

ORDINANCE 2019-1786

AN ORDINANCE ACCEPTING THREE (3) NEWLY CONSTRUCTED STREETS LOCATED IN VINTAGE HILLS SUBDIVISION, PHASE II, SPECIFICALLY: A STREET BEING 2,023 FEET IN LENGTH AND 29 FEET WIDE, HAVING A 50 FOOT RIGHT OF WAY AND CONSISTING OF TWO 14.5 FOOT DRIVE LANES, KNOWN AS VINTAGE HILLS DRIVE; A STREET BEING 344 FEET IN LENGTH AND 29 FEET WIDE, HAVING A 50 FOOT RIGHT OF WAY AND CONSISTING OF TWO 14.5 FOOT DRIVE LANES, KNOWN AS CROSS CUT DRIVE AND A STREET BEING 348 FEET IN LENGTH AND 29 FEET WIDE, HAVING A 50 FOOT RIGHT OF WAY AND CONSISTING OF TWO 14.5 FOOT DRIVE LANES, KNOWN AS WAGON WHEEL DRIVE.

WHEREAS, Vintage Hills Drive, Cross Cut Drive and Wagon Wheel Drive are newly constructed streets in Vintage Hills Subdivision, Phase II, constructed for the purpose of ingress and egress;

WHEREAS, the City has received Letters of Recommendation from BFW Engineering stating that Vintage Hills Drive, Cross Cut Drive and Wagon Wheel Drive were constructed in conformance with the approved plans;

WHEREAS, the Murray Planning Commission met in regular session on AUGUST 20, 2019 and voted 4-0, with 1 abstain, to recommend the City accept Vintage Hills Drive, Cross Cut Drive and Wagon Wheel Drive for maintenance purposes

WHEREAS, the following findings are established:

1. Vintage Hills Drive is 29 feet wide and 2,023 feet in length, with a right of way of 50 feet. A letter was submitted to the Planning and Engineering Department by BFW Engineering stating that Vintage Hills Drive was constructed in conformance with the approved plan.

2. Cross Cut Drive is 29 feet wide and 344 feet in length, with a right of way of 50 feet. A letter was submitted to the Planning and Engineering Department by BFW Engineering stating that Cross Cut Drive was constructed in conformance with the approved plan.

3. Wagon Wheel Drive is 29 feet wide and 348 feet in length, with a right of way of 50 feet. A letter was submitted to the Planning and Engineering Department by BFW Engineering stating that Wagon Wheel Drive was constructed in conformance with the approved plan.

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

The City Council does, by the adoption of this Ordinance, accept the streets known as Vintage Hills Drive, Wagon Wheel Drive and Cross Cut Drive, all located in Vintage Hills, Phase II Subdivision, for maintenance purposes. A copy of the Plat depicting the location of Vintage Hills Drive, Cross Cut Drive and Wagon Wheel Drive, as recorded in Plat Book 53, Page 60, Slide 5176, is attached hereto and incorporated by reference as if fully stated herein and marked Exhibit "A".

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Ordinance; nor shall any just or legal

right or remedy of any character be lost impaired or affected by this Ordinance.

\_\_\_\_\_  
BOB ROGERS, MAYOR

ATTEST:

\_\_\_\_\_  
DANNETTA CLAYTON, CITY CLERK

Introduced by the City Council on \_\_\_\_\_.

Adopted by the City Council on \_\_\_\_\_.

Published in the Murray Ledger and Times on \_\_\_\_\_.

# FINAL SUBDIVISION PLAT VINTAGE HILLS SUBDIVISION PHASE 2

OPPORTUNITY DRIVE, MURRAY, KENTUCKY

OWNED & DEVELOPED BY

WEST WIND RENTALS, LLC CITY WEST, LLC  
2048 FONTANA DRIVE & 1105 STATE ROUTE 121 NORTH  
MURRAY, KY 42071 MURRAY, KY 42071

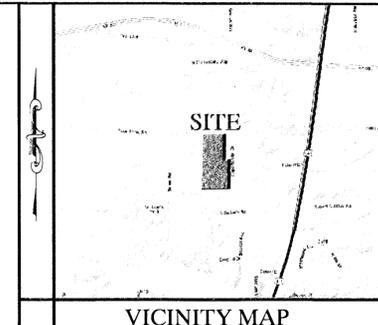
TOTAL AREA PLATTED (PHASE 2) = 18.53 ACRES

