



Legal Department
Post Office Box 1839
Ashland, Kentucky 41105-1839
Telephone: (606) 327-2004
Fax: (606) 327-2055

RECEIVED AND FILED
DATE June 22, 2005
TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandi Adkinson

June 21, 2005

Kandi Adkinson
Secretary of State's Office
Capitol Building
700 Capitol Avenue
Frankfort, KY 40601

RE: City of Ashland Annexation

Dear Ms. Adkinson:

Pursuant to relevant annexation statutes, please find enclosed a certified copy of City of Ashland Ordinance No. 66, 2005. If you have any questions or need any further information, please don't hesitate to contact me.

Sincerely,

Kevin P. Sinnette
Assistant Corporation Counsel

KPS/sm

Enclosures

C.O.A.

CERTIFICATE

I, DEBORAH MUSSER, hereby certify that I am the duly qualified City Clerk of Ashland, Kentucky, that the foregoing is a full, true and correct copy of Ordinance No. 66, 2005, adopted by the Ashland Board of City Commissioners at a meeting held on May 5, 2005, and that said Ordinance has been duly recorded in the records of the City.

IN TESTIMONY WHEREOF, witness my signature and the Seal of said City on this 25th day of May, 2005.

Deborah Musser

DEBORAH MUSSER
CITY CLERK

(SEAL OF THE CITY)

RECEIVED AND FILED
DATE June 22, 2005

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Gandie Adkins

ORDINANCE NO. 166, 2005

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ANNEXING A PORTION OF BOYD COUNTY GENERALLY DESCRIBED AS PROVIDENCE HILL OUTSIDE THE PRESENT CITY OF ASHLAND CORPORATION LIMITS.

WHEREAS, the Board of City Commissioners of the City of Ashland in compliance with KRS 81A.420 adopted Ordinance No. 22, 2005 expressing the City's intent to annex the described property, and

WHEREAS, the City provided notice of its intent to annex the described area to each property owner listed on the PVA records pursuant to KRS 81A.425, and

WHEREAS, sixty (60) days have now passed since the adoption of Ordinance No. 22, 2005 and no petition of opposition as permitted under KRS 81A.420(2) has been received by the Mayor,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Board of Commissioners of the City of Ashland, Kentucky, pursuant to KRS 81A.420(3) hereby annexes to the City of Ashland by extending the boundary line of the City so as to include the same, certain territory now embraced within Boyd County adjoining the present boundary line of the City of Ashland, being that area known as certain parcels generally described as Providence Hill. The specific description of this territory with accompanying map is attached hereto and made a part hereof by reference as if set out in full, marked as Exhibit A.

SECTION 2. The Board of Commissioners has determined that this territory is desirable for annexation. The territory is adjacent or contiguous to the City's boundaries and by reason of population density and commercial nature is urban in character suitable for development for urban purposes without unreasonable delay.

SECTION 3. Within 60 days hereafter the City shall record in the Boyd County Clerk's office a certified copy of this Ordinance along with a map and accurate description of the annexed area.

SECTION 4. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 5. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

Stephen E. Gilmer
MAYOR

ATTEST:

Delorah Mussen
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: APR 25 2005
READOPTED BY THE BOARD OF COMMISSIONERS: MAY 05 2005
PUBLISHED: _____

REQUESTED/SPONSORED BY: WILLIAM H. FISHER, JR., CITY MANAGER
/ordinance/Annexation.Providence Hill

**DESCRIPTION OF
TRACT OF LAND TO BE ANNEXED
TO THE CITY OF ASHLAND,
BOYD COUNTY, KENTUCKY
CONTAINING 85.791 ACRES
JANUARY 24, 2005**

Located along U.S. Route 23, and being west and northwest of the existing City of Ashland corporation limits, west of the CSX Railway Coalton Branch, east of Hood Creek, County of Boyd, Commonwealth of Kentucky, and being made up of the following tracts of land: Providence Hill, LLC as recorded in Deed Book 677, Page 688, another tract of land conveyed to Providence Hill, LLC as recorded in Deed Book 678, Page 145, The Kentucky Department of Highways as recorded in Deed Book 393, Page 153, Deed Book 417, Page 259 and Deed Book 422, Page 582 together with Old U.S. Route 23 (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Boyd County Recorders Office, unless noted otherwise) and being more particularly bounded and described as follows:

