

City of Williamstown

400 North Main Street

Robert Hall Jones
Mayor

P.O. Box 147
Williamstown, Kentucky 40377-0147

Deborah A. Stacey
City Clerk/Treasurer

Phone 606-824-3633

Fax 606-824-3246

8/19/96

Secretary of State Department
Mary Sue Helm
700 Capital Ave.
Suite 150
Frankfort, KY 40601

Dear Ms. Helm:

Enclosed please find a certified copy of Ordinance 1996-17 and a metes and bounds description of the annexed area along with the proof of publication from the Grant County News.

Please send a filed and stamped copy of the documents.

Sincerely,

Deborah A. Stacey
Deborah A. Stacey
City Clerk/Treasurer

Enclosures

RECEIVED

SEP 4 1996

SECRETARY OF STATE
COMMONWEALTH OF KY

K. Adkinson

ORDINANCE NO. 1996-17

**AN ORDINANCE OF THE CITY OF WILLIAMSTOWN, KENTUCKY
ANNEXING INTO THE CITY OF WILLIAMSTOWN, KENTUCKY
CERTAIN TERRITORY OWNED BY ERIC C. DETERS AND LISA G.
DETERS, HUSBAND AND WIFE, AND CONTAINING FORTY-TWO
(42) ACRES MORE OR LESS. THIS ANNEXATION IS BY WRITTEN
CONSENT OF ERIC C. DETERS AND LISA G. DETERS.**

WHEREAS, on June 27, 1996, Eric C. and Lisa G. Deters, husband and wife requested and consented to the City of Williamstown, Kentucky, a fifth class city to annex their land/territory of approximately forty-two (42) acres more or less into the city limits; (see attached Exhibit "A" incorporated herein); and

WHEREAS, the City of Williamstown, by and through its City Council having reviewed the Deters' request and consent to annexation at its regular scheduled Council meeting of June 3, 1996, and having determined that the land/territory meet the criteria as set forth in K.R.S. 81A.410; and

WHEREAS, after debate, the City of Williamstown by and through its City Council passed its Motion to annex the Deters' forty-two (42) acres more or less into the corporate limits of the City of Williamstown, Kentucky;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF
WILLIAMSTOWN, KENTUCKY AS FOLLOWS:**

SECTION I

By and through this ordinance, the City of Williamstown, Kentucky annexes into the corporate city limits, with the consent of the landowners, certain territory of approximately forty-two (42) acres more or less and is more particularly described as:

That real property owned by Eric C. and Lisa G. Deters, husband and wife of Independence, Kentucky and recorded in Deed Book 220, Page 167 of the Grant County Clerk's office, Williamstown, Kentucky and being more particularly described as set out in the attachment hereto as Exhibit "B" which is incorporated as if fully set forth herein.

SECTION II

That the land use and zoning shall be changed to Residential Three (R3) for the land described in Tract #1, Exhibit "B" and shall be changed to Residential Six (R6) in Exhibit "B" as set forth in the Williamstown Zoning Ordinance with the following conditions and requirements:

1. City water and sanitary sewer lines shall be brought to the site by and at the expense of the property owner(s) with easement acquisition achieved by the City of Williamstown;

2. The buildings constructed on the site shall have a common design and will be of building material consistent with a uniform overall common design;

3. The first floor will be constructed of brick; and

4. Adequate recreational facilities on the property development.

SECTION III

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

SECTION IV

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

SECTION IV

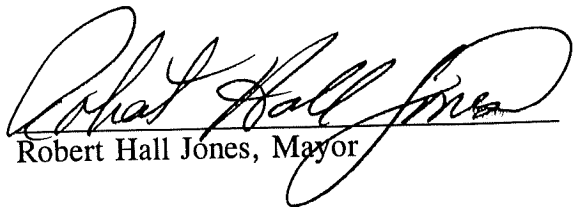
All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION V

This ordinance shall be effective as soon as possible according to law.

