

ORDINANCE NO. 2010-3

AN ORDINANCE OF THE CITY OF BARBOURVILLE, KENTUCKY
COMPLETING THE ANNEXATION OF PROPERTY AS PROPOSED
TO BE ANNEXED BY ORDINANCE 1995-2, DATED APRIL 6, 1995

WHEREAS, Ordinance Number 1995-2 was enacted on April 6, 1995 by the
Barbourville City Council; and,

WHEREAS, said ordinance was "an ordinance stating an intention to annex certain
unincorporated territory contiguous to the *City of Barbourville*"; and,

WHEREAS, in order to prepare an accurate and complete map of the boundaries of the
City of Barbourville it has become necessary to now adopt an ordinance carrying out the stated
intention in the said Ordinance Number 1995-2 to complete the annexation of the territory as
described in the foresaid ordinance (see Exhibit 1); and,

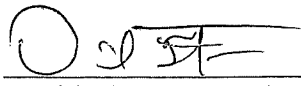
WHEREAS, more than sixty days have elapsed since Ordinance Number 1995-2 went
into effect, and no petition containing signatures of property owners in the area to be annexed
has been received by the Mayor pursuant to KRS 81A.420.

NOW THEREFORE, be it ordained by the *City Council of the City of Barbourville* that
the territory described in Ordinance Number 1995-2 be, and it is hereby annexed to, and
incorporated in, the territorial boundaries of the *City of Barbourville*.

FURTHER, the new and accurate legal description (see Exhibit 2) of the annexed
territory is incorporated herein by reference to the said Ordinance Number 1995-2 as if fully
copied at length.

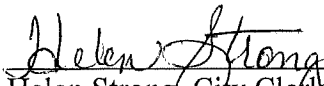
This Ordinance shall become effective after passage and publication as required by law.

Adopted this the 6th day of May, 2010.



David Thompson, Mayor

ATTEST:



Helen Strong, City Clerk

4/8/10
Date of First Reading

5/6/10
Date of Second Reading and Adoption

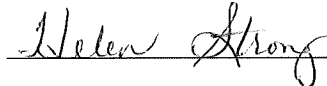
RECEIVED AND FILED
DATE June 30, 2010

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Charlie Adkins

CERTIFICATION OF ORDINANCE NO. 2010-3

I certify I am the duly qualified City Clerk of the City of Barbourville, Kentucky, and the foregoing one page of Ordinance No. 2010-3 is a true and complete copy duly adopted by the City Council at a duly convened meeting held on May 6, 2010, all as appears in the official records of the City of Barbourville.

WITNESS, my hand this 28th day of June 2010.



Helen Strong, City Clerk

City of Barbourville

City Seal

EXHIBIT 2
APEX LAND SURVEYS

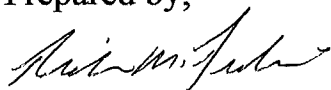
P.O. Box 1169
Barbourville, Kentucky 40906

CITY OF BARBOURVILLE, KENTUCKY
ANNEXATION ORDINANCE NO. 1995-2

The following is a description for a tract or parcel of land as described in Annexation Ordinance No.1995-2 for the City of Barbourville. The bearings and distances are based on the deeds of record for the included parcels, and any errors in closure were ignored and last call was made to close the area. Any overlaps with previous annexations will be adjusted to make each parcel match to any adjacent city boundaries or newly submitted annexations. No surveying was performed and this does not constitute a boundary survey or in anyway reflect a determination of individual owners boundaries and should not be used for that purpose.

Beginning at a point on the west right-of-way of Truehaft Blvd. and in the center of Whitesburg Branch; thence leaving the right-of-way and with the branch, N 31°45' W, 28.62' to a point; thence, N 47°30' W, 50.12' to a point; thence leaving the branch, N 56°57' E, 58.78' to a point; thence, N 50°16' W, 121.52' to a point in the center of the branch and in the existing city limits of Barbourville; thence with the meanders of the branch and city limits, N 31°57' E, 11.00' to a point; thence, N 47°14' E, 24.24' to a point; thence, N 54°26' E, 24.92' to a point; thence, N 63°06' E, 17.00' to a point; thence, N 87°35' E, 40.93' to a point; thence, N 50°05' E, 15.55' to a point; thence, N 31°53' E, 12.48' to a point; thence, N 14°35' E, 27.98' to a point; thence, N 7°52' E, 23.43' to a point; thence, N 25°52' E, 35.73' to a point; thence, N 9°06' W, 40.66' to a point on the west side right-of-way of US 25E; thence with the right-of-way, S 50°54' E, 215.00' to a point at the right-of-way intersection of Truehaft Blvd.; thence leaving the city limits and with the right-of-way of Truehaft Blvd., S 24°00'11" W. 78.47' to a point; thence, S 49°00' W, 234.00' to the point of beginning. Containing 1.2258 acres more or less, according to recorded documents contained in Ordinance No.1995-2.

