

CITY OF WALTON, KENTUCKY
ORDINANCE NO. 1996- 05

AN ORDINANCE APPROVING AND ADOPTING A ZONING CLASSIFICATION FOR CERTAIN PROPERTY THAT HAS BEEN PROPOSED FOR ANNEXATION TO THE CITY OF WALTON, KENTUCKY AND ANNEXING THE SAME PROPERTY TO THE INCORPORATED TERRITORY OF THE CITY OF WALTON. (PROPERTY: 61.4 ACRE SITE OWNED BY WALTER HAYES GENERALLY LOCATED ON THE NORTH SIDE OF STEPHENSON MILL ROAD NEAR JOHN WEBSTER LANE, BOONE COUNTY, KENTUCKY.)

WHEREAS, on November 13, 1995, the City Council of the City of Walton, Kentucky, passed Ordinance No. 1995-14, 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, on November 23, 1995, Ordinance Number 1995-14 was published in the Boone County Recorder as required by law; and

WHEREAS, more than sixty (60) days have elapsed since the publication of Ordinance No. 1995-14; and

WHEREAS, no resident voters or owners of real property within the limits of the territory proposed to be annexed have petitioned the mayor in opposition to the proposal;

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 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; and

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

SECTION ONE

A certain portion of property owned by Walter Hayes generally located on the north side of Stephenson Mill Road near John Webster Lane, Boone County, Kentucky, such property being considered for annexation to the City of Walton, Kentucky, shall not be rezoned and the current zoning of Agricultural Estate (A-2) and Industrial One (I-1) shall not be changed on the 61.4 acre tract upon annexation. The real estate which is the subject of this annexation approval is more particularly described in Deed Book 182, Page 397 (as supplied by the applicant) in the Boone County Clerk's Office.

SECTION TWO

The basis for the recommendation of the Planning Commission for this request is set forth in its minutes and official records and is 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 "Exhibit B."

SECTION THREE

The unincorporated territory described in Exhibits "C" and "D" attached hereto and incorporated herein by reference as if fully set out herein is annexed and made a part of the corporate territory of the City of Walton, Kentucky, for all purposes.

SECTION FOUR

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.

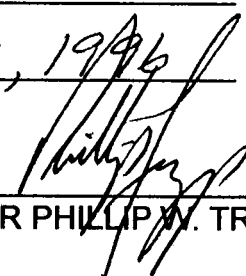
SECTION FIVE

All ordinances, resolutions, or parts thereof in conflict herewith are to the extent of such conflict hereby repealed.

FIRST READING: May 9, 1996

SECOND READING: May 13, 1996

DATE OF PUBLICATION: May 23, 1996



MAYOR PHILLIP W. TRZOP

ATTEST:



VONI PIERCE, CITY CLERK/TREASURER

/Ord13

LEGAL DESCRIPTION
CITY OF WALTON ANNEXATION
WALTER HAYES PROPERTY

Located in Boone County, Commonwealth of Kentucky, and lying westerly of the City of Walton Corporation line and being more particularly described as follows:

BEGINNING at a point on said City of Walton Corporation line, said point also being on the centerline of Stephenson Mill Road;

Thence leaving said centerline of Stephenson Mill Road, along said City of Walton Corporation line, in a southeasterly direction a distance of 15 feet, more or less to a point, said point lying on the southerly line of Stephenson Mill Road;

Thence in a westerly direction along the southerly line of Stephenson Mill Road, past the following property owner on the southerly side of Stephenson Mill Road, said property owner being Gibson;

Thence leaving the southerly line of Stephenson Mill Road, in a northerly direction a distance of 30 feet, more or less to a point, said point being on the northerly line of Stephenson Mill Road, said point also being on the common line of Hayes and Webster;

Thence leaving said northerly line of Stephenson Mill Road, along the common line of Hayes and Nelson Webster, north $33^{\circ}55'$ west a distance of 253.0 feet to a point;

Thence, north $12^{\circ}15'$ west a distance of 151.1 feet to a point, said point being on the common line of Hayes and Charles Webster;

