE
L1	S 47°14'26" E	1374.20
L2	S 53°15'35" E	154.65
L3	S 41°25'41" W	144.66
L4	S 46°54'20" E	254.21
L5	S 46°59'41" E	472.61
L6	S 49°47'42" E	479.27
L7	N 34°59'19" E	61.72
L8	S 44°35'02" E	124.12
L9	S 44°18'16" E	783.05
L10	S 45°48'54" E	836.48
L11	S 61°48'28" E	215.74
L12	S 48°41'46" E	235.59
L13	S 73°52'26" E	65.57
L14	S 59°28'58" E	2 06.44
L15	S 37°24'11" E	187.59
L16	S 64°24'26" E	348.08
L17	S 66°48'53" E	129.71
L18	S 52°25'45" E	154.03
L19	S 51°54'34" E	102.49
L20	S 49°45'25" E	40.68
L21	S 39°15'43" E	240.60
L22	S 39°15'43" E	240.60

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	154.65	123.00	72°02'21"	S 53°15'35" E	144.66
C2	338.34	76.6644	72°33'08"	S 41°25'41" W	144.66



Corporation Line Agreement
 Survey Type
 City of Newport
 Corporation Line
 Job Name
 City of Newport
 City of Bellevue
 Campbell County, Kentucky
 Site Location
 DAP | G.I.B. | 1" = 400'
 Drawn By
 Checked By
 Issue Date
 09/05/2012
 Project Number
 09032.20



Berding Surveying
 GPS Surveying = 3D Laser Scanning

741 Main Street | Middletown, OH 45042 | www.berdingsurveying.com
 513.831.6761 fax | 513.831.5605 tel
 Copyright © 2012 G.J. Berding Surveying, Inc. All rights reserved.

9-6-12
 DATE
 Gerard J. Berding, P.L.L.C., No. 2915
 Licensed Professional Land Surveyor

State of Ohio

}
}
} SS.
}
}

Hamilton County

Personally appeared Jalynice Coleman

Of the The Community Press and Recorder Newspapers, published weekly in said County and State, and of general circulation in said county, 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 1 times, once in each issue as follows:

12/06/12

- Community Press
- Community Recorder
- Cincinnati.Com

Jalynice Coleman

AFFIANT

Sworn to before me, this

12/6/12

Crystal Williams

Notary Public of Ohio

Newport Ordinance O-2012-024

The following Ordinance has been adopted by the Board of Commissioners of the City of Newport, Ky.

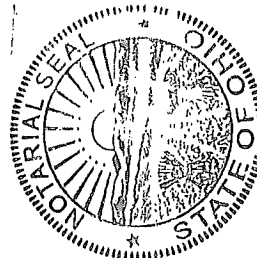
COMMISSIONERS ORDINANCE O-2012-024 AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KY A CONJUNCTIVE ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, KENTUCKY, PURSUANT TO THE PROVISIONS OF KRS CHAPTER 81, AMENDING THE TERRITORIAL BOUNDARIES OF THE TWO CITIES TO PROVIDE THAT CERTAIN REAL PROPERTY, MORE SPECIFICALLY DESCRIBED HEREIN, SHALL BE AND IS HEREBY ADDED TO THE INCORPORATED TERRITORIAL LIMITS OF THE CITY OF NEWPORT, KENTUCKY, FROM THE CITY OF BELLEVUE, KENTUCKY, AND THAT CERTAIN REAL PROPERTY SHALL BE AND IS HEREBY ADDED TO THE INCORPORATED TERRITORIAL LIMITS OF THE CITY OF BELLEVUE, KENTUCKY, FROM THE CITY OF NEWPORT, KENTUCKY.

The above referenced Ordinance was adopted 11/26/12, signed by Jerry Peluso, Mayor, and attested to by Amy Able, City Clerk. The City Clerk hereby certifies that this summary is true and correct and the full text is available for review at the office of the City Clerk, 998 Monmouth Street. - Amy Able, City Clerk.

The undersigned, an attorney licensed to practice law in the Commonwealth of Kentucky, has certified the preparation of this summary as an accurate depiction of the contents of the Ordinance. - Daniel R. Braun, City Attorney.

