

**CITY OF WALTON, KENTUCKY
ORDINANCE NO. 2002 - 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 AND ANNEXING THE SAME PROPERTY TO THE INCORPORATED TERRITORY OF THE CITY OF WALTON, KENTUCKY. (PROPERTY: 5.0174 ACRE SITE OWNED BY BUTLER BUILDERS, INC. LOCATED BETWEEN PINETOP SUBDIVISION AND SUNSET RIDGE SUBDIVISION).

WHEREAS, the City of Walton, Kentucky is considering annexation of certain property located between Pinetop Subdivision and Sunset Ridge Subdivision in 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 has previously established the zoning for said property; and

WHEREAS, neither the owners of the property nor the City of Walton, Kentucky have requested a change in zoning of the property;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY, as follows:

SECTION I

A certain property owned by Butler Builders, Inc. located between Pinetop Subdivision and Sunset Ridge Subdivision in 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 One (A-1) shall not be changed on the 5.0174 acre tract upon annexation. The real estate which is the subject of this approval, adoption and annexation is more particularly described in DEED BOOK 729, PAGE 112 (as supplied by the applicant) in the Boone County Clerk's office at Burlington, Kentucky.

SECTION II

The unincorporated territory described in Exhibits "A" and "B", 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 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.

SECTION IV

This Ordinance shall be in full force and effect after adoption and publication in accordance with applicable law.

Being a particular tract of land, located on the western portion of a 19.44 acre piece of property owned by Fenhoff as recorded in Deed Book 200, Page 667, of the Boone County Clerks Office in Burlington, Kentucky, bounded on the North side by the Sunset Ridge Subdivision, on the South side by the Pine Top Subdivision, on the West side by lands owned by George Ryan as shown in Deed Book 134, Page 296, and on the East side by a sanitary sewer line that flows from the Sunset Ridge Subdivision to the Pine Top Subdivision, being more particularly described as follows:

Beginning at the most Northeastern property corner of Lot 35 of the Pine Top Subdivision, said point also being the most Northwestern property corner of Lot 34 of the Pine Top Subdivision,

Thence, along the Northern property line of the Pine Top Subdivision North $78^{\circ}28'41''$ West for a distance of 561.58 feet to a recovered steel pin with cap (LS 206), passing recovered steel pins with caps at 347.58 feet (LS 206), and at 486.59 feet (LS 206);

Thence, along the common property line of Fenhoff and Ryan North $25^{\circ}18'36''$ East for a distance of 548.74 feet to a recovered steel pin with cap (LS 206);

Thence, along the common property line with Fenhoff and the Sunset Ridge Subdivision South $72^{\circ}09'50''$ East for a distance of 305.52 feet to a point, said point being the middle of a sanitary sewer line;

Thence, along the center of the sanitary sewer line South $04^{\circ}19'42''$ East for a distance of 202.93 feet to the center of a sanitary sewer manhole;

Thence, continuing along the center of the sanitary sewer line South $07^{\circ}10'23''$ West for a distance of 255.58 feet to the center of a sanitary sewer manhole;

Thence, continuing along the center of the sanitary sewer line South $35^{\circ}11'41''$ East for a distance of 71.88 feet to the Point of Beginning, said described parcel contains 5.0174 acres. The sanitary sewer line has a recorded 20' wide easement, 10' on either side of the line for maintenance.

Being part of the same property conveyed to the Grantors by deed recorded in Deed Book 200, Page 667 of the Boone County Clerk's records at Burlington, Kentucky.

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.

