

ORDINANCE NO. 2021-05

AN ORDINANCE OF THE CITY OF WALTON, KENTUCKY, ANNEXING A PARCEL OF REAL ESTATE CURRENTLY OWNED BY RICHARD AND SANDRA GRINNELL, SURROUNDED BY THE CURRENT CITY BOUNDARIES IN THE NORTHERN PART OF THE CITY OF WALTON, AND LOCATED AT AND KNOWN AS 12353 DIXIE HIGHWAY, ALL AS MORE PARTICULARLY DESCRIBED AND ILLUSTRATED IN THE EXHIBITS TO THIS ORDINANCE.

WHEREAS, Richard and Sandra Grinnell, husband and wife, are the Owners of real estate surrounded by the current City boundaries in the northern part of the City of Walton, and thereby contiguous to the City of Walton;

WHEREAS, pursuant to Kentucky Revised Statutes 81A.412, the Owners have consented and requested the City of Walton to annex the property into the City; and

WHEREAS, The City of Walton hereby declares that it desirable to annex the unincorporated territory to the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF WALTON, KENTUCKY, AS FOLLOWS:

Section 1. The unincorporated property ('Property') which is the subject of this Ordinance consists of the real estate and improvements located at and known as 12353 Dixie Highway, Walton, KY 41094, identified by the Boone County Property Valuation Administrator as PIDN: 077.00-01-041.00, which real estate and improvements were conveyed to Richard and Sandra Grinnell, husband and wife, in Boone Deed Book 1137, page 702 of the Boone County Clerk's records in Burlington, Kentucky, and describer therein as Lots 41 and 42 of the Chambers Heights Subdivision.

Section 2. The Property which is the subject of this Ordinance is described and illustrated in and on the Exhibits to this Ordinance.

Section 3. The Property which is the subject of this Ordinance is contiguous to the City's boundaries at the time this annexation proceeding is begun and, by reason of present, potential or future population density, commercial, industrial, institutional, or governmental use of the land, or subdivision of land, is urban in character or suitable for development for urban purposes without unreasonable delay. The City hereby declares it desirable to annex the unincorporated territory. No part of the area to be annexed is included within the boundary of another incorporated city.

Section 4. Since the Owners of record of the land to be annexed has given prior consent in writing to the annexation, the City shall not be required to enact the notification ordinance required by KRS 81A.420(1) or to comply with the notice requirements of KRS 81A.425, and it shall not be required to wait the sixty (60) day period provided for in KRS 81A.420(2) prior to enacting a final ordinance annexing the area.

Pursuant to KRS 81A.412, the City does hereby enact this single ordinance finally annexing the land described in this ordinance.

Section 5. The Property which is the subject of this is hereby annexed into the City limits of the City of Walton, in Boone County, Kentucky, for all purposes.

Section 6. The City elects not to follow the procedure provided for in KRS 100.209 prior to the adoption of the ordinance of annexation, therefore the newly annexed territory shall remain subject to the same land use restrictions, if any, as applied to it prior to annexation until those restrictions might be changed by zoning map amendment in accordance with KRS Chapter 100, which Property is currently zoned Rural Suburban (RS).

Section 7. This ordinance shall be effective upon its adoption and approval according to law, and publication thereafter.

Section 8. All ordinances or parts of any ordinances in conflict herewith, to the extent of the conflict, if any, are hereby repealed.

Section 9. If any sentence, clause, section or part of this ordinance or the application thereof to any particular situation is, for any reason, found to be unconstitutional, illegal or invalid, the invalidity of any provision of this Ordinance shall not affect the validity of any other provisions hereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of that provision determined to be invalid.

Section 10. This ordinance may be read and published in summary form.

PASSED AND APPROVED ON FIRST READING BY 5 OF 5 MEMBERS OF CITY COUNCIL ON THE 11th DAY OF May, 2021.

PASSED AND APPROVED ON SECOND READING BY 4 OF 4 MEMBERS OF CITY COUNCIL ON THE 8th DAY OF June, 2021.

APPROVED:

GABRIEL D. BROWN, MAYOR

ATTEST:

ASSISTANT CITY CLERK, TAMMY WILHOITE

DATE OF PUBLICATION: _____