PUBLISHED: In summary in the Campbell County Recorder the 6th day of Decem

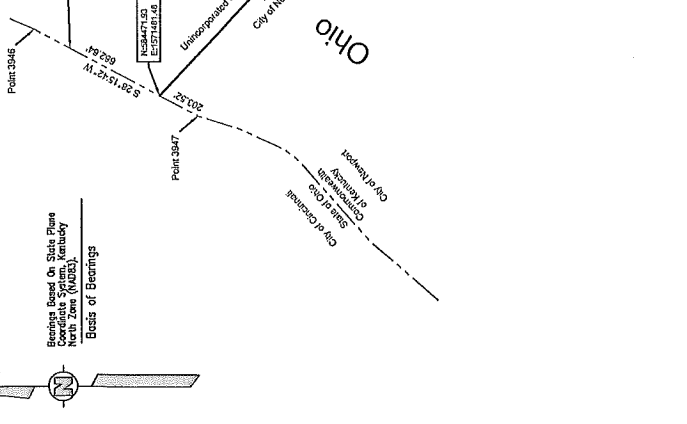
Crystal Williams
 Notary Public, State of Ohio
 My Commission Expires 08-24-2015



Coordinates Shown Below are State Plane Coordinates Kentucky North Zone (NAD83) and are Grid Values.

Point	Bearing	Distance	Northing	Easting
1	S 47°14'26" E	1374.20	583538.96	1571461.46
2	Radius: 123.00	Chord: 144.66		
	Length: 154.65	Delta: 72°02'21"	Delta: 69°43'55"	Dir: Right
	Chord BPC: S 41°25'41" W	Rad-Int: S 47°17'45" E	Rad-Int: S 47°17'45" E	Rad-Int: S 47°17'45" E
	Radius PNB: S N: 583431.67 E: 593321.98			
4	S 47°14'26" E	1374.20	583538.96	1571461.46
5	S 47°14'26" E	1374.20	583538.96	1571461.46
6	Radius: 7598.44	Chord: 338.34		
	Length: 7598.44	Delta: 02°33'08"	Delta: 00°45'15"	Dir: Left
	Chord BPC: S 41°25'41" W	Rad-Int: S 47°17'45" E	Rad-Int: S 47°17'45" E	Rad-Int: S 47°17'45" E
	Radius PNB: S N: 583431.67 E: 593321.98			
7	S 47°14'26" E	1374.20	583538.96	1571461.46
8	S 47°14'26" E	1374.20	583538.96	1571461.46
9	S 45°59'41" E	472.61	582689.87	1572704.56
10	N 34°59'19" E	61.72	582390.49	1572416.21
11	S 44°35'02" E	124.12	582431.05	1573451.61
12	S 44°18'16" E	763.05	581782.27	1574085.67
13	S 59°03'25" E	47.12	581756.05	1574126.08
14	S 45°48'54" E	836.48	581175.04	1574725.92
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18	S 58°25'56" E	2.0644	580794.31	1575334.17
19	S 37°24'11" E	187.59	580645.29	1575448.11
20	S 59°00'20" E	130.43	580578.13	1575559.92
21	S 64°24'26" E	348.08	580427.34	1575674.75
22	S 66°46'53" E	123.71	580376.27	1575793.59
23	S 52°23'45" E	154.03	580262.28	1576116.02
24	S 51°54'34" E	102.49	580219.05	1576196.68
25	S 49°45'25" E	40.68	580152.77	1576227.73
26	S 39°15'43" E	240.60	580006.49	1576360.00
27				

State Plane Coordinates Kentucky North Zone (NAD83) and are Grid Values.



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CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	154.65	123.00	72°02'21"	S 83°15'36" E	144.66
C2	338.37	7598.44	2°33'08"	S 41°25'41" W	338.34



Corporation Line Agreement
 Survey Type: City of Newport Corporation Line
 Job Name: City of Newport City of Bellevue Campbell County, Kentucky
 State Location: DAP | GJB | 1" = 400'
 Checked By: 09/05/2012 | 090322.20
 Issue Date: Project Number



Berding Surveying
 GPS Surveying 3D Laser Scanning
 741 Main Street | Millersburg, OH 44516 | www.berdingsurveying.com
 513.831.6761 fax | 513.831.5505 tel
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9-6-12
 DATE
 GEORGE J. BERDING
 GEORGE J. BERDING, P.L.L.C. No. 2985
 LICENSED PROFESSIONAL LAND SURVEYOR



CITY OF BELLEVUE

616 POPLAR STREET
BELLEVUE, KY 41073
(859) 431-8888
FAX: (859) 261-8387

EDWARD M. RIEHL
MAYOR

MARY H. SCOTT
CITY CLERK / TREASURER

COPY
Original with
Bellevue file

October 21, 2013

I, Mary H. Scott certify that I am the City Clerk for the City of Bellevue, Kentucky and that the following is a true and correct copy of Ordinance 2012-11-03 adopted by Bellevue City Council December 12, 2012.