Beginning at a point in the south right-of-way and controlled access line of said U. S. Route 23, said point being in the existing Ashland city limit line and being 119.26 feet right of Station 207+13.71;

thence along the south right-of-way and controlled access line of said U. S. Route 23 for the following fourteen (14) courses:

1. North eighty-one degrees forty-six minutes thirty seconds West (N81°46'30"W) for nine and 57/100 feet (9.57') to a point being 118.96 feet right of Station 207+05.36;
2. South sixty-three degrees thirty-one minutes fifty seconds West (S63°31'50"W) for two hundred six and 00/100 feet (206.00') to a point being 245.80 feet right of Station 205+72.20;
3. North fifty-seven degrees forty-six minutes thirty-one seconds West (N57°46'31"W) for twenty-one and 54/100 feet (21.54') to a point being 249.95 feet right of Station 205+67.34;
4. North eight degrees twenty-seven minutes forty-three seconds West (N08°27'43"W) for sixty-three and 64/100 feet (63.64') to a point being 183.00 feet right of Station 205+33.70;
5. North fifty-eight degrees forty-three minutes twenty-nine seconds West (N58°43'29"W) for two hundred ninety-eight and 53/100 feet (298.53') to a point being 162.30 feet right of Station 202+85.50;
6. North forty-six degrees fifty-four minutes fifty-three seconds West (N46°54'53"W) for three hundred fifty-seven and 24/100 feet (357.24') to a point being 139.88 feet right of Station 199+42.31;
7. North thirty-five degrees twenty-four minutes fifty seconds West (N35°24'50"W) for two hundred forty-nine and 69/100 feet (249.69') to a point being 79.60 feet right of Station 197+01.97;
8. North forty-three degrees thirteen minutes twelve seconds West (N43°13'12"W) for three hundred five and 27/100 feet (305.27') to a point being 87.62 feet right of Station 194+17.52;

**Description of Tract of Land to be Annexed
To the City of Ashland
Ashland, Kentucky**

Page 2

9. North thirty-three degrees fifty minutes five seconds West (N33°50'05"W) for one hundred ninety-five and 18/100 feet (195.18') to a point being 107.11 feet right of Station 192+41.38;
10. North thirteen degrees forty-two minutes one second West (N13°42'01"W) for three hundred thirty-three and 09/100 feet (333.09') to a point being 108.12 feet right of Station 189+41.39;
11. North one degree forty minutes fifty-five seconds West (N01°40'55"W) for four hundred fifteen and 01/100 feet (415.01') to a point being 129.30 feet right of Station 185+40.53;
12. North two degrees nine minutes forty-seven seconds East (N02°09'47"E) for two hundred and 65/100 feet (200.65') to a point being 129.00 feet right of Station 183+33.72;
13. North thirteen degrees twenty-seven minutes thirty-four seconds East (N13°27'34"E) for forty-one and 50/100 feet (41.50') to a point being 118.72 feet right of Station 182+89.56;
14. on a non-tangent curve to the left with a radius of eight hundred thirty-four and 93/100 feet (834.93') for an arc distance of four hundred twelve and 08/100 feet (412.08'), [chord bearing North fourteen degrees fifty-seven minutes fourteen seconds West (N14°57'14"W) for four hundred seven and 91/100 feet (407.91'), delta angle of said curve being twenty-eight degrees sixteen minutes forty-one seconds (28°16'41") to a point being 114.57 feet right of Station 178+21.10 at the end of the access control line;

thence crossing Hood Creek Road, North thirty-six degrees eight minutes seventeen seconds West (N36°08'17"W) for one hundred six and 29/100 feet (106.29') to a point being 120.00 feet right of Station 177+00.00;

thence North forty degrees fifty-five minutes forty seconds East (N40°55'40"E) for two hundred seventy-six and 52/100 feet (276.52') to a point in the north right-of-way and controlled access line of said U. S. Route 23, being 151.80 feet left of Station 176+49.46;

thence along the north right-of-way and controlled access line of said U. S. Route 23 for the following two (2) courses:

