

**CITY OF WALTON, KENTUCKY**  
**ORDINANCE NO. 2005- 09**

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY OF APPROXIMATELY 13 ACRES IN BOONE COUNTY LOCATED GENERALLY EAST OF HUEY DRIVE AND NORTH OF BOONE LAKE.

WHEREAS, Patricia Scott, being the owner of record of the hereinafter described real property has requested that the City of Walton annex the real property and, pursuant to KRS 81A. 412, said owner has given written consent to such annexation; and,

WHEREAS, the City of Walton has determined that it is desirable to annex the real property; and,

WHEREAS, the Boone County Planning Commission has previously established the zoning for the real property; and,

WHEREAS, neither the owner of the property nor the City of Walton 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 ONE**

The City of Walton finds that the real property meets the requirements of KRS 81A.410, as it is contiguous to the boundaries of the City, it is suitable for development for urban purposes without unreasonable delay, and that it is not included within the boundary of another incorporated city.

**SECTION TWO**

The real property owned by Patricia Scott, consisting of approximately 13 acres located generally East of Huey Drive and North of Boone Lake, with an address of 40 Huey Drive, and which is more particularly described on Exhibit "A" attached hereto and incorporated herein by reference, is annexed and made a part of the corporate territory of the City of Walton, Kentucky for all purposes.

**SECTION THREE**

The current zoning of the real property shall remain unchanged until changed in accordance with the provisions of KRS Chapter 100.

**SECTION FOUR**

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

APPROVED AND PASSED on first reading by 5 Members of City Council on the 4TH day of August, 2005.

APPROVED AND PASSED on second reading by 5 Members of City Council on the 8TH day of August, 2005.

DATE OF PUBLICATION: AUGUST 18, 2005

APPROVED:

  
\_\_\_\_\_  
Phillip W. Trzop, Mayor

ATTEST:

  
\_\_\_\_\_  
Peggy Gray, City Clerk

# Exhibit "A"

## LEGAL DESCRIPTION 12.8958 ACRES

Situated in Boone County, Commonwealth of Kentucky and being located South of Edwards Heights Addition to Walton as recorded in Plat Book 2, Page 6 and North of Boone Lake Subdivision (One) as recorded in Plat Book 3, Page 33 of the Boone County, Kentucky Records in Burlington, and being more particularly described as follows:

**Commencing** at a railroad rail at the Northeast corner of Lot 42-A of said Boone Lake Subdivision (One) and also lying in the Southern line of the lands now or formerly owned by Ronald Cauthen and Myra Bischoff Cauthen as recorded in Deed Book 165, Page 406 of the aforesaid records; thence with the Northern line of said Boone Lake Subdivision (One) and the Southern line of said Cauthen et ux, South 61 degrees 23 minutes 33 seconds West a distance of 288.95 to an iron pin with cap "D.T. Dinkelacker" #3510 at the Southeast corner of the lands of Patricia A. Scott and Juanita E. Murphy as recorded in Deed Book 162, Page 351 of the aforesaid records and being the **Real Point of Beginning** for the lands herein described; thence with the Southern line of said Grantors and the Northern line of said Boone Lake Subdivision (One), South 61 degrees 23 minutes 33 seconds West a distance of 506.00 feet to an iron pin with cap "D.T. Dinkelacker" #3510 at the Southwest corner of said Scott et al; thence with the Western line of said Scott et al, North 30 degrees 10 minutes 39 seconds West a distance of 1089.77 feet to an iron pin with cap "D.T. Dinkelacker" #3510 at the Northwest corner of said Scott and also being in the Southern line of Lot 34 of the Edwards Heights Addition to Walton as recorded in Plat Book 2, Page 6 of the aforesaid records; thence with the Northern line of said Scott and the Southern line of said Edwards Heights Addition to Walton, the following two courses and distances:

North 62 degrees 09 minutes 40 seconds East a distance of 113.69 feet to an iron pin with cap "D.T. Dinkelacker" #3510;

North 61 degrees 09 minutes 40 seconds East, passing an iron pin with cap #2822 at 278.03 feet, a total distance of 412.33 feet to an iron pin with cap "D.T. Dinkelacker" #3510 at the Northeast corner of said Scott et al and being a corner common with the aforementioned Cauthen et ux; thence with the Eastern line of said Scott et al and the Western line of said Cauthen et ux, South 29 degrees 07 minutes 33 seconds West a distance of 1089.55 feet to the **Point of Beginning**.