SECTION VI

This ordinance shall be published in full pursuant to K.R.S. 83A.060(9) and K.R.S. 100.207 and shall be effective as soon as possible according to law.


Robert Hall Jones, Mayor

ATTEST:

Deborah A. Stacey
Deborah A. Stacey, City Clerk

1996-17

1st Reading	-	<u>July 24, 1996</u>
2nd Reading	-	<u>August 5, 1996</u>
Publication	-	<u>August 14, 1996</u>

CERTIFICATION

The undersigned Deborah Stacey, City Clerk of the City of Williamstown, in Grant County, Kentucky hereby certifies as follows:

1. The foregoing Ordinance No. 1996-17 was introduced in writing and read to the City Council of the City of Williamstown at regular or special meetings thereof on the 24th day of July, 1996, and the 5th day of August, 1996, at which quorums were present; and said Ordinance was enacted by the City Council of the City of Williamstown upon the affirmative vote of at least a majority of a quorum thereof, at the meeting thereof on the 5th day of August, 1996, 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 Williamstown, it was submitted to the Mayor of the City of Williamstown 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 14th day of August, 1996, in the Grant County News, a newspaper qualified therefor, pursuant to the provisions of K.R.S. Chapter 424.

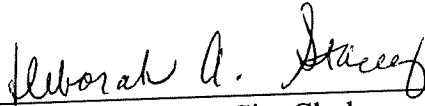

Deborah A. Stacey, City Clerk

EXHIBIT "B"

DESCRIPTION FOR ANNEXATION, LAND USE AND ZONING CLASSIFICATION

Tract #1 --- To be Zoned as Residential Three (R3)

Following is a description of a parcel of ground lying and being Southeast of Humes Ridge Road, on the Northwestern side of Williamstown Lake, approximately 2 miles east of Route #25, near Williamstown, Grant County, Kentucky, and more particularly described as follows:

Beginning at a point, a PK nail, in the center of Humes Ridge Road, said point being the Northwest corner of Lot #4 of the Eliza Vallandingham Subdivision, as recorded in Plat Book #4, Page #7 in the office of the Grant County Clerk; thence from the place of beginning and with the center of Humes Ridge Road, N 26° 50' E --- 49.00 feet to a PK nail; thence leaving the road and with a line parallel to and 40 feet from the west line of Lot #4 mentioned above S 27° 53' E --- 176.31 feet to an iron pin in the Southwest corner of a 10.124 acre parcel owned by Terry Maines and Mary Drahman; thence with the South line of the said parcel the following courses: S 34° 29' 11" E --- 125.31 feet to an iron pin; S 72° 20' 43" E --- 123.11 feet to an iron pin; N 72° 30' 34" E --- 178.35 feet to an iron pin; N 83° 08' 33" E --- 101.82 feet to an iron pin; S 72° 57' 04" E --- 78.14 feet to an iron pin; S 66° 18' 14" E --- 118.39 feet to an iron pin; S 71° 40' 04" E --- 147.13 feet to an iron pin, the Southeast corner of the said 10.124 acre parcel; thence with the East line of the same N 47° 47' 06" E --- 421.80 feet to an iron pin in the North line of the Wallace Estate; thence with the same the following courses: S 60° 38' 29" E --- 3.75 feet to an iron pin; N 88° 56' 35" E --- 183.48 feet to an iron pin; S 84° 18' 41" E --- 384.66 feet to an iron pin, which is 50 feet west of the original high water line of Lake Williamstown, said point being a corner to the lands of the City of Williamstown as described in Commissioner's Deed Book #10, Page #81 in the Grant County Clerks Office; thence with the line of the City of Williamstown, 50 feet from and parallel to the original high water line of Lake Williamstown S 47° 55' 08" E --- 197.91 feet to an iron pin; thence with a newly made line the following courses: S 03° 09' 29" W --- 159.85 feet to an iron pin; S 02° 08' 24" E --- 321.00 feet to an iron pin; S 87° 51' 36" W --- 40.00 feet to an iron pin; S 02° 08' 24" E --- 85.64 feet to an iron pin; S 59° 21' 06" W --- 111.80 feet to an iron pin; S 21° 14' 08" E --- 126.08 feet to an iron pin; S 27° 16' 07" E --- 37.84 feet to an iron pin; S 56° 41' 54" W --- 443.14 feet to a point in the North line to the lands of Donald Paul - the Proposed Harbour Pointe Subdivision; thence with the line of the same the following courses: N 33° 33' 30" W --- 715.06 feet to a stone at a fence corner; N 64° 11' 52" W --- 165.24 feet to a Double 36" Locust; N 66° 59' 14" W --- 180.39 feet to a metal fence post; N 79° 22' 47" W --- 344.68 feet to a corner post; N 64° 14' 48" W --- 388.05 feet to a corner post; N 57° 11' 48" W --- 40.10 feet to a nail in a corner post on the South side of an existing passway, and a corner to the lands of Donald Paul (formerly the Eliza Vallandingham Estate); N 27° 43' 15" E --- 70.91 feet to an iron pin; thence with the west line of Lot #4 mentioned above, N 27° 53' W --- 175.4 feet to the place of beginning, containing 22.40 acres, more or less.