1. South fifty-one degrees sixteen minutes thirty-one seconds East (S51°16'31"E) for sixty and 00/100 feet (60.00') to a point being 165.20 feet left of Station 176+99.63;
2. South fifty-one degrees fifteen minutes fifty-eight seconds East (S51°15'58"E) for one hundred twenty-four and 18/100 feet (124.18') to a point being 202.34 feet left of Station 177+99.06 at the end of the access control line and in the existing north right-of-way line of Old U.S. Route 23;

thence along the existing north right-of-way line of said Old U.S. Route 23 for the following two (2) courses:

1. South sixty-two degrees thirteen minutes fifty-one seconds East (S62°13'51"E) for five hundred seventy-seven and 70/100 feet (577.70') to a point of curvature;

**Description of Tract of Land to be Annexed
To the City of Ashland
Ashland, Kentucky**

Page 3

2. on a curve to the right with a radius of one thousand four hundred eighty-two and 40/100 feet (1482.40') for an arc distance of two hundred seventy-three and 47/100 feet (273.47'), [chord bearing South fifty-six degrees fifty-six minutes forty-five seconds East (S56°56'45"E) for two hundred seventy-three and 09/100 feet (273.09'), delta angle of said curve being ten degrees thirty-four minutes twelve seconds (10°34'12") to the southeast corner of a tract of land conveyed to Paul Saunders as recorded in Deed Book 631, Page 707;

thence in part along the east line of said Saunders land and in part along the existing Ashland city limit line, North fifty degrees forty-two minutes eleven seconds East (N50°42'11"E) for one hundred forty-two and 95/100 feet (142.95') to a point in the existing Ashland city limit line, said point being in the south right-of-way line of the Chesapeake and Ohio Railroad;

thence along the existing Ashland city limit line for the following fifteen (15) courses:

1. South fifty-two degrees eleven minutes thirty-nine seconds East (S52°11'39"E) for fifty-seven and 80/100 feet (57.80');
2. South fifty-three degrees one minute forty-nine seconds East (S53°01'49"E) for seventy-nine and 87/100 feet (79.87');
3. South fifty-one degrees eight minutes seven seconds East (S51°08'07"E) for eighty-five and 68/100 feet (85.68');
4. South fifty degrees ten minutes twenty-one seconds East (S50°10'21"E) for one hundred ninety-six and 87/100 feet (196.87');
5. South forty-nine degrees forty-three minutes twenty-five seconds East (S49°43'25"E) for two hundred twenty-five and 24/100 feet (225.24');
6. South forty-five degrees forty-four minutes fifty-five seconds East (S45°44'55"E) for one hundred fifty-four and 89/100 feet (154.89');
7. South forty-six degrees fifty-two minutes thirty-nine seconds East (S46°52'39"E) for four hundred seventy-eight and 66/100 feet (478.66');
8. South forty-three degrees forty-four minutes thirty seconds East (S43°44'30"E) for one hundred thirty-four and 57/100 feet (134.57');
9. South forty-one degrees twenty-four minutes fifteen seconds East (S41°24'15"E) for one hundred five and 55/100 feet (105.55');
10. South thirty-six degrees twenty-seven minutes seventeen seconds East (S36°27'17"E) for one hundred fifty and 44/100 feet (150.44');
11. South thirty-four degrees forty-seven minutes fifty-two seconds East (S34°47'52"E) for one hundred fifty-one and 18/100 feet (151.18');
12. South thirty-five degrees fourteen minutes forty seconds East (S35°14'40"E) for seventy-six and 38/100 feet (76.38');

**Description of Tract of Land to be Annexed
To the City of Ashland
Ashland, Kentucky**

13. South forty-one degrees fifty-three minutes fifty seconds East (S41°53'50"E) for one hundred eighty-one and 10/100 feet (181.10');
14. South thirty-eight degrees thirty minutes twenty-one seconds East (S38°30'21"E) for one hundred forty-nine and 31/100 feet (149.31');
15. South forty degrees fifty-nine minutes forty-six seconds East (S40°59'46"E) for one hundred forty and 90/100 feet (140.90');

thence South twenty-two degrees six minutes sixteen seconds West (S22°06'16"W) for one hundred fifty-nine and 24/100 feet (159.24') to a point in the north right-of-way and controlled access line of said U.S. Route 23, being 67.49 feet left of Station 220+36.26;

thence along the north right-of-way and controlled access line of said U.S. Route 23 and the existing Ashland city limit line for the following eleven (11) courses:

1. North twenty-five degrees twenty-two minutes forty-nine seconds West (N25°22'49"W) for forty-four and 16/100 feet (44.16') to a point being 100.83 feet left of Station 220+10.00;
2. North seventy-three degrees fifty-eight minutes fifty seconds West (N73°58'50"W) for one hundred forty-five and 43/100 feet (145.43') to a point being 115.61 feet left of Station 218+82.08;
3. North forty-one degrees fifty-eight minutes twenty-four seconds West (N41°58'24"W) for twenty-four and 00/100 feet (24.00') to a point being 131.93 feet left of Station 218+66.79;
4. North eighty-eight degrees forty minutes fifty-one seconds West (N88°40'51"W) for one hundred sixty-five and 57/100 feet (165.57') to a point being 136.70 feet left of Station 217+27.44;
5. North eighty-eight degrees zero minutes twenty-seven seconds West (N88°00'27"W) for forty-three and 82/100 feet (43.82') to a point being 143.25 feet left of Station 216+87.44;
6. thence North seventy-eight degrees forty-two minutes thirty-one seconds West (N78°42'31"W) for one hundred nine and 69/100 feet (109.69') to a point being 184.51 feet left of Station 216+01.40;
7. South seventy-nine degrees fifty-nine minutes seventeen seconds West (S79°59'17"W) for one hundred fifty-nine and 74/100 feet (159.74') to a point being 200.73 feet left of Station 214+54.77;
8. South seventy-three degrees fifty-two minutes sixteen seconds West (S73°52'16"W) for one hundred sixty-two and 89/100 feet (162.89') to a point being 203.53 feet left of Station 212+91.90;
9. South seventy-four degrees twenty-three minutes nine seconds West (S74°23'09"W) for two hundred thirty-one and 58/100 feet (231.58') to a point being 208.30 feet left of Station 210+53.01;


Description of Tract of Land to be Annexed
To the City of Ashland
Ashland, Kentucky

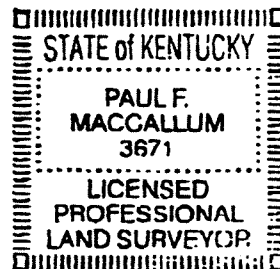
10. South seventy-five degrees three minutes six seconds West (S75°03'06"W) for two hundred nineteen and 62/100 feet (219.62') to a point being 180.03 feet left of Station 207+77.39;
11. North eighty-one degrees fifty-three minutes six seconds West (N81°53'06"W) for eighty-two and 50/100 feet (82.50');