Containing 12.8958 acres (13 Acres-Deed), more or less, and being subject to all legal highways and any and all easements of record. There are existing power lines running through the Southern and Western portion of the site as shown on plat of survey, where there is NO RECORDED Easement for said power lines. Bearings based on the Kentucky State Plane Coordinate System, North Zone Grid, NAD '83 as determined from GPS observations from G.I.S. Monument No.NKC095.

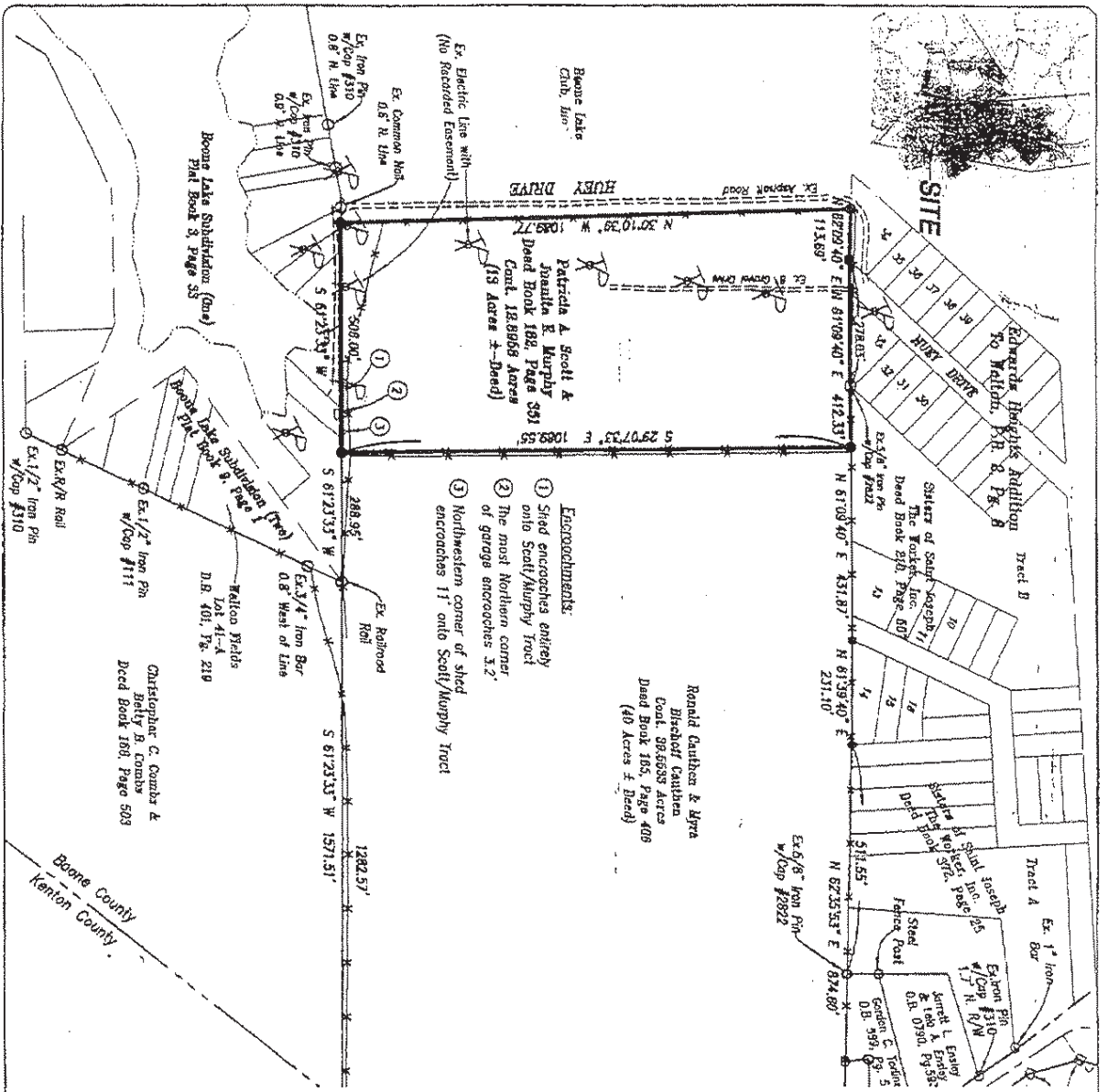
The above description was prepared on July 13, 2005 and said description is based on a field survey made by Dennis T. Dinkelacker, Kentucky Licensed Professional Land Surveyor #3510, dated June 10, 2005 and is intended to be all of the lands conveyed to Patricia A. Scott and Juanita E. Murphy as recorded in Deed Book 162, Page 351 of the Boone County, Kentucky, Records in Burlington.

