

RECEIVED AND FILED
DATE May 17, 2017

COMMONWEALTH OF KENTUCKY
CITY OF ERLANGER
ORDINANCE NO. 2448

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Gandee Adkins

AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED
TERRITORIES WITHIN THE COUNTY OF BOONE,
KENTUCKY AND CONTIGUOUS TO THE PRESENT BOUNDARY
LINES OF THE CITY OF ERLANGER, KENTUCKY, AND DEFINING
BY METES AND BOUNDS THE TERRITORY ANNEXED

WHEREAS, Kentucky Revised Statute 81A.410 authorizes and delegates city legislative bodies the authority to annex territories; and

WHEREAS, Kentucky Revised Statute 81A.412 provides the manner in which said annexation should be accomplished through the consent of the property owner; and

WHEREAS, the property owner, by way of an annexation agreement, has provided written consent to the annexation; and

WHEREAS, the property herein described is adjacent to and contiguous to the city's boundaries; and

WHEREAS, by reason of population density, commercial, industrial, institutional or governmental use of land, or subdivision of land, said property is urban in character or suitable for urban purposes without unreasonable delay; and

WHEREAS, the property is unique in that it is located in the County of Boone, whereby a most if not all of the existing City of Erlanger's boundaries are located in the County of Kenton; and

WHEREAS, pursuant to KRS Chapter 100, the planning unit for purposes of land use management is the Boone County Planning and Zoning Commission; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ERLANGER, KENTUCKY:

SECTION I

That the City of Erlanger does hereby and herewith annex to its present boundaries and include the same within the territorial limits of the City of Erlanger, Kentucky, the following described unincorporated land and area, located in the County of Boone, Commonwealth of Kentucky, adjacent to the Boone and Kenton County line on the southeast side of Interstate 71/75 and north of Belair Drive, containing approximately 23.977 acres more or less.

SEE ATTACHED EXHIBIT "A", Legal Description, "B", Plat

SECTION II

That this ordinance shall take effect and be in full force from and after its passage, publication and recording, according to law.

Adopted this 4th day of April, 2017.

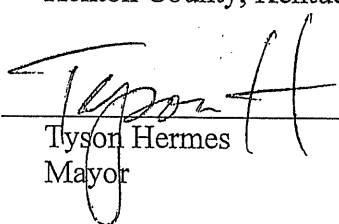
1st Reading - March 7, 2017

2nd Reading - April 4, 2017

Vote: 10, Yes, 0, No

City of Erlanger,

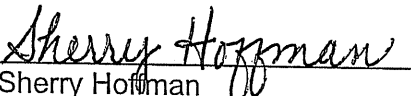
Kenton County, Kentucky

By:  _____
Tyson Hermes
Mayor

CERTIFICATION

The undersigned, Sherry Hoffman, City Clerk of the City of Erlanger, in Kenton County, Kentucky, hereby certifies as follows:

1. The foregoing Ordinance No. 2448 was introduced in writing and read to the City Council for the City of Erlanger at regular or special meetings thereof on the 7th day of March, 2017, and at which quorums were present; and said ordinance was enacted by the City Council of the City of Erlanger upon the affirmative vote of at least a majority of a quorum thereof, at the meeting thereof on the 4th day of April, 2017, 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 Erlanger, it was submitted to the Mayor of the City of Erlanger 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 10th day of April, 2017, in THE KENTUCKY ENQUIRER, a newspaper qualified therefore, pursuant to the provisions of K.R.S. Chapter 424.



Sherry Hoffman
City Clerk

ANNEXATION AGREEMENT

Whereas, the City of Erlanger, Kenton County, Kentucky is desirous of annexing a parcel of property owned by the Erlanger Lion's Club; and

Whereas, the Erlanger Lion's Club is agreeable to a consensual annexation, pursuant to Kentucky Revised Statute 81A.412.

Now Therefore it is Agreed as Follows:

1. That the Erlanger Lion's Club (hereinafter "Property Owner") is agreeable and this Agreement shall serve as notice of their intent and/or consent to be annexed into the City of Erlanger pursuant to Kentucky Revised Statute 81A.412. A description and plat of said land to be annexed is attached hereto as Exhibits "A" and "B" and incorporated by reference herein.

2. That the property is located in Boone County, Kentucky and the Property Owner acknowledges that it is consenting to annexation of property located in an adjacent County of the primary location of the City of Erlanger. In as much, the parties agree that all zoning and other land use matters may be required to originate with the Boone County Planning and Zoning Commission.