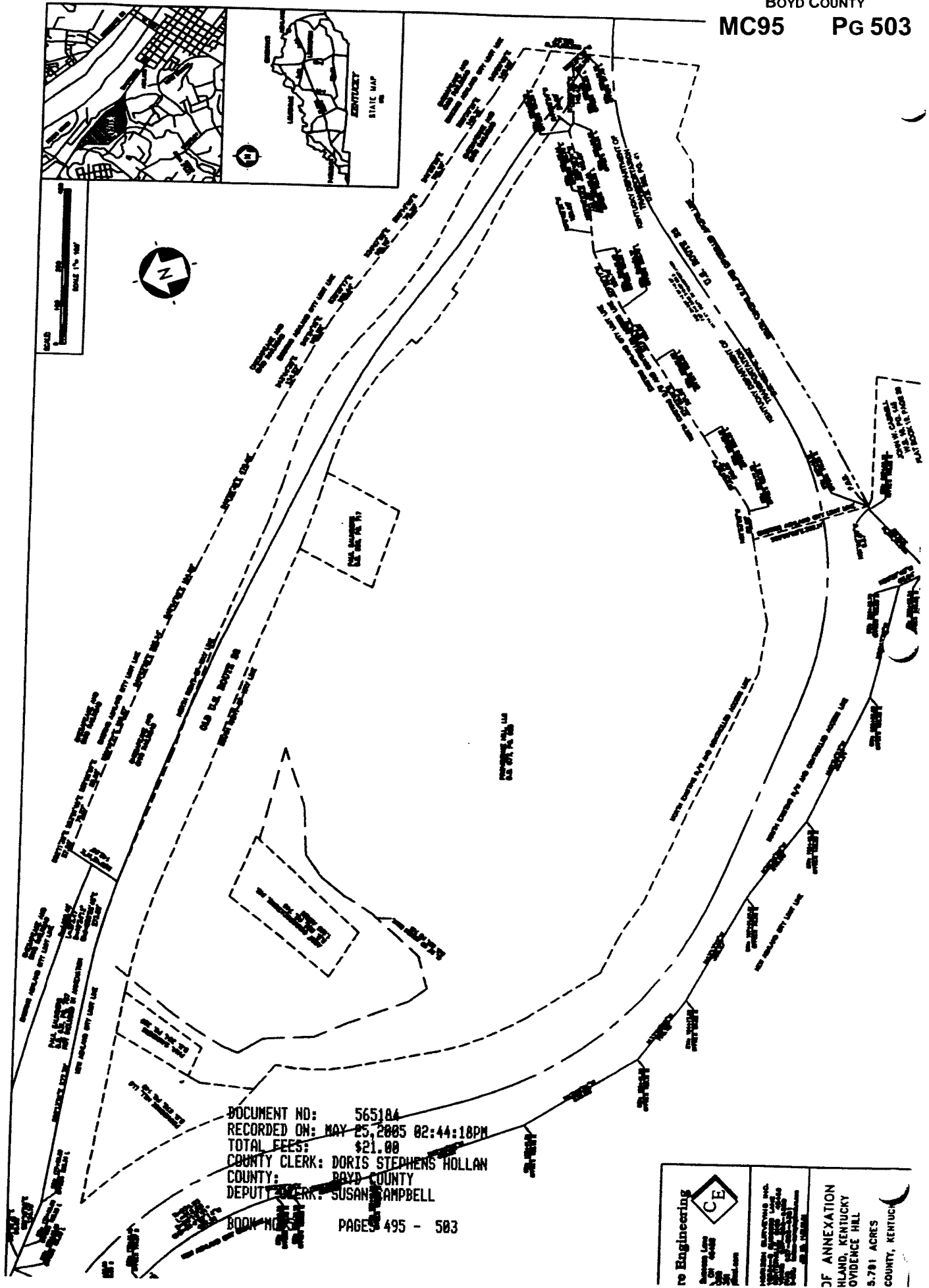
thence along the existing Ashland city limit line, South zero degrees zero minutes zero seconds East (S00°00'00"E) for three hundred seven and 11/100 feet (307.11') to the **POINT OF BEGINNING**, containing eighty-five and 791/1000 (85.791) acres, more or less, subject however to all covenants, conditions, restrictions, reservations, and easements contained in any instrument of record pertaining to the above described tract of land.

This description was prepared from record information, with bearings based upon The Kentucky State Plane Coordinate System (North Zone) as provided by Calibre Engineering.

HORIZON SURVEYING, INC.


Paul F. MacCallum
Kentucky Professional Surveyor No. 3671





DOCUMENT NO: 565184
RECORDED ON: MAY 25, 2005 02:44:18PM
TOTAL FEES: \$21.00
COUNTY CLERK: DORIS STEPHENS HOLLAN
COUNTY: BOYD COUNTY
DEPUTY CLERK: SUSAN CAMPBELL

BOOK NO. 100 PAGES 495 - 503

re Engineering Surveying & Mapping 1000 S. 10th St. Cincinnati, OH 45219 513.763.1100 www.re-engineering.com		JF ANNEXATION HIGHLAND, KENTUCKY EVIDENCE HILL 5.791 ACRES COUNTY, KENTUCKY

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

To research the map, contact the
Office of Secretary of State
or the County Clerk.