Thence continuing along said common line of Hayes and Charles Webster, north $07^{\circ}40'$ west a distance of 231.7 feet to a point;

Thence continuing along said common line of Hayes and Charles Webster, north $00^{\circ}00'$ west a distance of 210.0 feet to a point;

Thence continuing along said common line of Hayes and Charles Webster, north $08^{\circ}20'$ west a distance of 885.3 feet to a point, said point being a common corner of Charles Webster and Souther;

Thence leaving said common line of Hayes and Charles Webster, along the common line of Hayes and Souther, north $00^{\circ}20'$ east a distance of 302.3 feet to a point;

Thence continuing along said common line of Hayes and Souther, north $08^{\circ}05'$ west a distance of 184.0 feet to a point;

Thence continuing along said common line of Hayes and Souther, north 33°15' west a distance of 55.0 feet to a point, said point lying on the Taylor line;

Thence leaving said common line of Hayes and Souther, along the common line of Hayes and Taylor, north 36°30' east a distance of 835.5 feet to a point, said point being a common corner to Hayes, Taylor, and Rich;

Thence leaving the common line of Hayes and Taylor, along the common line of Hayes and Rich, north 66°15' east a distance of 342.3 feet to a point, said point being a common corner of Hayes and Turner;

Thence leaving said common line of Hayes and Taylor, along the common line of Hayes and Turner, south 18°15' east a distance of 490.25 feet to a point;

Thence continuing along said common line of Hayes and Turner, south 40°15' east a distance of 518.5 feet to a point;

Thence continuing along said common line of Hayes and Turner, south 53°00' east a distance of 405.0 feet to a point;

Thence continuing along said common line of Hayes and Turner, south 10°00' west a distance of 200.0 feet to a point, said point being the common corner of Hayes, Turner, and Lauterwasser;

Thence leaving said common line of Hayes and Turner, along the common line of Hayes and Lauterwasser, south 84°10' west a distance of 655.4 feet to a point;

Thence continuing along the common line of Hayes and Lauterwasser, south 05°50' east a distance of 1,460 feet, more or less to a point, said point lying on the northerly line of Stephenson Mill Road;

Thence leaving said common line of Hayes and Lauterwasser, along the northerly line of Stephenson Mill Road, past the Lauterwasser and Turner properties;

Thence leaving said northerly line of Stephenson Mill Road, in a southerly direction a distance of 15 feet more or less to a point and being the POINT OF BEGINNING.

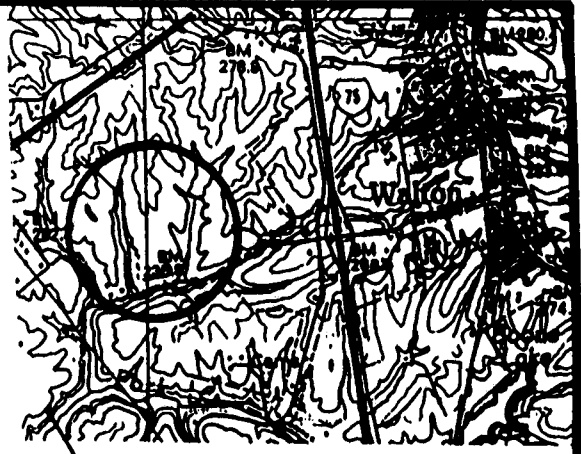
Said description includes 62 acres, more or less.

Being the same property conveyed to:

Walter Hayes by Deed Book 182 on Page 397.

EXHIBIT D

NOTE:
IN ACCORDANCE WITH
WITH KRS 100.209,
THIS MAP IS
INCLUDED IN THE
ORDINANCE OF
ANNEXATION TO
SHOW THE ZONING
WHICH WILL BE
EFFECTIVE FOR
THE ANNEXED
PROPERTY,
NAMELY,
AGRICULTURAL
ESTATE (A-2)
AND
INDUSTRIAL
ONE.
(I-1)