Prepared by,



Richard Frederick, PLS No.3051

3-30-09




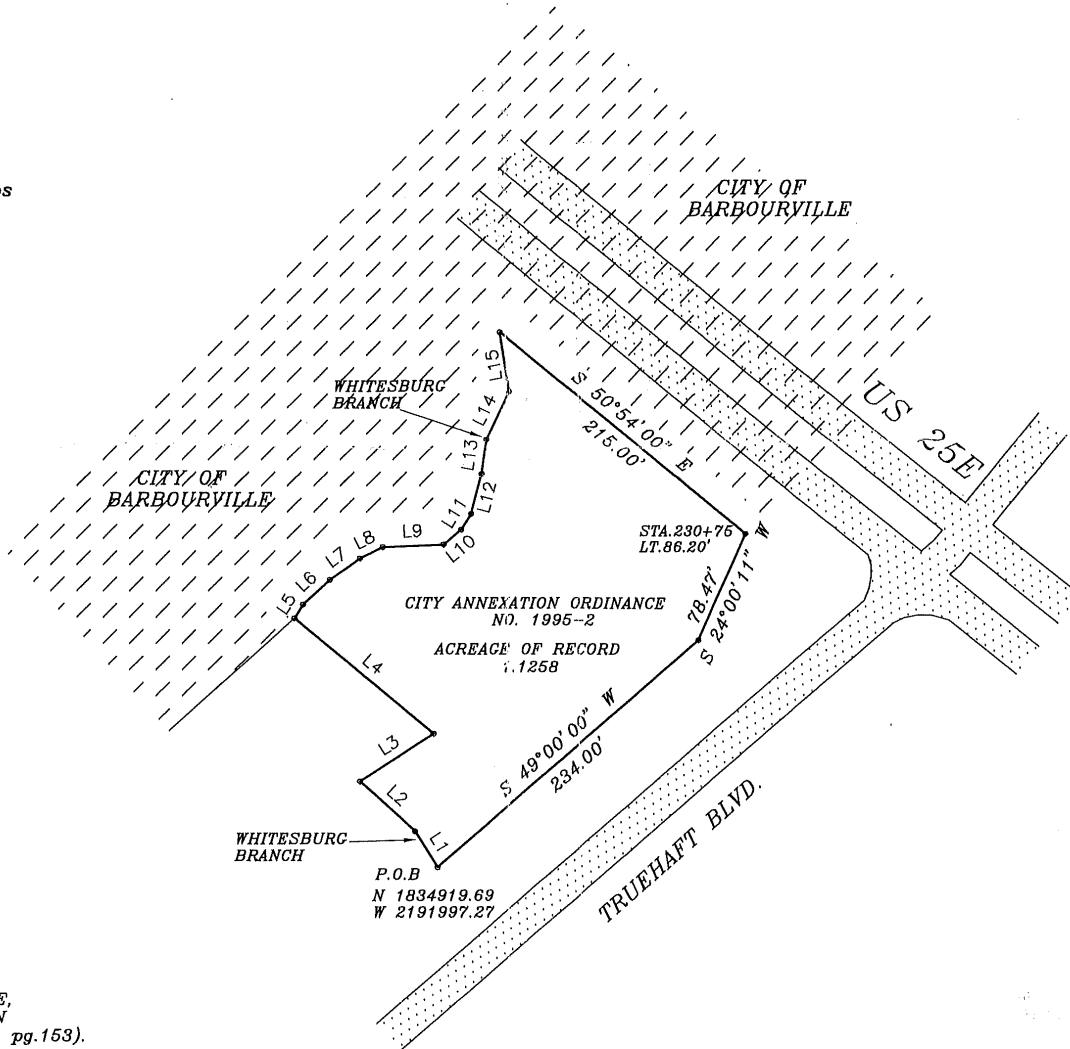
NOTE:

The bearings and distances shown hereon are based on deeds of record for the included parcels, and any errors in closure were ignored to close the boundary. Any overlaps with previous Annexations will be adjusted to make each parcel match to any adjacent city boundaries or newly submitted annexations. No surveying was performed.