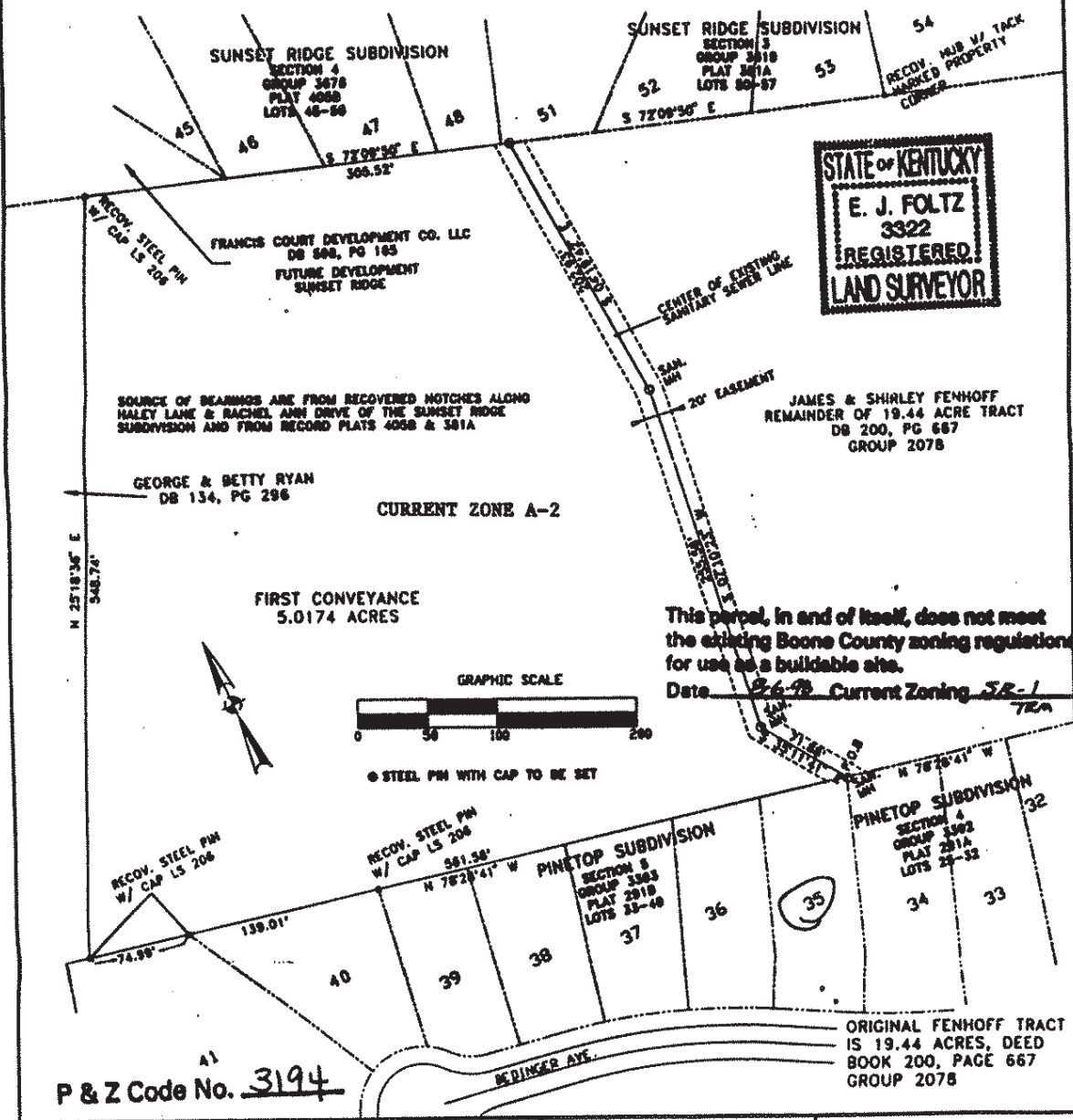
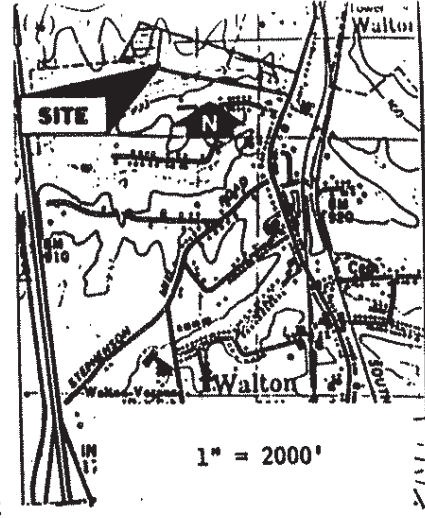
I CERTIFY THAT THIS PLAT OF LAND IN AND OF ITSELF DOES NOT MEET THE CURRENT ZONING REGULATIONS FOR USE AND IS BEING TRANSFERRED FOR NON-BUILDING PURPOSES.

E. J. Foltz
 E. J. FOLTZ, P.E., L.S. 3322 DATE 8/3/98

BOONE COUNTY PLANNING COMMISSION APPROVAL CERTIFICATE
 APPROVED FOR RECORDING THE TRANSFER OF PROPERTY ONLY BY THE BOONE COUNTY PLANNING COMMISSION THIS DAY OF Aug, 1998.

Earl R. White 8-6-98
 CHAIRMAN DATE

THIS PLAT SHALL BE VOID IF NOT FILED WITH THE BOONE COUNTY CLERK FOR RECORDING PURPOSES WITHIN TWO (2) YEARS OF PLANNING COMMISSION APPROVAL



STATE OF KENTUCKY
 E. J. FOLTZ
 3322
 REGISTERED
 LAND SURVEYOR



CARTEC ENGINEERING CORP.
 CIVIL-ENVIRONMENTAL-SURVEYING SERVICES
 2545 RITCHIE AVE.
 CRESCENT SPRINGS, KENTUCKY 41017
 (606) 341-6006

DWG #

98-015D.DWG

DRAWN	E. J. FOLTZ
CHK'D	
DATE	8/3/98
JOB #	98-015
SCALE	1"=100'

TITLE
 CONVEYANCE OF 5.0174
 ACRE TRACT FROM FENHOFF
 TO BUTLER PARTNERS INC.
 JAMES & SHIRLEY FENHOFF
 161 N. MAIN ST.
 WALTON, KY 41095

Passed and approved on first reading on the 8TH day of JULY
, 2002, by 5 members of City Council.

Passed and approved on second reading on the 12TH day of
AUGUST, 2002, by 5 members of City Council.

Date of Publication: August 22, 2002.

APPROVED:



PHILLIP W. TROOP, MAYOR

ATTEST:



PEGGY GRAY, CITY CLERK