

CITY OF WALTON, KENTUCKY
ORDINANCE NO. 2013- 16

AN ORDINANCE ANNEXING A FIVE ACRE PARCEL OF REAL PROPERTY IN BOONE COUNTY LOCATED GENERALLY ON THE EAST SIDE OF FRANKLIN AVENUE AND NORTH OF BEDINGER AVENUE.

WHEREAS, Arlinghaus I, LLC, being the owner of record of real property containing 5.053 acres in Boone County located generally on the east side of Franklin Avenue and north of Bedinger Avenue, has requested, by and through Robert Schroder, its Vice President, 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, 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, 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 Arlinghaus I, LLC, as described in Deed Book 1022, Page 452 of the Boone County Clerk's records (provided by the applicant), 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

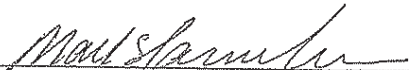
This ordinance shall be in full force and effect after adoption and publication in accordance with applicable law.

APPROVED AND PASSED on first reading by 5 Members of City Council on the 9TH day of SEPTEMBER, 2013.

APPROVED AND PASSED on second reading by 5 Members of City Council on the 30TH day of SEPTEMBER, 2013.

DATE OF PUBLICATION: OCTOBER 10, 2013

APPROVED:



Mark S. Carnahan, Mayor

ATTEST:



Peggy Gray, City Clerk

August 26, 2013

**ANNEXATION TO
THE CITY OF WALTON**

5.053 Acres

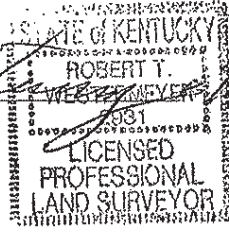
Being located on the easterly side of Franklin Avenue and approximately 200 feet north of Bedinger Avenue in Boone County, Kentucky and being more particularly described as follows:

Beginning at the most northeastern corner of Lot 35, Pine Top Subdivision, said point being the common rear corner of Lots 34 and 35, Pine Top Subdivision, Plat 291B, before being resubdivided by the plat of Francis Court Subdivision Phase 1, Section 1, Lots 1-21, recorded in Cab 5, slide 222 thence N 35°11'41" W, 71.89 feet to a the southeast corner of a dedicated lot for storm water detention in Francis Court Subdivision; thence with the east line of said lot N 07°10'23" E, 255.58 feet; thence N 04°19'42" W, 202.92 feet to the northeast corner of Lot 9 in Francis Court Subdivision, said point being on the south line of Sunset Ridge Subdivision, Section 4, Slide 405-B; thence with the south line of said subdivision S 72°09'50" E, 528.66 feet; thence leaving said line S 11°31'21" W, 441.20 feet; to the north line of Lot 28, Pine Top Subdivision, Section 4, Slide 291-A; thence with the north line of said subdivision N 78°28'41" W, 398.31 feet to the point of beginning and containing 5.053 acres.