RICKY D. WOODRUM
RICKY
DB 405 PG 130
DB 419 PG 290
DB 417 PG 293

CECIL W. BERRY TAYLOR
DB 197 PG 624

CITY OF WALTON
BOONE COUNTY

RICHARD TURNER
90 MARY JANE JUTTING
DEED BOOK 281 PAGE 512

MICHAEL W. JANET
SOUTHER
DB 367 PG 267

CHARLES & LINDA
WEBSTER
DB 330 PG 208

WALTER HAYES
DB 182 PG 397
61.417 ACRES
(100% RW)

CONNIE M.
LAUTERWASSER
DB 196
PG 280 &
DB 381
PG 10

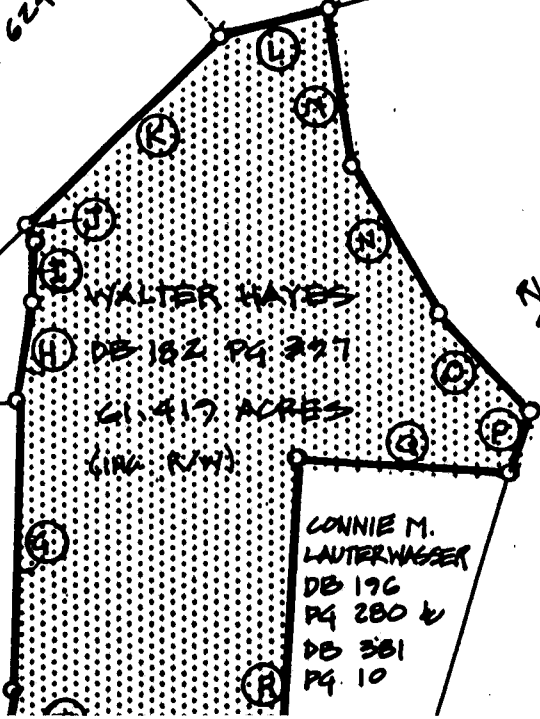
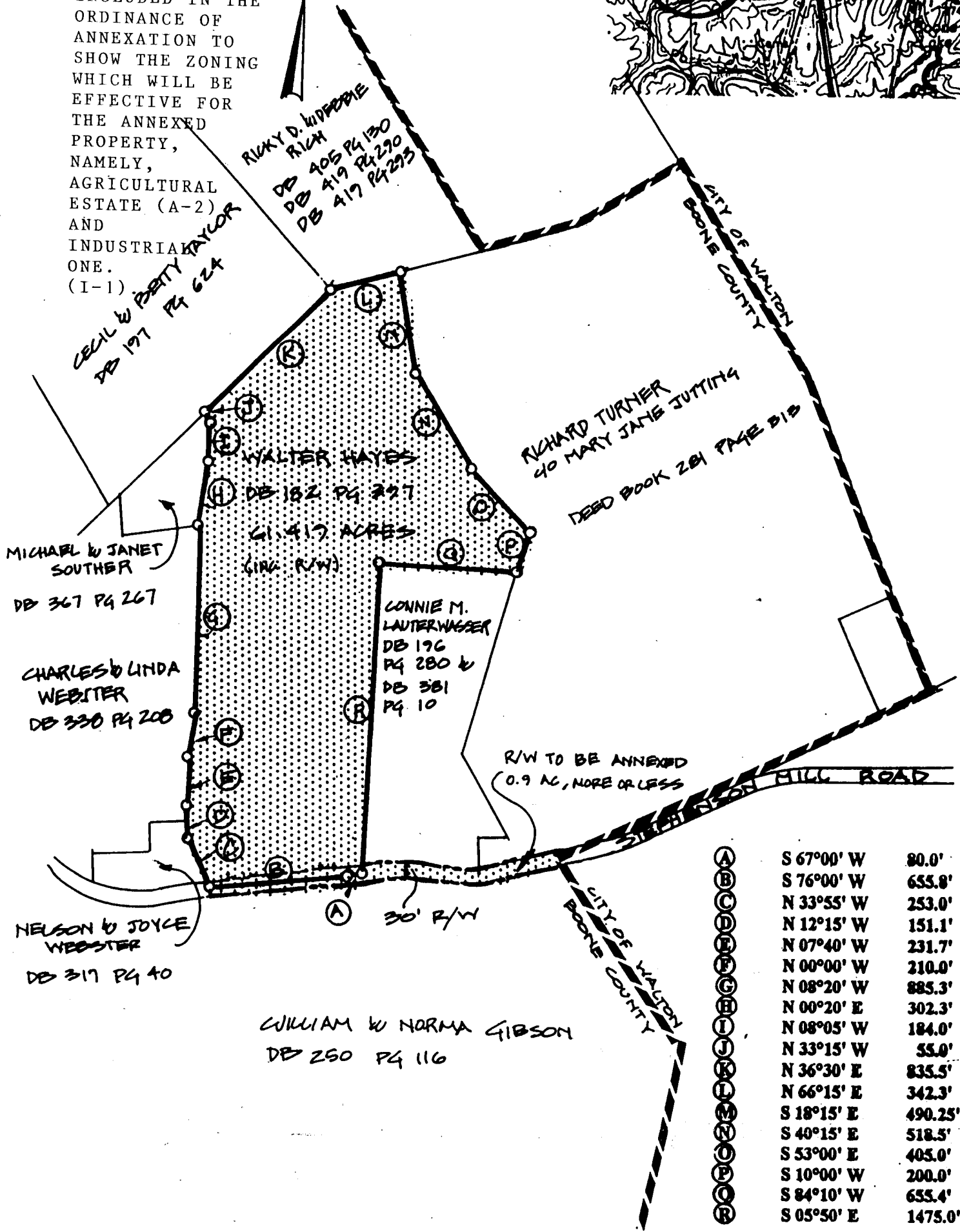
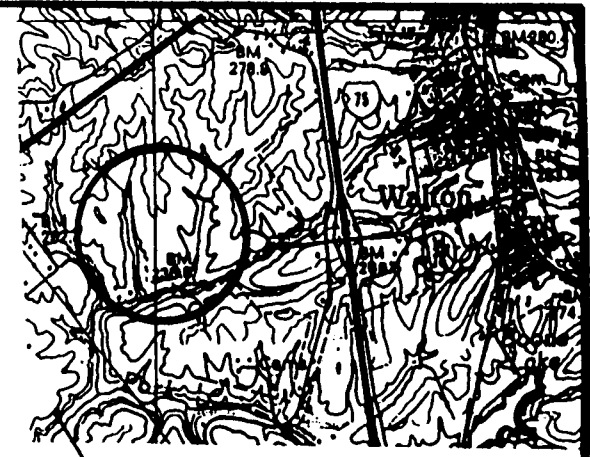
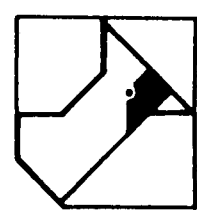


