

CITY OF HIGHLAND HEIGHTS, KENTUCKY

ORDINANCE NO.12-2006

AN ORDINANCE OF THE CITY OF HIGHLAND HEIGHTS, CAMPBELL COUNTY, KENTUCKY DECLARING ITS INTENT TO ANNEX UNINCORPORATED TERRITORY AND ITS INTENT TO AMEND ITS COMPREHENSIVE PLAN AND OFFICIAL ZONING MAP TO INCORPORATE AND ESTABLISH ZONING OR OTHER LAND USE REGULATIONS FOR THE "BLANGEY ROAD PROPERTY" PROPOSED TO BE ANNEXED, CONSISTING OF APPROXIMATELY 27 ACRES OF LAND, LYING EAST OF THE CURRENT CITY OF HIGHLAND HEIGHTS' BOUNDARIES ADJACENT TO BLANGEY ROAD AND WEST OF ROUTE 8, AS MORE PARTICULARLY DESCRIBED AND DEPICTED IN THE EXHIBITS TO THIS ORDINANCE, AND BEING ADJACENT OR CONTIGUOUS TO THE CITY'S BOUNDARIES; CONTAINING A DECLARATION THAT IT IS DESIROUS TO ANNEX AND ZONE THE UNINCORPORATED TERRITORY AFFECTED BY THIS ORDINANCE.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY OF HIGHLAND HEIGHTS, CAMPBELL COUNTY, KENTUCKY AS FOLLOWS:

Section I

The legislative body of the City of Highland Heights, Campbell County, Kentucky, acting pursuant to KRS 81A.412, 420, 425, 100.209, and other applicable law, does hereby state the intention of the City to annex unincorporated territory and its intent to amend its comprehensive plan and official zoning map to incorporate and establish zoning or other land use regulations for the "Blangey Road" property consisting of 27.6423 acres of land, lying east of the city's current boundaries adjacent to Blangey Road and west of Route 8. The unincorporated territory that the City proposes to annex is owned by the Laural Properties, LLC, and was conveyed to said owner in Deed Book 0699 Page 637 of the Campbell County Clerk's records at Newport. The unincorporated territory that the city proposes to annex is identified by the Campbell County Property Valuation Administrator as parcel ID#999-99-18-352.00. The unincorporated territory that the city proposes to annex is more particularly described and depicted in the Exhibits

attached hereto and incorporated herein by reference, and is more particularly described in the deeds and other public records and documents referred to in the said Exhibits.

Section II

The unincorporated territory which the City of Highland Heights is proposing to annex is adjacent or contiguous to the cities boundaries at the time this annexation proceeding has begun and, by reason of population density, the area is urban in character.

Section III

No part of the area to be annexed is included within the boundary of another incorporated city.

Section IV

That the City of Highland Heights, by and through its legislative body, does hereby declare that it is desirable to annex the unincorporated territory represented by the exhibits to this ordinance, which exhibit accurately defines the boundary of the unincorporated territory proposed to be annexed and rezoned.

Section V

Upon adoption of this Ordinance, the Highland Heights Planning and Zoning Commission shall hold a hearing pursuant to KRS 100.209 and shall amend the city's comprehensive plan and make the recommendation to amend the zoning map to incorporate and establish zoning or other land use regulations for land being annexed.

Section VI

The property owners have signed written consents to annex and have waived the notice requirements that would otherwise be applicable pursuant to KRS 81A.412, 420, 425, 100.209, 100.211(6) and other applicable law and have informed the city that there is no cause for delay in adopting and implementing this Ordinance.

Section VII

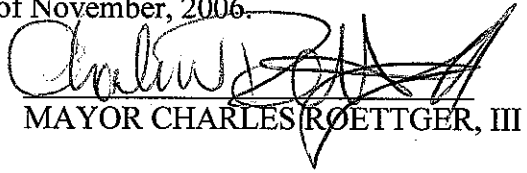
All Ordinances and parts of any ordinances in conflict herewith, to the extent of such conflict, if any, are hereby repealed.

Section VIII

That this Ordinance shall be signed by the Mayor, attested by the City Clerk/Treasurer and recorded. Same shall be in effect at the earliest time provided by law.

First reading this 17th day of October, 2006.

Second reading this 7th day of November, 2006.