## COVENANTS AND RESTRICTIONS OF VINTAGE HILLS SUBDIVISION

- Dwellings: the property shall be used for residential purposes only. No structures shall be erected, altered, placed, or permitted to remain on any portion of the said lots other than one (1) single family detached or one (1) multifamily dwelling and (1) detached out building. All buildings must face the street. All living dwellings must have adequate parking that meets all regulations set forth by the City of Murray. All parking areas must be concrete, and maintained so as to be one continual solid surface. Any other structures must have special permission in writing from the developer. Maximum number of units to be placed on each lot is the number that is permissible by the zoning regulations of the city of Murray.
- Square foot requirements: all multifamily structures constructed within this subdivision shall have a GLA (Gross Living Area) of not less than fifteen hundred (1500) square feet. All individual units must have a GLA of not less than six hundred (600) square feet. This square footage shall be exclusive of open porches (patios, elevated decks, porches, etc.), garages, carports, and basements.
- Building setbacks and easements: building setbacks and all easements for installation and maintenance of utilities, drainage facilities and public utilities are reserved as shown on plat or as follows:
  - Front lot line (35) feet (exceptions on corner lots, see plat)
  - Side lot line ten (10) feet
  - Rear lot line twenty-five (25) feet
- Drainage: the natural drainage of any lot shall not be disturbed. Where driveways are constructed across a natural drainage way, storm water drainage pipe of adequate size shall be provided. Minimum pipe size under any driveway shall not be less than twelve inches (12"), inside diameter or the equivalent.
- Construction techniques: all family dwellings constructed in this subdivision shall be of new materials. The exterior building material on the front side (facing street) of all multifamily structures to be erected in this subdivision shall be at least 75% brick, stone, or a combination thereof used with discriminating taste. All foundations and steps on the front side of the home (facing street) must be 100% brick or stone. Vinyl may be used for all overhangs (trim), and on the remaining walls on each side and the rear of the home. Block foundations on the side and back of the home are not required to be covered. No log cabins, log homes, commercial buildings, or frame structures shall be constructed upon any lot. Construction of any house should be completed within one (1) year after breaking ground, weather permitting. Minimum roof pitch on one story structures to be 5/12 on all portions of the residence and outbuildings. Two story structures may have a minimum roof pitch of 4/12 on all 2 story portions of the structure.

- No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or a nuisance to the neighborhood. This includes, outside dog pens or dog houses, or chains, unlicensed cars, junked or salvaged vehicles, boats or other offensive items shall not be kept on any lot. Offensive odors or noises such as but not limited to barking, pest, ect. are not permitted.
- No trailer, basement, tent, shack, garage, barn, or any other building will at any time be used for a residence, temporarily or permanently, nor will any structure of a temporary nature be used as a residence.
- No pets may be kennelled, chained, or kept in any way outside of the buildings.
- All indoor pets must be kept on a leash while outside.
- No animals or birds, other than household pets will be kept on any lot.
- No outside toilet or privy will be maintained on any lot in this subdivision. All plumbing and electrical shall conform to the minimum requirements of the Calloway County and State of Kentucky requirements.
- Outbuildings one outbuilding is permitted on each lot. Out buildings may only be constructed during or after the construction of a residence on that lot. Absolutely no out buildings are permitted on lots before the primary dwelling is under construction. Outbuilding must be of quality wood frame construction with an exterior of vinyl siding or brick of matching color to the home. All out buildings must be in the rear of the dwelling behind the rear wall of the dwelling, and within all building setbacks.
- Signs: no signs of any kind shall be exhibited in any way on or above the property of the subdivision other than one (1) advertising premises for sale or rent, of size that matches standard real estate signs.
- Fences: fences may be permitted in the development but must meet these minimum requirements. Fences must be at a minimum coated chain link. No fence may be extended toward the front property line beyond the rear wall of the residence. All fences are to be kept in good repair.
- Driveways: all driveways shall be of hard surface construction and surfacing shall be Portland cement concrete. Driveways to be complete prior to certificate of occupancy. All driveways serving as an alley must be constructed.
- Lawns: weather permitting within six (6) months after completion of any dwelling, all property must be graded, seeded and landscaped with at least six (6) pieces of shrubbery.
- Lawns upkeep: it is the obligation of the owner of each lot to maintain, mow, and keep the property in a presentable condition. The absolute right is reserved by the developer to cut grass and weeds at the lot owner's expense on any unimproved or improved lot at any time.