Point of Beginning (P.O.B.) has been provided with GIS coordinates based on KY State Plane South Zone.

Acreage is based on documents provided in ordinance.

 EXISTING BARBOURVILLE CITY LIMITS
(Based on information supplied by city)



LINE TABLE

LINE	BEARING
L1	N 31°45'00"
L2	N 47°30'00"
L3	N 56°57'00"
L4	N 50°16'00"
L5	N 31°57'00"
L6	N 47°14'00"
L7	N 54°26'00"
L8	N 63°06'00"
L9	N 87°35'00"
L10	N 50°05'00"
L11	N 31°53'00"
L12	N 14°35'00"
L13	N 07°52'00"
L14	N 25°52'00"
L15	N 09°06'00"

SURVEYORS CERTIFICATION

I CERTIFY THAT THE BOUNDARY OF THE "PRIOR CONSENT FOR ANNEXATION" ORDINANCE NO.1995-2 FOR THE CITY OF BARBOURVILLE, KENTUCKY AS SHOWN ON THIS PLAT IS BASED ON THE INFORMATION CONTAINED IN SHOWN ORDINANCE (ie: Deed for Parcel, Deed BK.237, pg.153).

THE PURPOSE OF THE THIS PLAT AND THE BOUNDARY SHOWN HEREON IS TO DELINEATE THE LIMITS OF THE AFORESAID ANNEXATION. IT DOES NOT CONSTITUTE A BOUNDARY SURVEY OR IN ANYWAY REFLECT A DETERMINATION OF INDIVIDUAL OWNERS BOUNDARIES AND SHOULD NOT BE USED FOR THAT PURPOSE.

Richard M. Frederick 3-30-09
RICHARD M. FREDERICK, KY PLS NO.3051 DATE

STATE OF KENTUCKY
RICHARD M. FREDERICK
3051
LICENSED PROFESSIONAL LAND SURVEYOR



SURVEY DATES: _____ REVISION DATES: _____
DWG DATES: 3-27-2009
SCALE: 1" = 100'
TITLE SOURCE: AS SHOWN

PREPARED BY:
APEX
LAND SURVEYS
P.O. BOX 1169
BARBOURVILLE, KY. 40906
(606) 546-3889
RICHARD FREDERICK, LS

PREPARED FOR:
CITY OF BARBOURVILLE
196 DANIEL BOONE DRIVE
BARBOURVILLE, KENTUCKY 40906

PROJECT:
ANNEXATION C
1995

EXHIBIT 1
ORDINANCE 1995-2

AN ORDINANCE OF THE CITY OF BARBOURVILLE, KENTUCKY ANNEXING INTO THE CITY LIMITS OF BARBOURVILLE THE FOLLOWING DESCRIBED UNINCORPORATED TERRITORY IN EXHIBIT "A" AND ALSO SHOWN ON THE MAP EXHIBIT "B" ATTACHED TO AND MADE A PART OF THIS ORDINANCE.

WHEREAS, The City Council of Barbourville, Kentucky declares its desire to annex the unincorporated territory described in exhibit "A" attached; and,

WHEREAS, The annexation will allow for the expansion of City services by equalizing the cost of services among recipients, and prevent the fragmentation of services to urbanizing areas; and,

WHEREAS, The City Council of Barbourville, Kentucky legally recognizing urban growth and the space for future development of the City proposes this annexation in order to provide for planned future urban growth; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BARBOURVILLE, KENTUCKY THAT THE AFOREMENTIONED UNINCORPORATED TERRITORY IS PROPOSED TO BE ANNEXED INTO THE CITY LIMITS OF BARBOURVILLE, KENTUCKY.

Adopted this the 6th day of ~~March~~^{April}, 1995.

