

CITY OF BELLEVUE, KENTUCKY

ORDINANCE 2010-09-02

AN ORDINANCE STATING THE CITY OF BELLEVUE'S INTENTION TO ANNEX TO THE CITY OF BELLEVUE, UNINCORPORATED AREA OF 1.4196 ACRES, MORE OR LESS, LYING ADJACENT AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY.

WHEREAS, it has recently been brought to the attention of the City of Bellevue that a certain parcel of real estate set forth herein, may or may not, be presently within the City of Bellevue; and,

WHEREAS, the City of Bellevue, as well as the property owners, have both existed under an assumption/agreement, that the subject property was within the City of Bellvue; and,

WHEREAS, each of the affected property owners has been contacted and one has already executed a Consent Agreement, for a consensual annexation, which eliminates any concerns regarding the existence of the property within the City of Bellevue; and,

WHEREAS, this Ordinance is being adopted to only confirm, what is already by providing of complete City of Bellevue services, a fact that the subject property is within the City of Bellevue, and,

WHEREAS, this Ordinance is only being necessitated by the actions of the City of Newport in seeking to adversely take property that is believed to be within the City of Bellevue and for which City Services and Public Infrastructure has already been put in place and provided for by the City of Bellevue; and

WHEREAS, pursuant to KRS 81A.420 the City Council of the City of Bellevue, Kentucky hereby state the City of Bellevue's intention to annex the real estate described in Exhibit "A", which is attached hereto and incorporated herein by reference; and,

WHEREAS, the City of Bellevue, declares that it is desirable to annex the herein described unincorporated territory; and,

WHEREAS, the City of Bellevue, finds, pursuant to KRS 81A.410, that the herein described unincorporated territory is subject to annexation as it is adjacent and contiguous to the City of Bellevue's boundaries at the time the annexation proceeding began; and, by reason of commercial, industrial, institutional, or governmental use of land, is urban in character and no part of the area to be annexed is included within the boundary of another incorporated city.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY, DOES

HEREBY ORDAIN AS FOLLOWS:

SECTION I

That the City Council of the City of Bellevue, Campbell County, Kentucky, an incorporated city of the fourth class, hereby states its intention to annex to the City boundary the unincorporated territory described in Exhibit "A", which is attached hereto and incorporated herein by reference.

SECTION II

The City of Bellevue declares that it is desirable to annex said unincorporated territory into the City of Bellevue, Kentucky and has found pursuant to KRS 81A.410 that said unincorporated territory is adjacent to and contiguous to the City's boundaries at the time this annexation proceeding is being conducted and by reason of commercial, industrial, institutional and governmental use of land the area is urban in character. Furthermore, City Council finds that no part of the area to be annexed is within the boundaries of any other incorporated city.

SECTION III

That pursuant to KRS 81A.425 notice shall be sent by first-class mail to each property owner listed on the records of the Campbell County Property Valuation Administrator as of January 1, 2010 no later than fourteen (14) days prior to the meeting at which this Ordinance proposing annexation shall receive its second reading, and a copy of this proposed Ordinance.

SECTION IV

That this Ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, published and effective upon publication.

JACK MEYER, MAYOR

ATTEST:

MARY SCOTT, CLERK/TREASURER

1st Reading: September 25, 2010

2nd Reading: December 8, 2010

Publication: December 16, 2010