

ORDINANCE NO. 0-7-08

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 3.501 ACRES LOCATED ON THE NORTHWEST SIDE OF U.S. HIGHWAY 42, NORTHEAST OF KENTUCKY HIGHWAY 237, ADJACENT TO THE CITY LIMITS. (YODER/PAUL HEMMER DEVELOPMENT COMPANY IV, LLC PROPERTY)

WHEREAS, Eliane Yoder as Executrix of the John P. Yoder Estate and Paul Hemmer Development Company IV, LLC, being the owners of record of the hereinafter described territory (the "territory"), have requested that the City of Florence, Kentucky (the "City") annex the territory and, pursuant to K.R.S. 81A.412, the owner has given written consent to such annexation; and

WHEREAS, the City has determined that it is desirable to annex the territory which is contiguous to the boundaries of the City, and

WHEREAS, pursuant to K.R.S. 100.209(1) the City makes the election that after annexation the territory shall remain subject to the same land use restrictions as applied to it prior to annexation until such restrictions are changed in accordance with K.R.S. Chapter 100.

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

SECTION I

The City finds that the hereinafter described unincorporated territory meets the requirements of K.R.S. 81A.410 and is as follows:

- (a.) Is contiguous to the boundaries of the City, and
- (b.) Is urban in character and suitable for development for urban purposes without unreasonable delay, and
- (c.) Is not included within the boundary of another incorporated city.

SECTION II

That the territory, described in Exhibit "A" and shown on Exhibit "B" each of which is attached hereto and incorporated herein by reference, shall be and the same is hereby annexed to the City of Florence, Kentucky.

SECTION III

The owner of record of the territory has filed with the City written consent to this annexation under K.R.S. 81A.412 and therefore, the following do not apply to this annexation: (a) the notification ordinance required by K.R.S. 81A. 420(1); (b) the notice requirement of K.R.S. 81A.425; and (c) the waiting period of K.R.S. 81A.420(2).

SECTION IV

Pursuant to K.R.S. 100.209(1) the territory shall, after annexation, remain subject to the same land use restrictions as applied to it prior to annexation, until those restrictions are changed in accordance with K.R.S. Chapter 100.

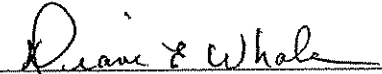
SECTION V

This ordinance shall be published in full.

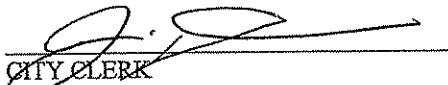
PASSED AND APPROVED ON FIRST READING THIS 13th DAY OF MAY, 2008.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 5th DAY OF August, 2008.

APPROVED:


MAYOR

ATTEST:


CITY CLERK



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

Exhibit "A"

April 10, 2008

DESCRIPTION OF 3.501 ACRES TO BE ANNEXED BY THE CITY OF FLORENCE

Located in Boone County, Kentucky, lying on the northwest side of U.S. Highway 42 northeast of Kentucky Highway 237 and is more particularly described as follows:

Beginning at an existing iron pin in the northwest right-of-way line of U.S. Highway 42, 53.85 feet as measured perpendicular to the centerline, at the most northeasterly common corner of John Yoder (Deed Book 422, page 177), Lot 3 of Quast Subdivision (Cabinet 4, Plat Slide 272) and the City of Florence Boundary; thence with said right-of-way line S 42°06'26" W 262.54 feet to a point; thence S 41°03'51" W 206.18 to an iron pin (set) at the right-of-way intersection of U.S. Highway 42 and relocated Kentucky Highway 237; thence the right-of-way line Kentucky Highway 237 N 48°19'19" W 269.52 feet to an iron pin (set) at the right-of-way intersection of relocated Kentucky Highway 237 and Old Toll Road; thence with said right-of-way line of Toll Road N 09°09'41" E 86.24 feet to a point; thence N 32°27'57" E 191.52 feet to a point; thence N 37°45'56" E 65.99 feet to a point; thence N 51°08'09" E 132.70 to an existing iron pin at the most northwesterly common corner of John Yoder, Lot 3 of Quast Subdivision and the City of Florence Boundary; thence with the common line of Yoder, Lot 3 and the City of Florence Boundary S 50°05'51" E 329.15 feet to the point of beginning containing 3.501 acres and being subject to all right-of-ways and easements of record.

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

4/10/08