MAYOR CHARLES ROETTGER, III

ATTEST:


JEAN A. RAUF
CITY CLERK/TREASURER

Ord06.12

PUBLISH: CCR 11-23-06

EXHIBIT "A"

ANNEXATION DESCRIPTION
FOR
LAURAL PROPERTIES

Situated in the Commonwealth of Kentucky the County of Campbell and lying on the south side of Blange Road being more particularly described as follows:

BEGINNING at a point in the center of Blange road, a common corner to Memco, INC. (D.B. 416 Pg. 250);

Thence with said centerline North 36°02'42" East for a distance of 296.91' feet to a MAG nail;

Thence leaving said centerline South 48°51'10" East for a distance of 14.08' feet to a MAG nail;

Thence North 69°43'13" East for a distance of 55.90' feet to a concrete right-of-way monument;

Thence North 53°26'31" East for a distance of 232.61' feet to a 1/2" rebar with plastic cap stamped "B.R.COX KY 3381";

Thence North 68°09'18" East for a distance of 91.16' feet to a 1/2" rebar with plastic cap stamped "B.R.COX KY 3381";

Thence North 87°47'12" East for a distance of 376.92' feet to a 1/2" rebar with plastic cap stamped "B.R.COX KY 3381";

Thence North 04°19'09" East for a distance of 29.98' feet to a MAG nail in the center of Blange road;

Thence with said road South 86°56'44" East for a distance of 320.65' feet to a 1/2" rebar with plastic cap stamped "B.R.COX KY 3381" in the Southerly edge of Blange Road, and the westerly right-of-way of KY Route 8;

Thence leaving said road with the lands of Losey (D.B. 589 Pg. 398), Caywood (D.B. 320 Pg. 248), Caywood (D.B. 300 Pg. 218), Blocher (D.B. 617 Pg. 237), and Blevins (D.B. 623 Pg. 404) South 64°44'17" West for a distance of 719.57' feet to a 1/2" rebar with plastic cap stamped "B.R.COX KY 3381" in the Northwest corner of said Blevins property;

Thence with said Blevins line and the line of Ernst (D.B. 564 Pg. 305) South 25°15'43" East for a distance of 371.41' feet to a 1/2" rebar with plastic cap stamped "B.R.COX KY 3381" in the common corner of Laural Properties, and Ernst;

Thence with Ernst's line South 37°36'17" West for a distance of 1747.29' feet to a point witnessed by a 1/2" rebar with plastic cap stamped "B.R.COX KY 3381" being referenced by a set 1/2" rebar with plastic cap stamped "B.R.COX KY 3381" at a distance of 1,740.26' feet, being the common corner of Laural Properties, Ernst, and Davidson (D.B. 407 Pg. 274);

Thence with said Davidson line North 25°15'43" West for a distance of 451.82' feet to a recovered MAG nail in the center of Blange road;

Thence with said road the following nine (9) calls:

North 07°28'46" East for a distance of 65.58' feet to a recovered MAG nail;

North 13°45'17" East for a distance of 301.81' feet to a MAG nail;

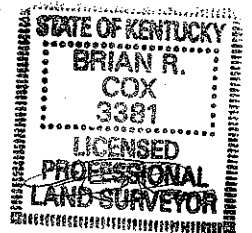
North 26°46'07" East for a distance of 92.88' feet to a recovered MAG nail;

North 33°57'43" East for a distance of 83.33' feet to a recovered MAG nail;

North 22°32'41" East for a distance of 364.87' feet to a recovered MAG nail;

North 31°56'58" East for a distance of 123.60' feet to a MAG nail;
North 38°05'09" East for a distance of 10.23' feet to a point;
North 38°05'09" East for a distance of 248.98' feet to a MAG nail;
North 36°02'42" East for a distance of 15.48' feet to the POINT OF BEGINNING, containing
1204099.99 square feet, 27.6423 acres

This description is based on a field survey performed by Cardinal Engineering Corporation on July 7, 2002
under the direct supervision of Brian R. Cox, P.L.S.