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 AGRICULTURAL
 ESTATE (A-2)
 AND
 INDUSTRIAL
 ONE.
 (I-1)



A	S 67°00' W	80.0'
B	S 76°00' W	653.8'
C	N 33°55' W	253.0'
D	N 12°15' W	151.1'
E	N 07°40' W	231.7'
F	N 00°00' W	210.0'
G	N 08°20' W	885.3'
H	N 00°20' E	302.3'
I	N 08°05' W	184.0'
J	N 33°15' W	55.0'
K	N 36°30' E	835.5'
L	N 66°15' E	342.3'
M	S 18°15' E	490.25'
N	S 40°15' E	518.5'
O	S 53°00' E	405.0'
P	S 10°00' W	200.0'
Q	S 84°10' W	655.4'
R	S 05°50' E	1475.0'



CITY OF WALTON
 ANNEXATION
 ORDINANCE _____

ARCHITECTURE
 ENGINEERING
 LAND SURVEYING

ONE MOOCK ROAD
 WILDER, KENTUCKY
 41071 (606) 581-9600

STATE OF KENTUCKY
 D.R.
 WHITACRE
 2929
 REGISTERED
 LAND SURVEYOR

Drawn By:
KGH
 Date:
9-12-75
 Scale:
1" = 600'
 File No.