ATTEST:

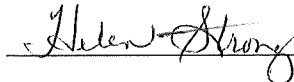
Debbie Hammons
Debbie Hammons, City Clerk

Phillip E. Connley
Phillip E. Connley, Mayor

CERTIFICATION OF ORDINANCE NO. 1995-2

I certify I am the duly qualified City Clerk of the City of Barbourville, Kentucky, and the foregoing one page of Ordinance No. 1995-2 is a true and complete copy duly adopted by the City Council at a duly convened meeting held on April 6, 1995, all as appears in the official records of the City of Barbourville.

WITNESS, my hand this 28th day of June 2010.



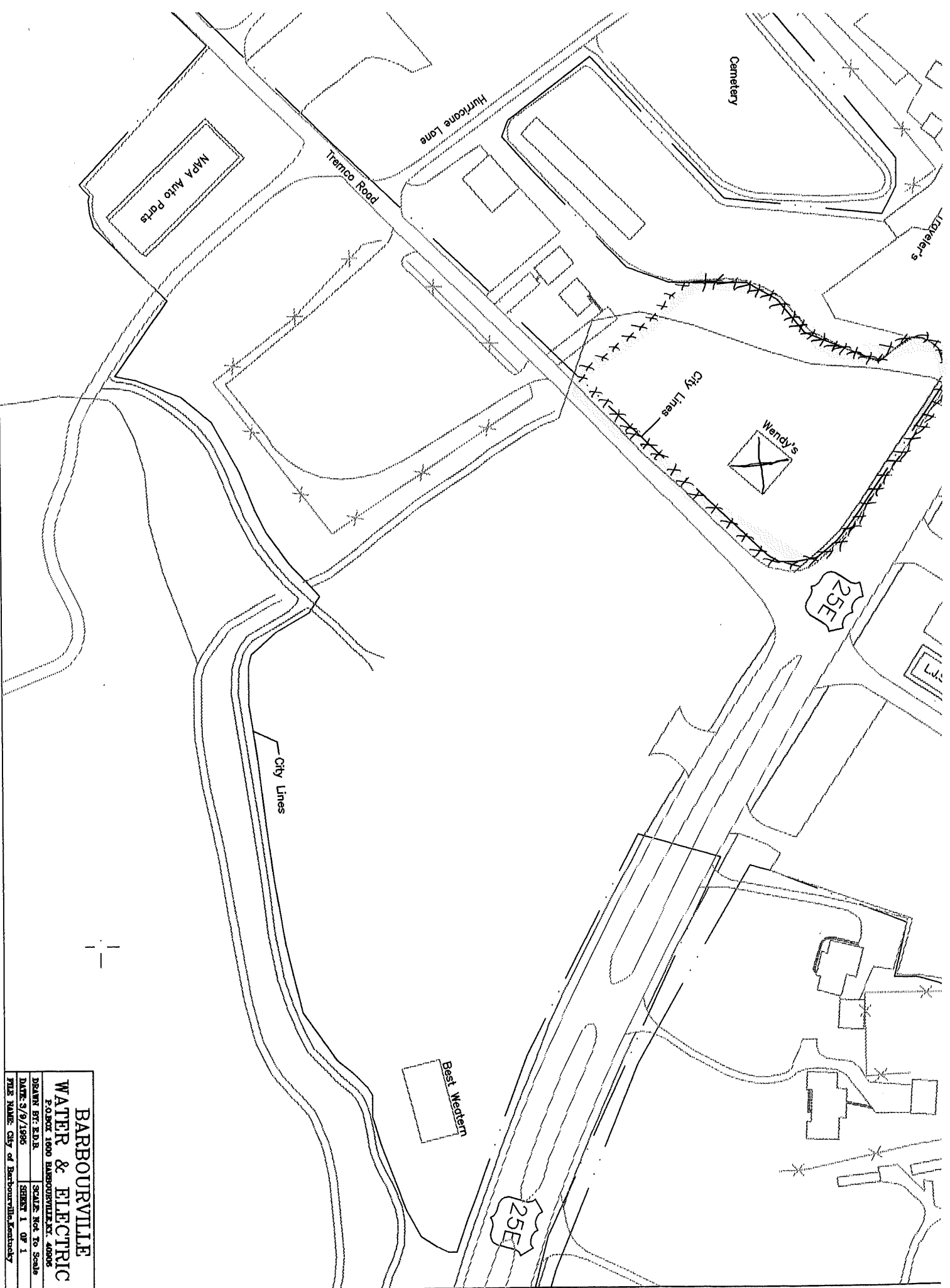
Helen Strong, City Clerk

City of Barbourville

City Seal

RECEIVED AND FILED
DATE June 30, 2010

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Allen



BARBOURVILLE
WATER & ELECTRIC
 PROJECT 1600 BARBOURVILLE, KY 40906
 DRAWN BY: EDR SCALE NOT TO SCALE
 DATE: 3/9/1995 SHEET 1 OF 1
 FILE NAME: City of Barbourville, Kentucky