3. This agreement constitutes the entire agreement of the parties and may not be modified.

City of Erlanger

Erlanger Lion's Club

By: 

Tyson Hermes

Date: 3/7/17

By: 

Date: 3/3/17

ENQUIRER MEDIA

PART OF THE USA TODAY NETWORK

Advertiser:

CITY OF ERLANGER

505 COMMONWEALTH AVE
ERLANGER

KY 41018

AFFIDAVIT OF PUBLICATION

Newspaper: CIN-EN Kentucky Enquirer

STATE OF OHIO

RE: Order #:0002050271

Account #: CIN-620034
Total Cost of Ad: \$159.20

Last Run Date :04/10/2017

David Sauger

Of the The Enquirer, a newspaper printed in Cincinnati, Ohio and published in Cincinnati, in said County and State, and of general circulation in said county, and as to the Kentucky Enquirer published in Ft. Mitchell, Kenton County, Kentucky, 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 times, once in each issue as follows:

04/10/17

Subscribed and sworn to me this 19th day of April, 2017

Candice Butchko

NOTARY PUBLIC

Cincinnati Enquirer

Kentucky Enquirer

Cincinnati.Com



Candice Butchko
Notary Public, State of Ohio
My Commission Expires
December 6, 2021

SUMMARY OF ORDINANCE
The City of Erlanger, Kentucky, at a meeting held on April 4, 2017, adopted the following Ordinance No. 2448:
AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED TERRITORIES WITHIN THE COUNTY OF BOONE, KENTUCKY AND CONTIGUOUS TO THE PRESENT BOUNDARY LINES OF THE CITY OF ERLANGER, KENTUCKY, AND DEFINING BY METES AND BOUNDS THE TERRITORY ANNEXED.
The purpose of the Ordinance is to annex to its present boundaries and include the same within the territorial limits of the City of Erlanger, Kentucky, the following described, unincorporated, land and area, located in the County of Boone, Commonwealth of Kentucky, adjacent to the Boone and Kenton County line on the southeast side of Interstate 71/75 and north of Belair Drive, containing approximately 23,977 acres more or less.
This Ordinance is being published in the Title and Summary. A complete copy of the Ordinance may be reviewed at the office of the City Clerk, City of Erlanger, Kentucky.
CITY OF ERLANGER, KENTUCKY
By: /s/ Sherry Hoffman, City Clerk
Prepared by: Jack S. Gatlin (88899)
Attorney for City of Erlanger
KY/APH10/17#2050271

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CITY OF ERLANGER, KENTUCKY
By: /s/ Sherry Hoffman City Clerk

Prepared by:

/s/ Jack S. Gatlin
Jack S. Gatlin (88899)
Attorney for City of Erlanger



VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road
Erlanger, Kentucky 41018

Tel: 859.727.3293
Fax: 859.727.8452
www.vioxinc.com

February 21, 2017

DESCRIPTION OF 23.977 ACRES TO BE ANNEXED BY ERLANGER, KENTUCKY

Located in Boone County, Kentucky, adjacent to the Boone and Kenton county line on the southeast side of Interstate 71/75 and north of Belair Drive and is more particularly described as follows:

BEGINNING at a point in the Boone and Kenton county line in the southeast right-of-way line of Interstate 71/75;

THENCE leaving said right-of-way line and through the lands of the Erlanger Lions Club (Deed Book 138, page 483) S 05°12'44" E a distance of 955.45 feet to a point in the southeast line of the Erlanger Lions Club and the existing corporation limit of the City of Florence, Kentucky;

THENCE with said southeast line, the existing corporation limit and Belair Estates, Section 1 (Plat Book 9, page 33) S 58°12'10" W a distance of 380.54 feet to a point;

THENCE continuing with said southeast line, the existing corporation limit Belair Estates, Section 1, Belair Estates, Section 2 (Plat Book 10, page 23) and Belair Estates, Section 3 (Plat Book 10, page 28) S 64°57'10" W a distance of 1019.20 feet to a point;

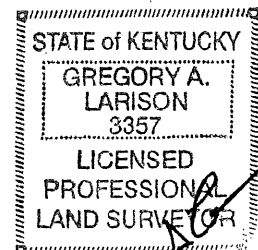
THENCE continuing with said corporation line, Florence Village Subdivision, Section 1 (Plat Book 11, page 47) and Erlanger Heights Subdivision (Plat Book 1, page 79) N 39°54'59" W a distance of 455.00 feet to a point in the southeast right-of-way line Interstate 71/75;

THENCE with said right-of-way line N 52°10'21" E a distance of 434.00 feet to a point;

