

**CITY OF WALTON, KENTUCKY**  
**ORDINANCE NO. 1996- 06**

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 AND ANNEXING THE SAME PROPERTY TO THE INCORPORATED TERRITORY OF THE CITY OF WALTON, KENTUCKY. (PROPERTY: 12.7738 ACRE SITE OWNED BY FRANCIS COURT DEVELOPMENT COMPANY, L.L.C. GENERALLY LOCATED ON THE WEST SIDE OF U.S. 25, BOONE COUNTY, KENTUCKY)

**WHEREAS**, the City of Walton, Kentucky is considering annexation of certain property generally located on the west side of U.S. 25, Boone County, Kentucky; and

**WHEREAS**, the owners of record of such land have consented in writing to the annexation of their property; and

**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 by its Resolution R-96-008-A has made its recommendation to the city;

**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 Francis Court Development Company, L.L.C. generally located on the west side of U.S. 25, Boone County, Kentucky, such property being considered for annexation to the City of Walton, Kentucky, shall not be rezoned and the current zoning of Suburban Residential One (SR-1) not be changed on the 12.7738 acre tract upon annexation. The real estate which is the subject of this approval, adoption and annexation is more particularly described in DEED BOOK 598, PAGE 165 (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**

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 IV**

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 V**

All ordinances, resolutions, or parts thereof in conflict herewith are to the extent of such conflict hereby repealed.

**SECTION VI**

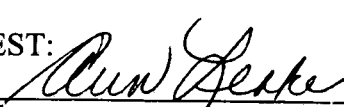
This Ordinance shall be published in summary in accordance with applicable law.

FIRST READING: June 10, 1996  
SECOND READING: JULY 02, 1996

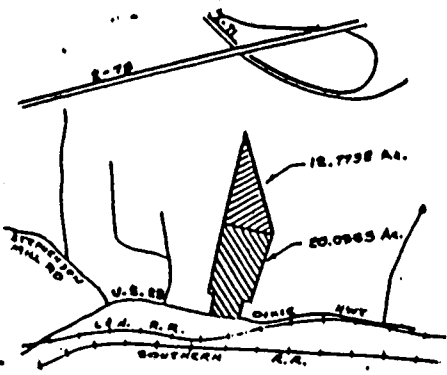
DATE OF PUBLICATION: July 11, 1996

  
\_\_\_\_\_  
MAYOR PHILLIP W. IRZOP

ATTEST:

  
\_\_\_\_\_  
ANN LEAKE, ASSISTANT CITY CLERK

ZONORD.TERRY



VICINITY MAP  
1" = 4000'

BOOK 598 PAGE 168  
GEO. W. RYAN  
DB:134 PG:296

12.7738 Ac.  
This parcel, in and of itself, does not meet the existing Boone County zoning regulations for use as a buildable site.  
Date: 5-23-95 Current Zoning SR-1

I certify that this plot of land in and of itself does not meet the current zoning regulations for the use and is being transferred for non-building purposes.

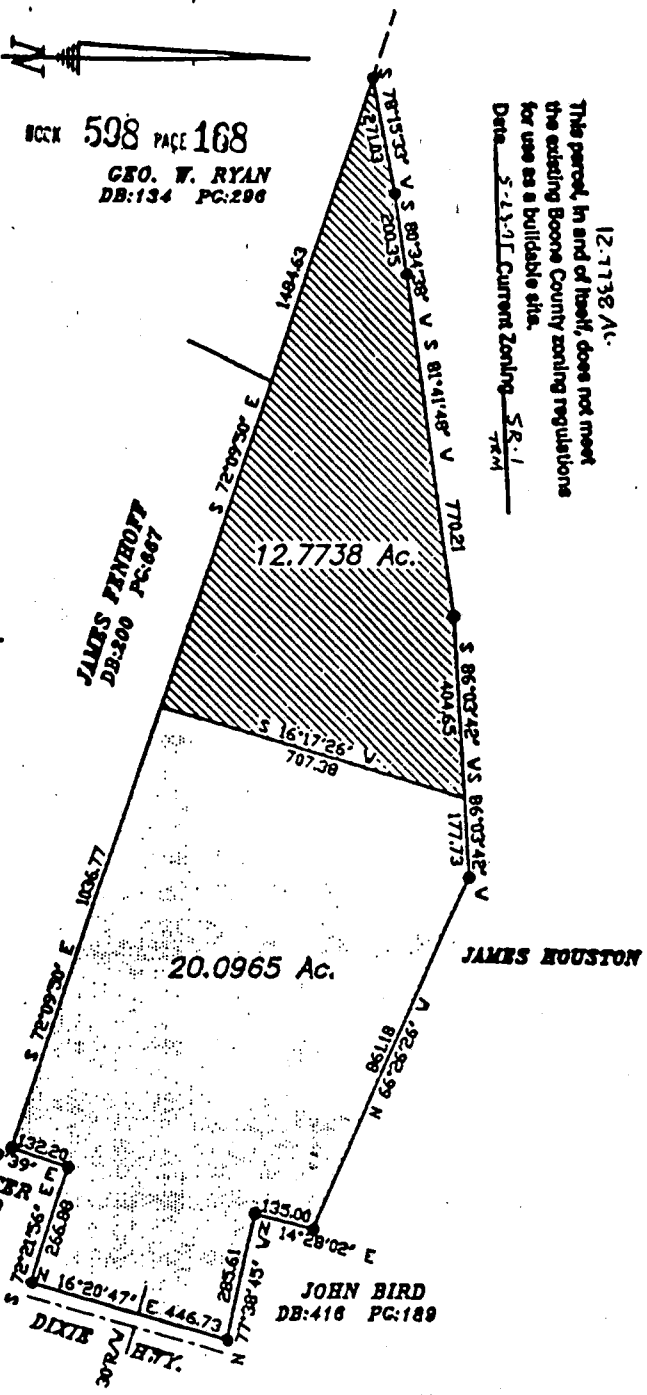
5-23-95 *James W. Berling*  
Date James W. Berling, L.S. Ky. Reg. #206

LAND SURVEYOR'S CERTIFICATE

"I certify that this plat has been prepared by me or under my 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."

"I certify that I have examined the records of the Boone County Court Clerk and find that this is the First & Second Conveyance made under the present ownership and the parent tract since 1866 or from the adoption of KRS 100.

5-23-95 *James W. Berling*  
Date James W. Berling, L.S. Ky. Reg. #206

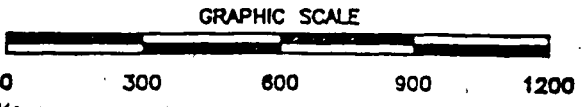


BACK REFERENCE:  
DEED BOOK: 178, PAGE: 29  
GROUP No. 2078

BOONE COUNTY PLANNING COMMISSION  
APPROVAL CERTIFICATE

Approved for recording the transfer of the property only by the Boone County Planning Commission the 27 day of May, 1995.

5/24/95 *Carol Smith, Dist. Chairman*  
Date Chairman



CONVEYANCE PLAT  
FROM: JAMES HOUSTON

U.S. HWY. 25 - BOONE CO. KY  
SCALE: 1" = 300' MAY 1995

JAMES W. BERLING  
1671 PARK ROAD  
FT. WRIGHT KY 41011 P & Z Code No. 2524  
KY. LAND SURVEYOR No.206

STATE OF KENTUCKY  
JAMES W. BERLING  
206  
REGISTERED  
LAND SURVEYOR