

CITY OF WALTON, KENTUCKY
ORDINANCE NO. 1993- 14

AN ORDINANCE OF THE CITY OF WALTON, KENTUCKY, APPROVING AND ADOPTING A ZONING CLASSIFICATION FOR CERTAIN PROPERTY THAT HAS BEEN PROPOSED FOR ANNEXATION TO THE CITY OF WALTON, KENTUCKY. (PROPERTY: +4 ACRE SITE OWNED BY W.D. MURPHY AND MURPHY-CATTON WOODWORKING, INCORPORATED GENERALLY LOCATED SOUTH OF WALTON-NICHOLSON ROAD AND EAST OF THE SOUTHERN RAILWAY, BOONE COUNTY, KENTUCKY.)

WHEREAS, the City of Walton, Kentucky is a legislative body member of the Boone County Planning Commission, a joint county-wide planning unit or commission established under Chapter 100 of the Kentucky Revised Statutes; and

WHEREAS, the City of Walton, Kentucky, has passed and published Ordinance No. 1993-4, stating its intention to annex certain unincorporated territory, which is more particularly described below, contiguous to the present corporate limits of the City of Walton, Kentucky; and

WHEREAS, the Boone County Planning Commission as the planning unit for the City of Walton, Kentucky, was requested to hold a Public Hearing and recommend to the City the zoning classification of such property upon annexation, in accordance with applicable law; and

WHEREAS, the Boone County Planning Commission has conducted the Public Hearing and made its recommendation to the City.

WHEREAS, KRS 100.209 provides that the city legislative body shall take final action upon the planning commission's recommendation prior to the ordinance of annexation.

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

SECTION I

A certain portion of property owned by W.D. Murphy and Murphy-Catton Woodworking, Incorporated generally located south of Walton-Nicholson Road and east of the southern Railway, Boone County, Kentucky, such property being considered for annexation to the City of Walton, Kentucky, shall not be rezoned and the current zoning of Industrial One (I-1) shall not be changed on the +4 acre tract upon annexation. The real estate which is the

subject of this approval is more particularly described in Deed Books 359, 496, Pages 262, 218, respectively (as supplied by the applicant) in the Boone County Clerk's Office.

SECTION II

The recommendation of the Planning Commission for this request is set forth in its minutes and official records which are hereby incorporated by reference as if fully set out in this Ordinance and marked as "Exhibit A."

The Committee's recommendation for this request is based on the findings of fact as set forth in the Committee Report and marked as "Exhibit B."

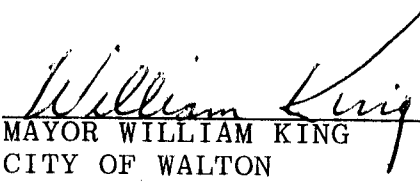
SECTION III

This Ordinance and the Boone County Zoning Regulations, including the zoning map, adopted and approved, and their parts, sections, subsections, clauses, and provisions are hereby declared to be severable. If a Court having jurisdiction invalidates any part, section, subsection, clause or provision of this Ordinance or the Boone County Planning and Zoning Regulations, including the Boone County Zoning map, all other parts, sections, subsections, clauses, or provisions shall remain valid and effective as they are severable.

FIRST READING: June 14, 1993

SECOND READING: July 12, 1993

APPROVED:


MAYOR WILLIAM KING
CITY OF WALTON

ATTEST:


RUTH GLENN, WALTON CITY CLERK

EXHIBIT A

Group No. 2080

Beginning at a point being an iron pin in the corner with the Grantor and Gault said point of beginning to be in the east line of the Grantor property, 50 feet east of the Grantor's west property line, thence S 75-50 E 319.6 feet to a pin in the line of Howelett being the southwest corner of Gault, thence with said line S 11-07 W 264.8 feet to a point, thence N 76-48 W 329.0 feet to a point, said point being 50' east of the Grantor's west line, thence N 13-12 E 270 feet to the place of beginning, containing 2 acres more or less.

Being the same property conveyed to Michael D. Murphy and Mark A. Catton by William D. Murphy and Rose Ellen Murphy, husband and wife, and Donald S. Jones and Janet Jones, husband and wife, by deed dated November 26, 1986, and recorded in Deed Book 359, Page 262, Boone County Clerk's Records at Burlington, Kentucky.

EXHIBIT C

Group No. 2080

A certain tract of land, being 1 mile North of Walton on the East side of the Southern Railway and South of the Emergency Access Road. County of Boone, State of Kentucky and being more particularly described as follows:

Commencing at set iron pin and cap in the Southwesterly corner of Gaults property South 13-12-00 West for a distance of 270.02 feet to THE REAL POINT OF BEGINNING.