- Sidewalks: side walk construction is the responsibility of the property owner and is required. Sidewalks must be constructed from the drive way to each end of every lot (along all front frontages) in the time that the drive into the dwelling is constructed. Time is of the essence. In the event that any side walk is not constructed within sixty (60) days of the completion of the drive and/or not constructed with good workmanship and/or as sold in plans and specs within plat and these restrictions. The developer and/or the City of Murray have the absolute right to construct said sidewalks at the lot owner's expense. Sidewalks are to be 48" wide and adjoin the back of the curb. Sidewalks must run with the exact contour of the curb at all times. 4" crushed stone (compact) base must be laid beneath the concrete to assure stability. At such time that 90% of the lots in each phase have been built on, the property owners of the vacant lots must construct the sidewalk along the front of their property within one year from last Certificate of Occupancy issued.
- Mailboxes: each residence shall be maintained in a neat and attractive fashion. All mail boxes within this subdivision are to be of the color black.
- These covenants and restrictions are to run with the land and shall be binding upon all persons and upon all parties claiming under them for a period of twenty-five (25) years from the date these covenants and restrictions are recorded, and shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of then owners of the lots has been recorded agreeing to change said covenants and restrictions in whole or in part.
- Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants either to restrain violation or to recover damages.
- Invalidation of any of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force.
- No lots may be re-subdivided or combined to make larger parcels.
- No lot shall be subdivided for multiple residences.
- This is an all-electric subdivision. No natural gas lines or propane connections are permitted.
- Home owner's association statement: Homeowners Association shall exist for the purpose of maintaining common areas such as entrance signs and enforcing the covenants and restrictions as stated here on. Developer shall have responsibility of maintaining common areas and enforcement until 50 percent of the lots are sold and the homeowners association takes effect.



GRID NORTH (KY SPCS SOUTH ZONE NAD83)  
(CITY OF MURRAY)

CERTIFICATE OF OWNERSHIP AND DEDICATION  
I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt the plan of subdivision shown and described hereon and dedicate all streets to public use as noted, establish easements (whether public or quasi-public), and adopt the covenants and restrictions as specified hereon and that these covenants shall be incorporated into and made a part of every deed of conveyance executed by me (us) in the plat of subdivision.

DATE: 7-15-16  
SIGNATURE: [Signature]  
TITLE: [Title]  
DATE: 7-15-16  
SIGNATURE: [Signature]  
TITLE: [Title]

STATE OF KENTUCKY - COUNTY OF CALLOWAY  
I, [Notary Name], Notary Public, in and for the state and county aforesaid, do hereby certify that this plat of subdivision was produced, acknowledged, and signed before me by the above named owner(s) to be their act and deed.

DATE: 7-15-16  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: [Date]

SURVEYORS CERTIFICATE OF ACCURACY  
I, Christopher Jones, do hereby certify that the plan shown and described hereon is a true and correct survey that meets or exceeds the minimum standards of governing agencies and that all markers and monuments shown actually exist and that their size, type, location, and materials are correctly shown.

DATE: 7-15-16  
KENTUCKY PROFESSIONAL LAND SURVEYOR #3837

CERTIFICATE OF APPROVAL - WATER AND SEWERAGE SYSTEMS  
I hereby certify that the Murray water system and Murray Sewer System shall supply this Subdivision with water and sewer services, and that the water and sewer systems in this subdivision shall fully meet the requirements of this agency and all other requirements for the proper distribution of water and disposal of sewage.

DATE: [Date]  
APPROVING AGENT: [Signature]

CERTIFICATE OF APPROVAL - STREETS AND UTILITIES  
I hereby certify that the proposed streets, construction plans for all streets, utilities and other improvements in this subdivision meet the city and/or county specifications. Furthermore, a [Signature] in the amount of [Amount] has been posted with the appropriate legislative body to assure the completion of all required improvements in case of default.

DATE: [Date]  
APPROVING AGENT: [Signature]

ROAD NAMES  
I hereby certify that I have compared the road names with the current record and have not found a subdivision.

DATE: 7-27-16  
APPROVING AGENT: [Signature]

CERTIFICATION OF APPROVAL FOR RECORDING (MURRAY PLANNING COMMISSION)  
I hereby certify that the Subdivision plat shown hereon has been found to comply with the Subdivision regulations for Murray, Kentucky, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission, and that it has been approved for recording.

DATE: 7-14-16  
CHAIRMAN OF SECRETARY  
MURRAY PLANNING COMMISSION

STATE OF KENTUCKY - COUNTY OF CALLOWAY  
I, [Notary Name], Clerk of the court for the state and county aforesaid, do hereby certify that this plat of subdivision was this day logged in my office for record, and I have recorded same with this and the foregoing certificate in my office, given under my hand and seal this [Date] day of [Month], 2016.