The above description, which is accordance with a survey made by Gerald G. Caldwell on 10 June 1992, contains part of the remaining 67 acres, one rood and thirty poles conveyed to Robert Wallace by S. S. Caldwell on 5 March 1943 by deed recorded in Deed Book #63, Page #442, and part of the same property conveyed to Terry Maines by Arnold and Thelma Vallandingham by deed of conveyance recorded in Deed Book #157, Page #651, which are recorded in the office of the Grant County Clerk.

Tract #2 — To be Zoned as Residential Six (R6)

Following is a description of a parcel of ground lying and being Southeast of Humes Ridge Road, on the Northwesterly side of Williamstown Lake, approximately 2 miles east of Route #25, near Williamstown, Grant County, Kentucky, and more particularly described as follows:

Beginning at a point, an iron pin, in the Southwest corner of to the lands of Donald Paul - the Proposed Harbour Pointe Subdivision; thence with the line of the same N 33° 33' 30" W --- 463.00 feet to a point in the North line of the lands of Donald Paul - the Proposed Harbour Pointe Subdivision; thence with a newly made line the following courses: N 56° 41' 54" E --- 443.14 feet to an iron pin; N 27° 16' 07" W --- 37.84 feet to an iron pin; N 21° 14' 08" W --- 126.08 feet to an iron pin; N 59° 21' 06" E --- 111.80 feet to an iron pin; N 02° 08' 24" W --- 85.64 feet to an iron pin; N 87° 51' 36" E --- 40.00 feet to an iron pin; N 02° 08' 24" W --- 321.00 feet to an iron pin; N 03° 09' 29" E --- 159.85 feet to an iron pin, which is 50 feet west of the original high water line of Lake Williamstown, said point being a corner to the lands of the City of Williamstown as described in Commissioner's Deed Book #10, Page #81 in the Grant County Clerks Office; thence with the line of the City of Williamstown, 50 feet from and parallel to the original high water line of Lake Williamstown the following courses: S 82° 45' 51" E --- 134.14 feet to an iron pin; N 81° 54' 40" E --- 206.06 feet to an iron pin; S 86° 07' 36" E --- 193.74 feet to an iron pin; S 68° 18' 25" E --- 102.82 feet to an iron pin; S 00° 24' 03" E --- 88.62 feet to an iron pin; S 27° 46' 18" W --- 68.72 feet to an iron pin; S 54° 44' 46" W --- 62.72 feet to an iron pin; S 27° 48' 14" E --- 89.55 feet to an iron pin; S 05° 53' 53" E --- 150.23 feet to an iron pin; S 00° 12' 26" E --- 260.82 feet to an iron pin; S 04° 02' 25" W --- 154.33 feet to an iron pin; S 39° 05' 25" W --- 107.23 feet to an iron pin; S 88° 18' 14" W --- 132.66 feet to an iron pin; S 18° 17' 42" W --- 44.96 feet to an iron pin; S 38° 52' 51" E --- 89.30 feet to an iron pin; S 35° 02' 21" W --- 176.94 feet to an iron pin; S 58° 08' 00" W --- 146.35 feet to an iron pin; S 76° 39' 38" W --- 197.10 feet to an iron pin; N 45° 38' 03" W --- 195.93 feet to an iron pin; N 66° 13' 28" W --- 70.67 feet to an iron pin; S 55° 36' 24" W --- 47.73 feet to an iron pin; S 21° 12' 59" E --- 130.58 feet to an iron pin; S 00° 40' 16" E --- 86.55 feet to the place of beginning, containing 19.77 acres, more or less.