Thence continuing South 76-48-00 East for a distance of 329.18 feet to a set iron pin and cap;

Thence continuing South 11-07-00 West for a distance of 236.40 feet to a recovered fence post;

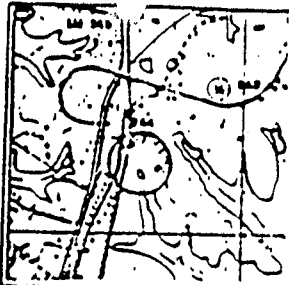
Thence continuing South 01-37-00 East for a distance of 25.96 feet to a set iron pin and cap;

Thence continuing North 76-48-00 West for a distance of 344.41 feet to a set iron pin and cap;

Thence continuing North 13-12-00 East for a distance of 261.34 feet, to THE REAL POINT OF BEGINNING

The above described parcel contains 2.0051 acres (87,342 square feet) and was surveyed by David E. Estes Corporation in September of 1992.

Being the same property conveyed to Michael D. Murphy and Mark A. Catton by Donald S. Jones and Janet Sohn Jones, husband and wife, and William D. Murphy and Rose Ellen Murphy, husband and wife, by deed dated November 5, 1992, and recorded in Deed Book 496, Page 218, Boone County Clerk's Records at Burlington, Kentucky.

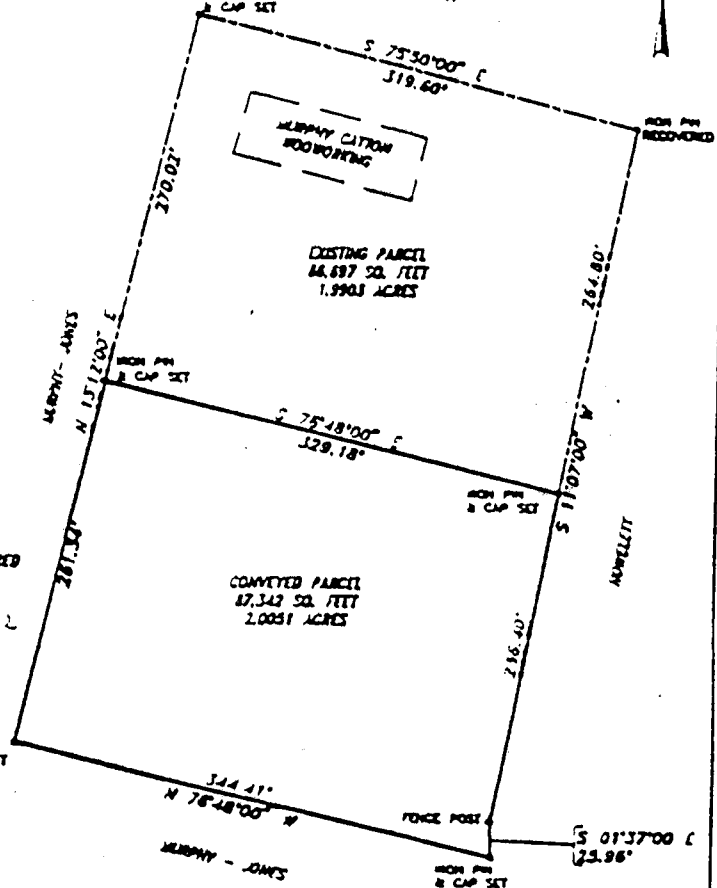


VICINITY MAP

GROUP NO. 2080

This parcel, in and of itself, does not meet the existing Boone County zoning regulations for use as a buildable site.

Date 11-9-92 Current Zoning I-1 KAC



NOTARY PUBLIC
I, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY DO CERTIFY THAT THE PLAT SHOWN HEREON WAS ON THE DAY OF _____, 1992 PRODUCED TO ME AND ACKNOWLEDGED BY _____ TO BE THEIR ACT AND DEED.
GIVEN UNDER MY HAND THIS _____ DAY OF _____, 1992.

NOTARY PUBLIC _____
MY COMMISSION EXPIRES _____

FOR NON-BUILDABLE LOTS
LAND SURVEYOR'S CERTIFICATE
I CERTIFY THAT THIS PLAT OF LAND IN AND OF ITSELF DOES NOT MEET THE CURRENT ZONING REGULATIONS FOR USE AND IS BEING TRANSFERRED FOR NON-BUILDING PURPOSES.
Robert E. Bailey 11-3-92
ROBERT E. BAILEY XT 15 2040 DATE

BOONE COUNTY PLANNING COMMISSION
APPROVAL CERTIFICATE
APPROVED FOR RECORDING THE TRANSFER OF PROPERTY ONLY BY THE BOONE COUNTY COUNTY PLANNING COMMISSION THIS _____ DAY OF _____, 1992.