Plat Bk. 53, P. 60, Slide 5176

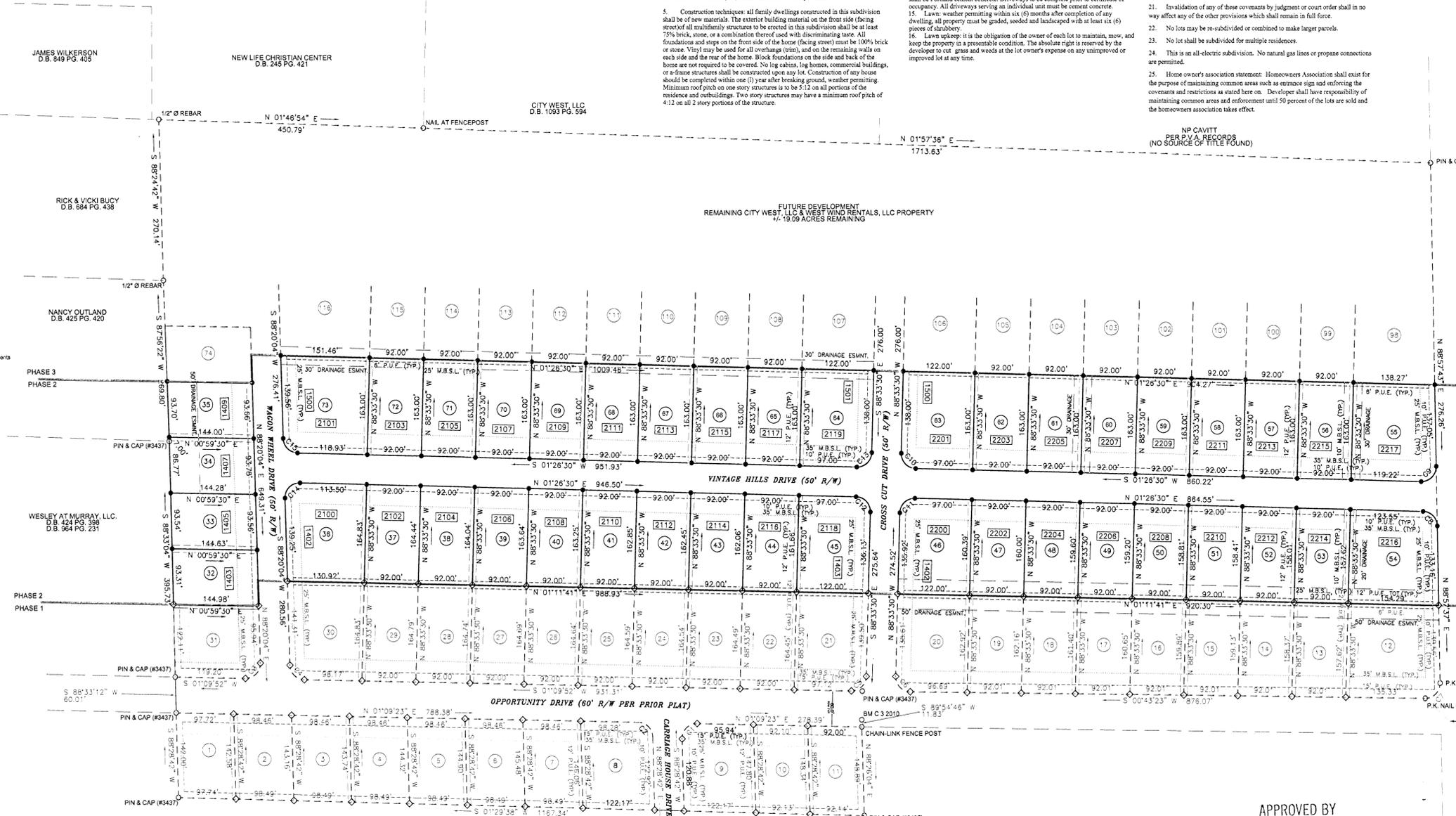
NOTES:  
- STORMWATER DETENTION TO BE PROVIDED IN REMAINING ACREAGE  
- STORMWATER MANAGEMENT FACILITIES TO BE MAINTAINED BY PROPERTY OWNERS  
- REDUCTION OF ROADWAY WIDTH ON OPPORTUNITY DRIVE REDUCED TO 30' APPROVED BY PLANNING COMMISSION

DEED REFERENCE:  
PROPERTY OF WEST WIND RENTALS, LLC, 2048 FONTANA DRIVE, MURRAY, KY 42071, AND CITY WEST, LLC, 1105 STATE ROUTE 121 NORTH, MURRAY, KY 42071 BEING THE PROPERTY RECORDED IN DEED BOOK 972 PAGE 514 IN THE CALLOWAY COUNTY CLERK'S OFFICE.