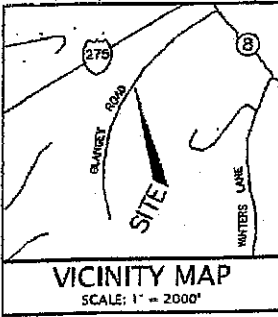
10-12-06

FOR IDENTIFICATION PURPOSES ONLY

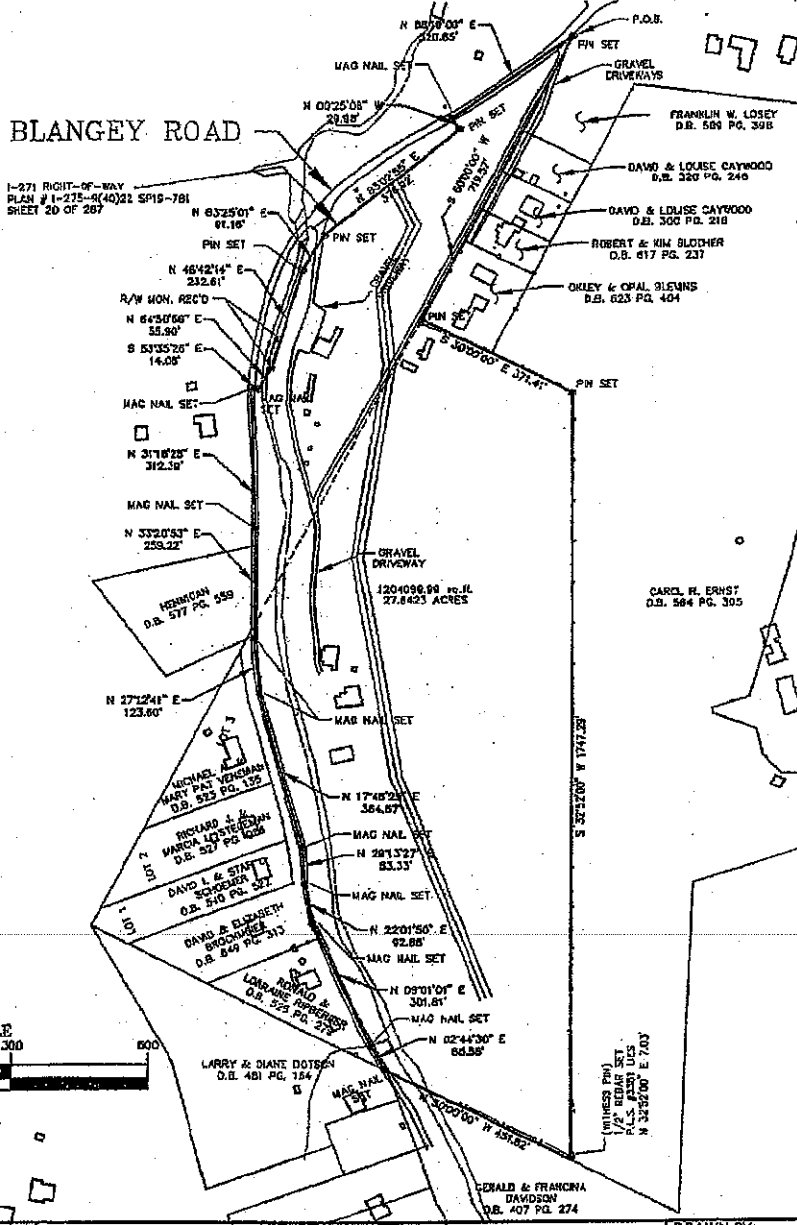
I hereby certify that I am a duly qualified and Licensed Kentucky Surveyor in accordance with KRS 322 and this plat depicts a survey performed by me, or under my direct supervision, in accordance with the Code of Professional Practice and Conduct for Professional Engineers and Professional Surveyors, by the method of random traverse on July 7, 2002. The unadjusted precision ratio of the traverse was 1:29,963 and was not adjusted for closure. The survey 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.

Brian R. Cox P.L.S. 3381 Date 9-11-02

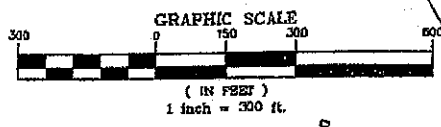
NOTE: © PIN SET is a 1/2" rebar with plastic cap stamped "B.R. COX KY 3381"



BEARINGS BASED ON SURVEY BY GLAZIER & MORLIDE ON DEC. 27, 1939.



0699/PLAT 610



PROPERTY ADDRESS 597 Blangey Road Highland Heights, Kentucky

SURVEY PLAT for ANDREW A. FUEGLEIN TRUST UTD 1/7/02 11116 Treebarb Drive Pineville, North Carolina 28134 ONE MOOCK ROAD WILDER, KENTUCKY 41071 (859) 581-9600

Table with 2 columns: Field Name and Value. Includes DRAWN BY: TR?, DATE: 9-5-02, SCALE: 1" = 300', FILE NO.: 02-117