Mary H. Scott

Mary H. Scott, City Clerk

RECEIVED AND FILED
DATE November 1, 2013

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Allison

ORDINANCE 2012-11-03

A CONJUNCTIVE ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, KENTUCKY, PURSUANT TO THE PROVISIONS OF KRS CHAPTER 81, AMENDING THE TERRITORIAL BOUNDARIES OF THE TWO CITIES TO PROVIDE THAT CERTAIN REAL PROPERTY, MORE SPECIFICALLY DESCRIBED HEREIN, SHALL BE AND IS HEREBY ADDED TO THE INCORPORATED TERRITORIAL LIMITS OF THE CITY OF NEWPORT, KENTUCKY, FROM THE CITY OF BELLEVUE, KENTUCKY, AND THAT CERTAIN REAL PROPERTY SHALL BE AND IS HEREBY ADDED TO THE INCORPORATED TERRITORIAL LIMITS OF THE CITY OF BELLEVUE, KENTUCKY, FROM THE CITY OF NEWPORT, KENTUCKY.

WHEREAS, the City of Newport, Kentucky (a municipal corporation of the second class) and the City of Bellevue, Kentucky (a municipal corporation of the fourth class), have a common territorial boundary from the Ohio River on the north, extending south to Memorial Parkway; and,

WHEREAS, portions of said property along such territorial boundary, currently within the incorporated limits of the City of Bellevue can best be served by the City of Newport and that portions of said property located in the incorporated limits of the City of Newport can best be served by the City of Bellevue; and,

WHEREAS, both cities are desirous of amending the incorporated territorial boundary line in such a way as to benefit both cities by virtue of such amendment; and,

WHEREAS, the real property involved is publicly owned with no persons or registered voters residing thereon.

NOW, THEREFORE, BE IT ORDAINED BY BOTH THE CITY OF NEWPORT, KENTUCKY, AND THE CITY OF BELLEVUE, KENTUCKY:

SECTION I

- A. That the area east of the following described territorial boundary line be transferred from the incorporated area of the City of Newport, Kentucky, and be added to the incorporated territorial limits of the City of Bellevue, Kentucky; and,
- B. That the area west of the following described territorial boundary line be transferred from the incorporated area of the City of Bellevue, Kentucky, and be added to the incorporated territorial limits of the City of Newport, Kentucky, as follows:

**CORPORATION LINE AGREEMENT DESCRIPTION
BETWEEN THE CITIES OF NEWPORT AND BELLEVUE KENTUCKY**

Situated in Campbell County, Commonwealth of Kentucky and being more particularly described as follows:

BEGINNING at a point on the State Line between the Commonwealth of Kentucky and the State of Ohio, said point being South $28^{\circ}15'42''$ West, 662.64 feet from Point 3946 and North $28^{\circ}15'42''$ East, 203.52 feet from Point 3947 as established by Joint Exhibit 30 from Case Number 27, Original of The Supreme Court of the United States, October Term 1984 and at coordinate North 584,471.93, East 1,571,481.48 based on State Plane Coordinate System, Kentucky North Zone (NAD83);

Thence South $47^{\circ}14'26''$ East, 1374.20 feet to a point in the northerly right-of-way of Riverboat Row;

Thence with the northerly line of Riverboat Row, along a curve to the right, having a radius of 123.00 feet, an arc length of 154.65 feet, a delta angle of $72^{\circ}02'21''$ and a chord bearing of South $83^{\circ}15'36''$ East, 144.66 feet;

Thence continuing with the northerly line of Riverboat Row and its prolongation, South $47^{\circ}14'26''$ East, 136.02 feet to the prolongation of the south line of Dave Cowens Drive;

Thence with the prolongation of and the south line of said Dave Cowens Drive, along a curve to the left, having a radius of 7596.44 feet, an arc length of 338.37 feet, a delta angle of 2°33'08" and a chord bearing of South 41°25'41" West, 338.34 feet to the northwest corner of a tract conveyed to Bellevue RE, LLC in Deed Book 685, Page 427 at the Campbell County Clerk's Office at Newport, Kentucky;

Thence with the lines of said Bellevue RE, LLC tract the following four (4) courses:

1. South 49°54'20" East, 254.21 feet;
2. South 46°59'41" East, 472.61 feet;
3. South 49°47'42" East, 479.27 feet;
4. North 34°59'19" East, 61.72 feet to the center of Taylor Creek as it exists today;

Thence with the centerline of Taylor Creek as it exists today the following six (6) courses:

1. South 44°35'02" East, 124.12 feet;
2. South 44°18'16" East, 783.05 feet;
3. South 59°03'25" East, 47.12 feet;
4. South 45°48'54" East, 836.48 feet;
5. South 61°48'28" East, 215.74 feet;
6. South 48°41'46" East, 235.99 feet to the centerline of a headwall on Taylor Creek as it emerges from under Interstate Route 471;

Thence leaving said creek South 73°52'26" East, 65.57 feet to a point in the permanent right-of-way easement for Interstate Route 471 over the C & O Railroad;

Thence with said permanent right-of-way easement, South 59°28'58" East, 206.44 feet to the controlled access right-of-way of Interstate Route 471;

Thence with the controlled access right-of-way of Said Interstate Route 471 the following seven (7) courses:

1. South 37°24'11" East, 187.59 feet;
2. South 59°00'20" East, 130.43 feet;
3. South 64°24'26" East, 349.08 feet;
4. South 66°48'53" East, 129.71 feet;
5. South 52°23'45" East, 154.03 feet;
6. South 51°54'34" East, 102.49 feet;
7. South 49°45'25" East, 40.68 feet;

Thence continuing in part with the controlled access right-of-way of Said Interstate Route 471, South 39°15'43" East, 240.60 feet to a point in the existing corporation line between the cities of Newport and Bellevue Kentucky as shown on the plat of Bonnie Leslie Addition, Block "C" as recorded on Plat Slide 669B of the Campbell County Clerk of Court Records at Newport, Kentucky.

Said point being at coordinate North 580,006.49 and East 1,576,380.00 based on State Plane Coordinate System, Kentucky North Zone (NAD83) and being the **TERMINUS** of this corporation line agreement.

The above described real property upon its transfer to the City of Newport, Kentucky, shall have the zoning classification of R-2, in accordance with the Zoning Ordinance of the City of Newport, Kentucky and, the above described real property upon its transfer to the City of Bellevue, Kentucky shall have the zoning classification of _____ in accordance with the Zoning Ordinance of the City of Bellevue, Kentucky.

SECTION II

That there shall be no financial payment required from either City to the other as a result of the transfer described in Section I above. The City of Newport agrees to pay

the cost of the survey conducted herein and used to establish the corporation line as described and set forth in Section I above.

SECTION III

That any tax revenue generated from any real property so transferred from the City of Newport to the City of Bellevue shall become solely that of the City of Bellevue and that any such tax revenue generated from any real property so transferred from the City of Bellevue to the City of Newport shall become solely that of the City of Newport.

SECTION IV

That this Conjunctive Ordinance shall be signed by the respective Mayors of each City and shall be attested by the City Clerk of each City, recorded, published in summary and be effective upon publication.

Jerry R. Peluso, Mayor of Newport

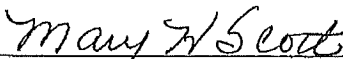
ATTEST:

Amy B. Able, City Clerk



Edward Riehl, Mayor of Bellevue

ATTEST:



Mary H. Scott, City Clerk

1st Reading: 11-14-12

2nd Reading: 12-12-12

Publication: 1-3-13



CORPORATION LINE AGREEMENT DESCRIPTION BETWEEN THE CITIES OF NEWPORT AND BELLEVUE KENTUCKY

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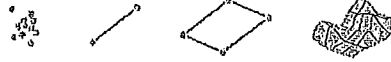
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CORPORATION LINE AGREEMENT DESCRIPTION
BETWEEN THE CITIES OF NEWPORT AND BELLEVUE KENTUCKY
Page 2

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G.J. Berding Surveying, Inc.

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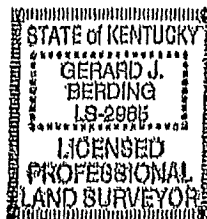
CORPORATION LINE AGREEMENT DESCRIPTION
BETWEEN THE CITIES OF NEWPORT AND BELLEVUE KENTUCKY
Page 3

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Said point being at coordinate North 580,006.49 and East 1,576,380.00 based on State Plane Coordinate System, Kentucky North Zone (NAD83) and being the **TERMINUS** of this corporation line agreement.

The above described line is based on a review of the records and an actual field survey performed in the fall of 2010 under the direct supervision of Gerard J. Berding, PLS.

Gerard J. Berding
Gerard J. Berding, PLS 2965



9-6-12
Date

G.J. Berding Surveying, Inc.

741 Main Street • Milford, OH 45150 • 513 831 5505 tel • 513 831 6761 fax • www.berdingsurveying.com