THE PROPERTY SHOWN AND IDENTIFIED HEREON DOES NOT LIE WITHIN A FLOOD ZONE BASED ON FLOOD HAZARD BOUNDARY MAP, COMMUNITY PANEL NUMBER 210505114C, DATED SEPT. 29, 2010.

THE PROPERTY SHOWN AND IDENTIFIED HEREON DOES LIE WITHIN THE 4-MILE JURISDICTIONAL LIMIT OF THE CITY OF MURRAY SUBDIVISION REGULATIONS.

THE PROPERTY SHOWN HEREON MAY BE SUBJECT TO ALL PREVIOUSLY CONVEYED EASEMENTS AND RIGHT OF WAYS EITHER RECORDED OR UNRECORDED.



DWANE & NANETTA ROGERS  
D.B. 568 PG. 58

JRS LIMITED PARTNERSHIP  
D.B. 371 PG. 615

APPROVED BY  
MURRAY PLANNING  
COMMISSION  
DATE: 7-19-16

APPROVED BY  
MURRAY PLANNING  
DEPARTMENT  
DATE: 7-27-16

RECEIVED  
JUL 18 2016

VINTAGE HILLS SUBDIVISION PHASE 2  
ACREAGE TABLE

LOT#	Sq. Feet	Acres	LOT#	Sq. Feet	Acres	LOT#	Sq. Feet	Acres
32	13500	0.31	48	14700	0.34	64	19750	0.45
33	13500	0.31	49	14660	0.34	65	15000	0.34
34	13500	0.31	50	14630	0.34	66	15000	0.34
35	13500	0.31	51	14590	0.33	67	15000	0.34
36	22210	0.51	52	14560	0.33	68	15000	0.34
37	15150	0.35	53	14520	0.33	69	15000	0.34
38	15110	0.35	54	23610	0.54	70	15000	0.34
39	15070	0.35	55	22960	0.53	71	15000	0.34
40	15040	0.35	56	15000	0.34	72	15000	0.34
41	15000	0.34	57	15000	0.34	73	19750	0.45
42	14960	0.34	58	15000	0.34			
43	14930	0.34	59	15000	0.34			
44	14890	0.34	60	15000	0.34			
45	19560	0.45	61	15000	0.34			
46	19470	0.45	62	15000	0.34			
47	14740	0.34	63	23610	0.54			

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
CB	25.00'	38.19'	34.58'	N 45°12'07" E	87°31'13"
C9	25.00'	40.35'	36.11'	S 44°47'53" E	92°28'47"
C10	25.00'	39.27'	35.36'	S 46°26'30" W	90°00'00"
C11	25.00'	39.27'	35.36'	N 43°33'30" W	90°00'00"
C12	25.00'	39.27'	35.36'	N 46°26'30" W	90°00'00"
C13	25.00'	39.27'	35.36'	S 43°33'30" E	90°00'00"
C14	25.00'	40.63'	36.30'	N 45°06'43" W	93°06'27"

I hereby certify that the survey depicted by this plat was done by persons under my direct supervision by the method/methods indicated below:  
 Real-Time Kinematic GPS Measurements  
 Static GPS Observations  
 Random Traverse with Side Shots  
 GPS observations were made with Topcon Hiper Lite™ dual frequency receivers. The Relative Positional Accuracy of the survey shown hereon is 0.06" and was not adjusted. The survey as shown hereon is a URBSN survey and the accuracy and precision of said survey meets all the specifications of this class.  
 GPS Measurements are based on NAD83 (Horizontal), NAVD88 (Vertical), and GEOID2012 (Geoid file).  
 This plat represents a boundary survey and complies with 201 KAR 18:150.

DATE: 7/15/2016  
SIGNATURE: [Signature]  
TITLE: [Title]

FINAL SUBDIVISION PLAT  
VINTAGE HILLS SUBDIVISION PHASE 2

WEST WIND RENTALS, LLC CITY WEST, LLC  
2048 FONTANA DRIVE & 1105 STATE ROUTE 121 NORTH  
MURRAY, KY 42071 MURRAY, KY 42071

DATE OF SURVEY: 6/10/2013  
REVISION DATE: 6/27/2016  
SHEET: 1 OF 1  
JOB NO: 13044

270.293.7229  
318 ERWIN ROAD, MURRAY, KENTUCKY

1346-2