The above description, which is accordance with a survey made by Gerald G. Caldwell on 10 June, 1992, contains part of the remaining 67 acres, one rood and thirty poles conveyed to Robert Wallace by S. S. Caldwell on 5 March 1943 by deed recorded in Deed Book #63, Page #442 in the office of the Grant County Clerk.

EXHIBIT "A"

DETERS, BENZINGER & LA VELLE, P.S.C.

Attorneys at Law

CHARLES H. DETERS *
GERALD E. BENZINGER
JOHN C. LA VELLE *
RICHARD G. MEYER
JAMES A. DRESSMAN III
KURT A. PHILIPPS, JR. **
ROBERT M. HOFFER
JOSEPH A. CLEVES, JR. *
ROBERT G. STEVENS
DANIEL T. MISTLER
DAVID V. KRAMER
ELIZABETH GRAHAM WEBER *
ERIC C. DETERS **
JED K. DETERS

THOMAS MORE PARK
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ALLYSON T. COOK
EDWARD M. ZERHUSEN
R. STEPHEN BURKE *
THOMAS W. BOSSE
MATHEW R. KLEIN, JR. *
DANIEL J. WHALEN
THOMAS W. BREIDENSTEIN *
SEAN P. CALLAN *

* Also admitted to practice in Ohio
† Also admitted to practice in Florida
** Also admitted to practice in Texas

JAMES A. DRESSMAN, JR.
OF COUNSEL

PLEASE REPLY TO

Covington

June 27, 1996

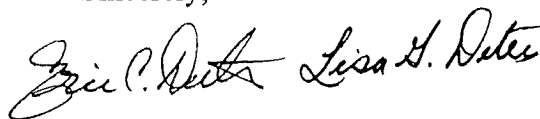
Mayor Robert Jones
City of Williamstown
City Building
400 N. Main Street
Williamstown, Kentucky 41097

Re: Humes Ridge Road Project

Dear Mayor:

This letter is a formal written consent for the City to annex our 42 acres, more or less.

Sincerely,



Eric C. and Lisa G. Deters

ECD/mdl
Q:\APPS\SHARE\MDL\JONES.627

The Grant County News
P.O. Box 247
Williamstown, Kentucky 41097

AFFIDAVIT

The affiant, Ken Stone, publisher or proprietor of The Grant County News, Williamstown, Kentucky, after being duly sworn and cautioned does depose and states the following:

That The Grant County News is a newspaper printed and published in the State of Kentucky, and of general circulation in the County or Counties of Grant.

That the attached Legal Notice was duly published in The Grant County News on August 15, 1996

Done at Williamstown, Kentucky, this 23 day of August, 1996

Ken Stone

STATE OF KENTUCKY
COUNTY OF GRANT

Subscribed and sworn to before me by Ken Stone, this 23 day of August, 1996, at Williamstown, Grant County, Kentucky.

John Hurst
Notary Public

My commission expires 7/22/98.