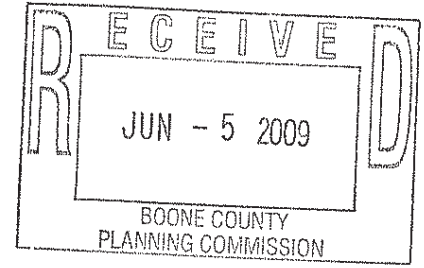


**CITY OF WALTON, KENTUCKY  
ORDINANCE NO. 2009-02**



**AN ORDINANCE ANNEXING A 4.1698 ACRE PARCEL OF REAL PROPERTY LOCATED ON THE EAST SIDE OF SERVICE ROAD IN BOONE COUNTY.**

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

WHEREAS, 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, in that 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 Walton Land Development, LLC, a Kentucky limited liability company, consisting of 4.1698 acres located along the east side of Service Road in Boone County, as described in Deed Book 944, Page 727 of the Boone County Clerk's records, and which is more particularly described on Exhibit "A" attached hereto and incorporated herein by reference, is hereby 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**

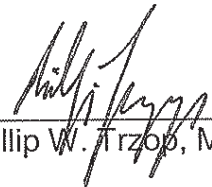
This ordinance shall be in full force and effect after adoption and publication in accordance with applicable law.

APPROVED AND PASSED on first reading by 4 Members of City Council on the 13<sup>TH</sup> day of APRIL, 2009.

APPROVED AND PASSED on second reading by 6 Members of City Council on the 1<sup>ST</sup> day of MAY, 2009.

DATE OF PUBLICATION: May 21, 2009.

**APPROVED:**

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

**ATTEST:**

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

LAND SURVEYOR'S CERTIFICATE

I hereby certify that I am a duly qualified and Licensed Kentucky Surveyor in accordance with KRS 322 and that this plat depicts a survey performed by me, or under my direct Practice and Conduct for Professional Engineers and Professional Surveyors, by the method of Random Traverse was 1:20,000. The survey as shown hereon is a Class A survey and the accuracy and precision of said survey meets all the specifications of this class. This plat meets or exceeds the minimum requirements of 201 KAR 18.150.

Date 3/4/09 James W. Berling, L.S. Ky. Reg. #206

GREG L & JANE MEYERS 547/89 Exhibit "A"

N 71°30'18" E 275.11

HIGHWAY 1-75

SERVICE ROAD

WALTON LAND DEVELOPMENT LLC 4.1698 Ac.

N 04°50'02" W 679.53

S 04°50'02" E 679.98

WALTON LAND DEVELOPMENT LLC



WALTON LAND DEVELOPMENT LLC  
S 71°35'52" W 275.00

4.1698 Ac. PARCEL TO BE ANNEXED TO THE CITY OF WALTON, KENTUCKY

SERVICE ROAD BOONE COUNTY, KENTUCKY

JAMES W. BERLING KY. SURVEYOR 206

DRAWN BY Chris D. Berling

DATE: 2/27/09

SCALE: 1" = 100'

STATE OF KENTUCKY  
JAMES W. BERLING  
206  
LICENSED  
LAND SURVEYOR

EXHIBIT "A"

PIDN # 078.00-00-051.00  
GROUP # 2082  
Service Road, Walton, Kentucky 41094

Lying and being in Boone County, Kentucky, and located generally west of Walton, Kentucky, and south of Kentucky Highway 16 on the east side of a service road lying adjacent to and parallel with the Interstate Highway I-75 and described thus: BEGINNING at the intersection of the North line of the Berkshire 140.1 acre tract with the East line of said service road; thence with said line of said road S 5-20 E 1358.3 feet to a point therein; thence leaving said road N 71 E 275 feet, N 5-20 W 1358.3 feet to a point in said North line of said 140.1 acre tract; thence with said line S 71 W 275 feet to the place of beginning, containing 8.33 acres.

SAVE AND EXCEPT THE FOLLOWING DESCRIBED REAL ESTATE:

Located generally in Boone County Group 2082 and the City of Walton, Boone County Kentucky, on the East side of the service road on the East side of Interstate Highway 75 which leads Southwardly off Kentucky Highway #16 and Northwest corner of the parent parcel of 8.33 acres described in Deed Book 156 at page 347, in the East line of said service road; thence with the North line of said 8.33 acres tract, N 71-0 E 275 feet to a #4 rebar-cap #310, the Northeast corner of said parcel; thence with the East line thereof, S 5-20 E 679.15 feet to a #4 rebar therein; thence leaving said line and partitioning said 8.33 acres tract, S 71-0 W 275 feet to a #4 rebar in the East line of said service road; thence therewith N 5-20 W 679.15 feet to the place of beginning. Containing 4.165 acres and subject to legal easements of record and in existence.

The above described parcel comprises the North ½ of said tract of 8.33 acres which was conveyed to Florence H. Meyers by a deed recorded in Deed Book 156 at page 347, Group #2082 of the Boone County Clerk's records at Burlington, Kentucky. This description was prepared by Noel Walton, Ky. Reg. P.E. & L.S., from surveys made by David G. Walton, Ky. Reg. P.E. & L.S., October 18, 1984.

THIS PROPERTY IS FURTHER DESCRIBED AS FOLLOWS BASED UPON A SURVEY BY JAMES W. BERLING, DATED NOVEMBER 20, 2007:

Beginning at a point in the east right of way line of the Service Road along the east side of Highway I-75 in Walton, Kentucky, said point being the northwest corner of the grantor's property as described in Deed Book 570 at Page 246 of the Boone County Clerk's records at Burlington, Kentucky; thence N 71° 29' 58" E along the north line of the grantor's property 275.00 feet to the northeast corner of same; thence S 4° 50' 2" E along the east line of the grantor's property and the west line of Walton Land Development, LLC, 679.50 feet to the grantor's southeast corner; thence S 71° 75' 52" W along the south line of the grantor's property and the property line of Walton Land Development, LLC, 274.89 feet to a point in the east line of said Service Road; thence N 4° 50' 2" W along the east line of said Service Road 679.50 feet to the place of beginning.

Containing 4.1698 acres.

Subject to easements and restrictions of record and/or in existence.

**CERTIFICATION OF CITY CLERK**

I, Peggy Gray, hereby certify: That I am the duly qualified City Clerk of the City of Walton, Kentucky; that the foregoing Ordinance is a true copy of an Ordinance given it's first reading on April 13, 2009 and given its second reading and enacted by City Council on May 11, 2009; that Ordinance 2009-02 has been published as required by law; that said meetings were duly held in accordance with applicable requirements of Kentucky law, including KRS 61.810, 61.815, 61.820 and 61.825; that a quorum was present at each of said meetings; that said Ordinance has not been modified, amended or repealed, and is now in full force and effect; and that Ordinance 2009-02 appears as a matter of public record in the City of Walton Ordinance Book.

IN WITNESS WHEREOF, I have hereto set my hand as City Clerk and the official seal of the City of Walton, Kentucky, on this 21st day of MAY, 2009.

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