The Survey Company  
201 West William Street  
Lawrenceburg, Indiana 47025

  
Dennis T. Dinkelacker

  
Date





**ENCROACHMENTS:**

- ① Shed encroaches entirely onto Scott/Murphy tract
- ② The most Northern corner of garage encroaches 3.2'
- ③ Northwestern corner of shed encroaches 1' onto Scott/Murphy Tract

Ronald Gauthier & Alyra  
Bischoff Gauthier  
Deed Book 185, Page 408  
(40 Acres ± Deed)

Patricia A. Scott &  
Juanita E. Murphy  
Deed Book 182, Page 351  
(19 Acres ± Deed)

- REFERENCES:**
- Survey by others on file in this office.
  - Edwards Heights Addition To Walton, Plat Book 2, Page 6
  - Boone Lake Subdivision (One) Plat Book 3, Page 33
  - Boone Lake Subdivision (Two) Plat Book 9, Page 1
  - Clark's Addition to The Town of Walton, Plat Book 1, Page 33
  - Deed Book 182, Page 351 (Parent Tract)
  - County Line Survey Reference Sheet, Sheet 4 of 5 surveyed in 1996 by James W. Barling
  - Existing Deeds of Record
  - Group No. 2082 & No. 2083

**LAND SURVEYOR'S CERTIFICATE**

I, Dennis T. Dinkelacker, a Licensed Professional Land Surveyor in the Commonwealth of Kentucky, certify that this plat represents a survey completed by me or under my direct supervision on this date and that this survey was performed in accordance with the Kentucky Statutes, Standards for Surveys in effect for this date. The locations and dimensions shown hereon were established from available evidence, record documents, lines of occupation and measurements on the ground. The survey was performed by random and redline traverses, with an unadjusted closure of 1-52/100 and the courses have not been adjusted for closure. The survey as shown hereon is a Class B survey and the accuracy and precision of said survey meets all the specifications of this class. The book of bearings is as shown. THIS PLAT IS A RE-SURVEY OF SUBJECT PROPERTY ONLY.

Date: 7/13/05  
 Dennis T. Dinkelacker  
 Land Surveyor's Signature

STATE OF KENTUCKY  
 DENNIS T.  
 DINKELACKER  
 3510  
 LICENSED PROFESSIONAL  
 LAND SURVEYOR

**LEGEND**

- Set 5/8" x 2" Iron Pin w/Coop
- D.I. Disks/Marker #3510, unless otherwise noted.
- Existing Iron Pin w/Coop unless otherwise noted.
- Existing 100' Concrete R/W Marker
- Ex. Wood or Wormen Wire Fence

Bearings based on the Kentucky State Plane Coordinate System, North Zone Gnd, NAD 83 per Boone County GIS Mon. NR0085

Graphic Scale 1"=300'

0' 300' 600'

**PLAT OF SURVEY**  
 for  
**Patricia A. Scott & Juanita E. Murphy**  
 located in  
**City of Walton**  
**Boone County, Kentucky**

Date: July 13, 2005  
 Scale: 1"=300'  
 Job No: 805028  
 Sheet 1 of 1  
 Plat File: ACAD Name: Scott-Murphy Tract.dwg

**THE SURVEY COMPANY**

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 Lawrenceburg, IN. 47025  
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 www.thesurveyco.com

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