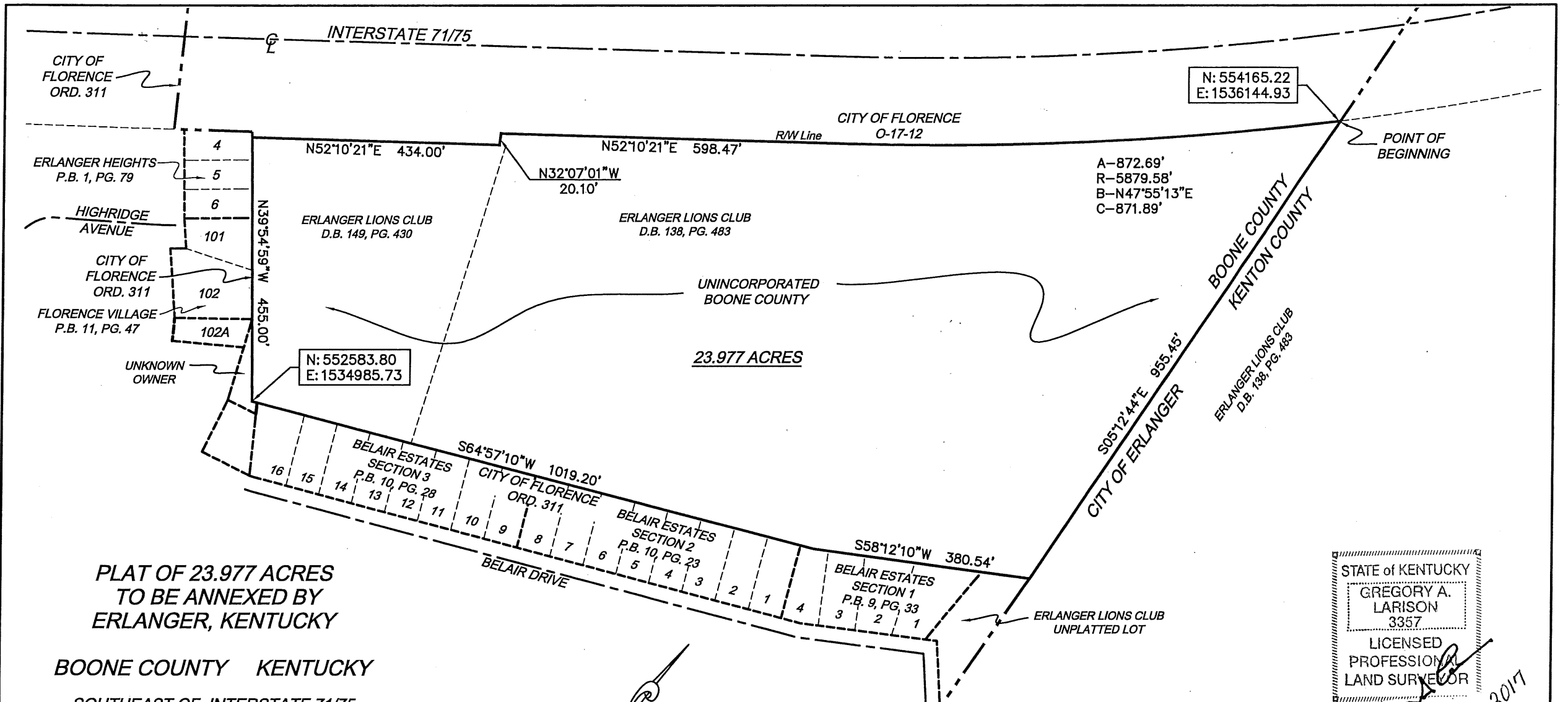
THENCE N 32°07'01" W a distance of 20.10 feet to a point;

THENCE N 52°10'21" E a distance of 598.47 feet to a point;

THENCE with a curve turning to the left with an arc length of 872.69 feet, a radius of 5879.58 feet, a chord bearing of N 47°55'13" E, and a chord length of 871.89 feet to the point of beginning containing 23.977 acres, more or less.



ADD
2.21.2017



N: 554165.22
E: 1536144.93

N: 552583.80
E: 1534985.73

23.977 ACRES

**PLAT OF 23.977 ACRES
TO BE ANNEXED BY
ERLANGER, KENTUCKY**

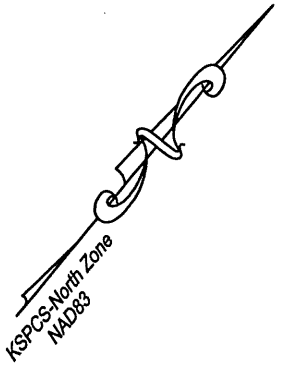
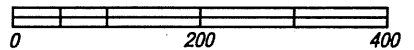
BOONE COUNTY KENTUCKY

SOUTHEAST OF INTERSTATE 71/75
ADJACENT TO THE KENTON/BOONE COUNTY LINE
NORTHWEST OF BELAIR DRIVE

FEBRUARY 21, 2017 SCALE: 1"=200'



VIOX & VIOX
Civil Engineers, Surveyors, and Landscape Architects
466 Erlanger Road • Erlanger, Kentucky 41018
Ph (859) 727-3293 • Fax (859) 727-8452 • www.vioxinc.com



STATE of KENTUCKY
GREGORY A. LARISON
3357
LICENSED PROFESSIONAL LAND SURVEYOR

[Signature]
2-21-2017

Note: This plat was prepared using existing Boone County Planning Commission GIS information; deeds and plats of record, existing archived Interstate 75/71 highway plans available at the time this document was prepared, existing annexation ordinances and a partial field survey of the southeast and southwest property lines.