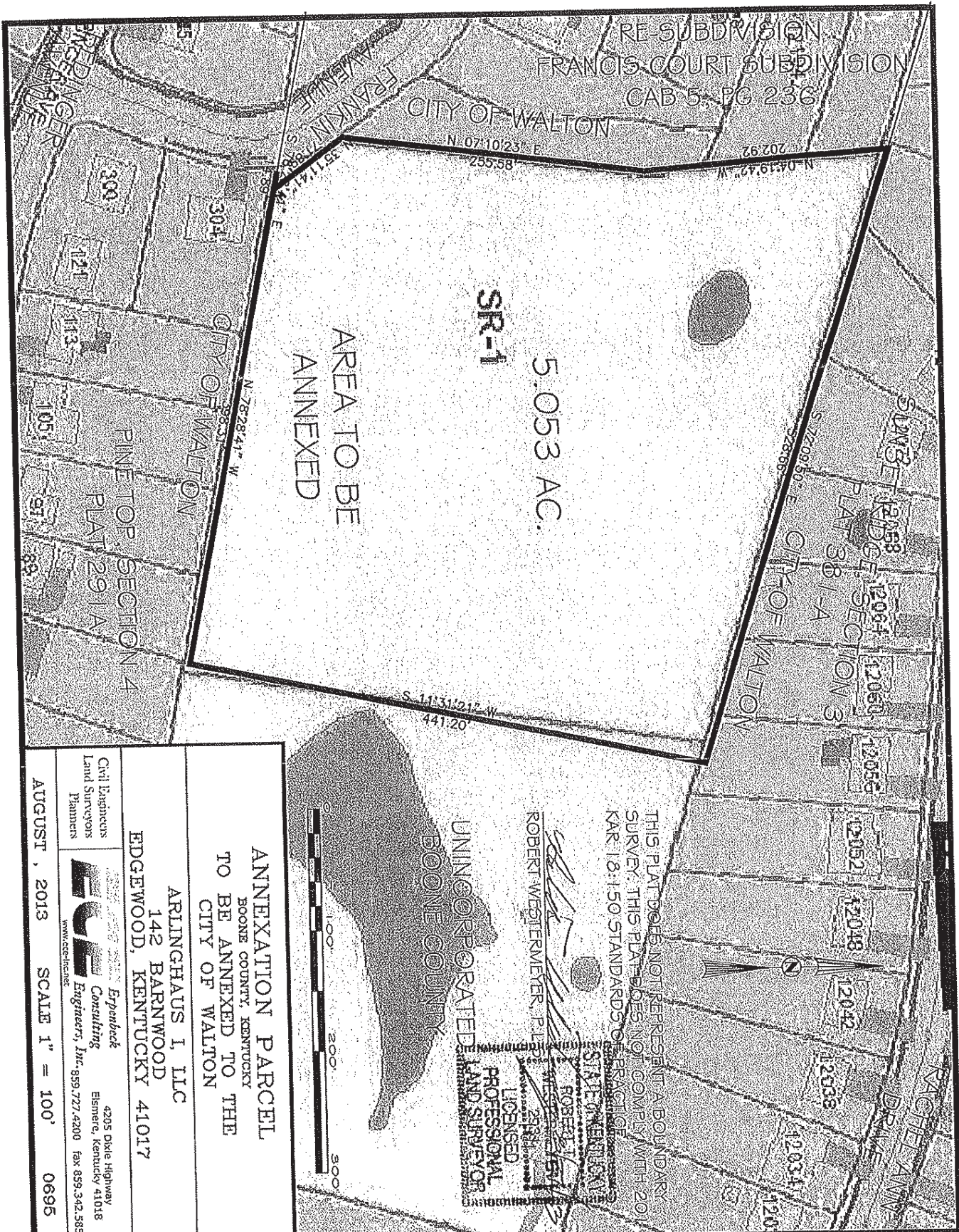
Being part of the same property conveyed to Arlinghaus I, LLC and recorded in D.B. 1022, pg. 452 of the Boone County Clerk's Office at Burlington, Kentucky.

This description is based on deeds of record and not a field survey.
This description does not comply with 201 KAR 18:150 Standards of
Practice.

Robert T. Westermeyer
Robert T. Westermeyer, PLS



7613



ANNEXATION PARCEL
BOONE COUNTY, KENTUCKY
TO BE ANNEXED TO THE
CITY OF WALTON

ARLINGHAUS I, LLC
142 BARNWOOD
EDGEWOOD, KENTUCKY 41017

Civil Engineers
Land Surveyors
Planners

EPI Engineering, Inc.
4205 Dixie Highway
Esmire, Kentucky 41018
859.727.4200 fax 859.342.5852

AUGUST, 2013 SCALE 1" = 100' 0695

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 its first reading on September 9, 2013 and given its second reading and enacted by City Council on September 30, 2013; that Ordinance 2013-16 has been published as required by law; that said meetings were duly held in accordance with applicable requirements of Kentucky laws, 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 2013-16 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 5th day of October, 2013.


Peggy Gray, City Clerk