

ORDINANCE NO. 13-13

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY REPEALING
ORDINANCE NO. 13-02 AND DECLARING THE CITY'S INTENT TO ANNEX
A TRACT OF PROPERTY INTO CITY LIMITS - KEN RUHL PROPERTIES,
LLC**

WHEREAS, on January 8, 2013, the Richmond City Board of Commissioners adopted Ordinance No. 13-02 declaring the City's intent to annex into City boundaries a tract of property owned by Ken Ruhl Properties, LLC, and

WHEREAS, after enactment of Ordinance No. 13-02, it has been determined that an error was made in the publication requirements applicable to the Ordinance, and the Board does desire accordingly to repeal Ordinance No. 13-02 and to enact the ordinance hereinafter set forth; and

WHEREAS, the property described below, is contiguous to the City's Boundaries, is, by reason of its location and its long-standing commercial use, urban in character, and is located nearby a highway central to the City; and

WHEREAS, no part of the Property proposed to be annexed is included within the boundary of another incorporated city, nor is the infrastructure of another city located within it; and

WHEREAS, the City of Richmond is capable of providing, and in fact is providing, City services to the Property; and

WHEREAS, the Board of Commissioners of the City of Richmond, Kentucky finds it to be in the public interest that the Property be annexed into City limits;

NOW, THEREFORE, BE IT ORDAINED as follows:

SECTION I

Ordinance No. 13-02 is hereby repealed in its entirety.

SECTION II

In accordance with the provisions of Chapter 81A of the Kentucky Revised Statutes, the City of Richmond, Kentucky does hereby express its intention to annex into City limits that certain tract of property more particularly described as follows, to wit:

[See Exhibit A for description]

Being the same property as was conveyed to Ken Ruhl Properties, LLC by deed from Richmond Ford-Lincoln Mercury, Inc, and recorded in Deed Book 515, at page 147, in

the Madison County Court Clerk's Office.

SECTION III

This Ordinance shall be effective immediately upon its adoption following second reading and publication in accordance with the provisions of applicable Kentucky law.

DATE OF FIRST READING: April 23, 2013

MOTION BY: Commissioner Baird

SECONDED BY: Commissioner Blythe

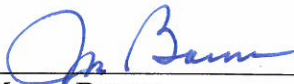
VOTE	YES	NO
Commissioner Baird	x	
Commissioner Blythe	x	
Commissioner King		x
Commissioner Newby		x
Mayor Barnes	x	

DATE OF SECOND READING: May 14, 2013

MOTION BY: Commissioner Baird

SECONDED BY: Commissioner Blythe

VOTE	YES	NO
Commissioner Baird	x	
Commissioner Blythe	x	
Commissioner King		x
Commissioner Newby		x
Mayor Barnes	x	



Mayor Barnes

ATTEST:



City Clerk

Tract 1: 5.10 acres located at 768 Eastern Bypass, Richmond, Madison County, Kentucky. A certain tract of land, located in the southwest corner of the intersection of the Richmond Bypass and Boggs Lane, in Richmond, Madison County, Kentucky, and being bounded by survey, (Job No. 6681), made March 30, 2000, by Charles E. Black, a licensed land surveyor, (LS670), and further described as follows:

Beginning at a set steel pin, 18" long, with cap 670, in the intersection of the south right of way line of the Richmond Bypass with the west right of way line of Boggs Lane; thence leaving said Bypass with the west right of way line of Boggs Lane $S10^{\circ}14'06''W$ 37.45 feet to a set PK nail; thence $S29^{\circ}28'55''W$ 200.00 feet to a set PK nail; thence $S37^{\circ}04'36''W$ 151.33 feet to a set steel pin, 18" long, with cap 670; thence $S27^{\circ}41'59''W$ 222.45 feet to a set steel pin, 18" long, with cap 670, behind an existing concrete right of way monument, and common corner to Riley Properties, (Riley Oil); thence leaving the west right of way line of Boggs Lane with the north line of Riley Properties, (Riley Oil), $N69^{\circ}17'22''W$ and passing at 35 feet a concrete right of way monument, in all 242.63 feet to a set steel pin, 18" long, with cap 670, in the east right of way line of CSX Railroad and common corner to Riley Properties, (Riley Oil); thence leaving Riley Properties, (Riley Oil), with said east right of way line three (3) calls: $N08^{\circ}26'37''W$ 480.00 feet to a set steel pin, 18" long, with cap 670; $S81^{\circ}06'23''E$ 20.00 feet to a set steel pin, 18" long, with cap 670; $S08^{\circ}53'37''E$ 22.71 feet to a set PK nail at the intersection of said east right of way

line with the south right of way line of the Richmond Bypass; thence leaving the east right of way line of the CSX Railroad with the south right of way line of the Richmond Bypass five (5) calls: $S80^{\circ}05'16''E$ 117.98 feet to a set PK nail; $S84^{\circ}35'39''E$ 154.12 feet to a set PK nail; $S87^{\circ}35'51''E$ 153.86 feet to a set PK nail; $S89^{\circ}52'44''E$ 133.77 feet to a set PK nail; $S56^{\circ}09'51''E$ 28.60 feet to a set steel pin, 18" long, with cap 670 in the intersection of the south right of way line of the Richmond Bypass with the west right of way line of Boggs Lane and point of beginning, containing 5.10 acres.