Walter R. Vitz
CHAIRMAN'S SIGNATURE

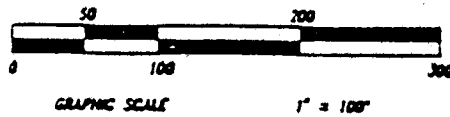
NOTE: THE BEARINGS AND DISTANCES SHOWN HEREON ARE BASED UPON EXISTING DEEDS AND PLATS OF RECORD FOUND IN THE BOONE COUNTY CLERK'S OFFICE, LOCATED AT THE BOONE COUNTY COURTHOUSE, CITY OF BURLINGTON, KENTUCKY.

SURVEYOR'S CERTIFICATE
I, CERTIFY THAT THIS PLAT HAS BEEN PREPARED BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE KENTUCKY MINIMUM SURVEYING STANDARDS, AND COMPLIES WITH ALL REQUIREMENTS OF THE BOONE COUNTY ZONING AND SUBDIVISION REGULATIONS, AND THAT DEDICATED AREAS INCLUDING PUBLIC WAYS OR STREETS ARE CURRENTLY OWNED BY THE PROPERTY OWNER.

Robert E. Bailey 11-3-92
ROBERT E. BAILEY XT 15 2040 DATE

COUNTY CLERK'S CERTIFICATE
I, JERRY W. ROUSE, BOONE COUNTY COURT CLERK, CERTIFY THAT THIS PLAT WAS PRESENTED TO ME IN BOONE COUNTY ON THIS _____ DAY OF _____, 1992 A _____ AND MADE A PART OF THE RECORDS OF THIS OFFICE.

JERRY W. ROUSE
BOONE COUNTY COURT CLERK



	DRAWN BY: TMS	CONVEYANCE PLAT FOR MURPHY CATTON WOOD WORKING FROM W.D. MURPHY & D.S. JONES David E. Estes Engineering, Inc. CIVIL ENGINEERING AND LAND SURVEYING <small>7000 BENTLEY ROAD, FLORISSANCE, KENTUCKY 40341, (502) 348-7700</small>
	DATE: 10-02-92	
	SCALE: 1" = 100'	
	FILE NO. 923158	

I Certify That I Have Examined The Records of The Boone County Clerk, and, to The Best of My Knowledge, The Property Described on This Plat is The 1st Subdivision of The original Property Under The Present Ownership. I Certify That The Property Described on This Plat is in Compliance With The Applicable Zoning Regulations.

Signed: William E. Murphy

Date: 10.27.86

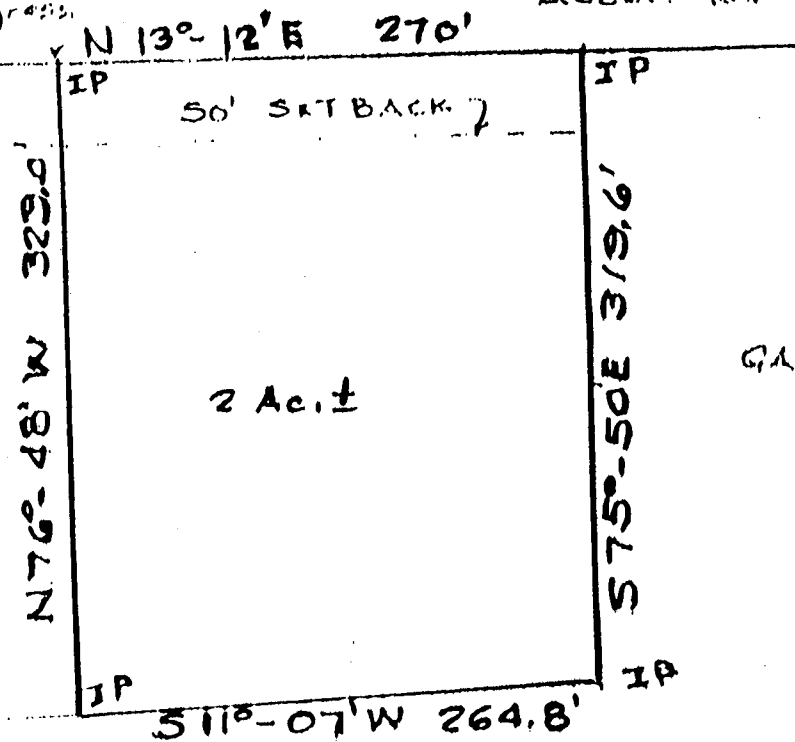


1" = 100'

1/4

50' Access For Ingress & Egress

Access Rd



MURPHY-JONES

GRANT

HOWE LATT

DADGER TO BE CONVEYED BY