PRIOR CONSENT FOR ANNEXATION

TO THE BARBOURVILLE CITY COUNCIL:

WHEREAS, Larry G. Cain and Dorothy Cain are owners, in fee simple, of certain real property located in Knox County, Kentucky; said real property being more particularly described as follows:

BEGINNING at a concrete right of way monument at the southwest intersection of U.S. Highway No. 25E and the Tremco Road. Said monument being 100 feet northwest from approximate center-line Station 35+72 of the Tremco Road. Said monument being 86.20 feet southwest from approximate centerline Station 230.75 of U.S. Highway No. 25E; thence leaving the southwest right of way of U.S. Highway No. 25E, continuing with the northwest right of way of the Tremco Road, S. 24 degrees 00 minutes W., 78.47 feet to point being 65.00 feet northwest from approximate centerline Station 35+00 of the Tremco Road; thence S. 24 degrees 00 minutes W., 234.00 feet to a point in the centerline of Whitesburg Branch; thence leaving the northwest right of way of the Tremco Road, with the centerline of Whitesburg Branch as it meanders when reduced to straight lines N. 31 degrees 45 minutes W., 28.62 feet; thence N. 47 degrees 30 minutes W., 50.12 feet to a point. Said point being a southwest corner of the City of Barbourville's Sewer Pump Station property; thence leaving the centerline of Whitesburg Branch, continuing with the City of Barbourville's Sewer Pump Station property, N. 56 degrees 57 minutes E. 58.78 feet to an 18 inch tree; thence N. 50 degrees 16 minutes W., partway with a fence, 121.52 feet to a point in the centerline of Whitesburg Branch; thence leaving the City of Barbourville's Sewer Pump Station property, continuing with the

centerline of Whitesburg Branch, as it meanders when reduced to straight lines, N. 31 degrees 57 E., 11.00 feet; thence N. 47 degrees 14 minutes E., 24.24 feet; thence N. 54 degrees 26 minutes., 24.92 feet; thence N. 63 degrees 06 minutes E., 17.00 feet; thence N. 87 degrees 35 minutes E., 40.93 feet; thence N. 50 degrees 05 minutes E., 15.55 feet; thence N. 31 degrees 53 minutes E., 12.48 feet; thence N. 14 degrees 35 minutes E., 27.98 feet; thence N. 07 degrees 52 minutes E., 23.43 feet thence 25 degrees 52 minutes E., 35.73 feet; thence N. 09 degrees 06 minutes W., 40.66 feet to a point in the southwest right of way of U.S. Highway No. 25E; thence leaving the lines of Whitesburg Branch, S. 50 degrees 54 minutes E., with the southwest right of way of U.S. Highway No. 25E, 215.00 feet to the BEGINNING corner, containing 1.1258 acres.

There exist two separate easements contained within the boundary of the above described property. Each easement being granted to the City of Barbourville for the purposes of existing sanitary sewer lines and necessary attachments. Each of these easements contain a total width of 12 feet. These easements are of record at the Knox County Court Clerk's office at Barbourville, Kentucky, in Deed Book 160, Page 194, and Deed Book 160, Page 196.

Being all the same property conveyed to Larry G. Cain and Dorothy Cain by deed of conveyance from Myrtle Messer dated April 12, 1988, and recorded on April 13, 1988, in Deed Book 237, Page 153, in the Knox County Clerk's office at Barbourville, Kentucky.

WHEREAS, Larry G. Cain and Dorothy Cain declare that the aforesaid real property presently is contiguous to or immediately adjacent to the corporate limits of the City of Barbourville, Kentucky, and,

WHEREAS, Larry G. Cain and Dorothy Cain declare that the aforesaid real property, by reason of its present commercial use,

