

ORDINANCE NO. 2019-03

AN ORDINANCE ANNEXING TO THE CITY OF OLIVE HILL, KENTUCKY TERRITORY AS SET FORTH BELOW AND DESCRIBED IN THE ATTACHED EXHIBITS, SAID TERRITORY HAVING BEEN DECLARED IN THE CITY'S INTENT TO ANNEX ORDINANCE TO BE DESIREABLE TO ANNEX BY THE CITY, AND PURSUANT TO KRS 81A, AND ALL OTHER APPLICABLE LAW, ET. SEQ.

BE IT ORDAINED BY THE CITY OF OLIVE HILL, KENTUCKY:

I. PURPOSE OF ORDINANCE

This Ordinance sets forth the Annexation of the subject property, which the City of Olive Hill, Kentucky has previously expressly stated its *intent to annex*, and further *declared the territory as desirable to annex* to the City of Olive Hill, Kentucky, pursuant to KRS 81A.420 and all other applicable law. Said Intent to Annex Ordinance was passed upon the second reading on the **19<sup>th</sup> day of March, 2019**, and the Clerk's certification of notice to the property owner(s) was made part of the official record of said meeting per KRS 81A.425.

As required, said Intent to Annex Ordinance was published with all Exhibits after passage. To date, no bona fide petition of objection has been presented to the Mayor and the sixty (60) day period for such petitions having ended, the City herein exercises its right to Annex the territory set forth in the Intent to Annex Ordinance referred to above.

II. REQUIRMENTS FOR ANNEXATION SATISFIED BY THE CITY

The subject unincorporated territory is contiguous to current boundaries of the City Limits, is territory that is urban in character or is suitable for urban development without unreasonable delay, some of which currently contains water mains and/or sewer lines and/or natural gas lines which belong to the City of Olive Hill that provide services for customers throughout the County and currently outside of the City's corporate boundaries; further, the included and described territory that does not already contain such infrastructure is part of the City's future development. Therefore the growth of the City's corporate boundaries and infrastructure will be provided in the future into the subject territory and the City is financially capable of providing infrastructure and services which will benefit members of the county, state and surrounding areas.

III. CURRENT MUNICIPAL VALUE OR PURPOSE

Pursuant to applicable case law interpreting Kentucky Annexation Laws, the City of Olive Hill may annex territory in strips, otherwise known as, and hereafter described as, "corridors", if said territory has a concrete and tangible municipal value or purpose existing at the time annexation is sought. The City of Olive Hill, by and through the City Council, herein states and declares that the City of Olive Hill has the required concrete and tangible municipal value or purpose for annexing the subject territory.

IV. DESCRIPTION OF TERRITORY

Please see Exhibit "A" (Description and Map) which contains an accurate description of the annexed territory pursuant to KRS 81A, attached hereto and incorporated herein in full by reference.

V. SEVERABILITY

If any part of this ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this ordinance shall continue in full force and effect.

SCANNED  
01/24/19

VI. FORCE AND EFFECT

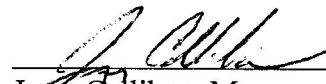
This ordinance shall be in full force and effect upon passage by the City Council, approval by the Mayor, and publication according to law.

FIRST READING May 21, 2019

SECOND READING June 6, 2019

PUBLICATION June 19, 2019

Approved:

  
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Jerry Callihan, Mayor

ATTEST:

  
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Angela Owens, City Clerk