

I certify I am the duly qualified City clerk of the City of Burnside, Kentucky, and the following 2 pages of Ordinance No.110.23 is a true, correct, and complete copy duly adopted by the City Council at a duly convened meeting held on 02/03/2014, all as appears in the official records of said City.

WITNESS, my hand and Seal of the City of Burnside, Kentucky, this 28th day of March, 2014.

Crisa Morris
City Clerk

(Seal)

RECEIVED AND FILED
DATE *April 28, 2014*

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY *Handie Adkins*

ORDINANCE NO. 110.23

AN ORDINANCE OF THE CITY OF BURNSIDE, KENTUCKY ANNEXING 2.59 ACRES OWNED BY BUYERS PARADISE PROPERTIES LOCATED ON THE WEST SIDE OF U.S. HIGHWAY 27 APPROX. 870' NORTH OF THE CENTERLINE INTERSECTION OF US HWY. 27 AND BOAT DOCK ROAD AND CONTIGUOUS TO THE PRESENT CITY LIMITS.

WHEREAS, the subject property of this Ordinance is urban in character or suitable for development for urban purposes and no part of this area is to be annexed is included within the boundary of another incorporated city, and the City has declared it desirable to annex the proposed unincorporated territory; and

WHEREAS, the said owner of record of the subject property to be annexed has consented in writing to the proposed annexation as shown by his Consent dated January 21, 2014, and therefore, pursuant to KRS 81A.412, there is not a requirement for a notification ordinance as required by KRS 81A.420 or notice requirements of KRS 81A.425 or a waiting period of 60 days as provided by KRS 81A.420 (2) prior to enacting a final ordinance annexing the subject area; and

WHEREAS, this Ordinance is authorized by KRS 81A.412;

NOW, THEREFORE, PURSUANT TO THE AUTHORITY OF CHAPTER 81A OF THE KENTUCKY REVISED STATUTES (KRS) AND OTHER APPLICABLE LAW, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BURNSIDE:

- I. The City of Burnside has declared the following described property, by reason of present use and potential, to be urban in character and/or suitable for urban purposes without reasonable delay, therefore the City finds it desirable to annex the proposed unincorporated territory owned by Buyers Paradise Properties and said property is hereby annexed into the territorial limits of the City of Burnside, Kentucky, a fourth class municipality, pursuant to the provisions of KRS Chapter 81A.410 et seq:

The property to be annexed is more fully described as follows:

A certain tract or parcel of land located adjacent to the existing City limits of Burnside, Kentucky on the west side of U.S. Highway 27, approx. 870' north of the centerline intersection of US Hwy. 27 and Boat Dock Road, and being more particularly described as follows:

The following description was prepared by Anthony G. Thompson PLS #3630 of AGT Land Surveying, Firm Permit #496. Said description was based on an actual GPS field survey in part, of some of monuments found along U.S. Highway 27 right-of-way. Calls taken from Deed to Buyers Paradise Properties, LLC Deed Book 890, page 041, other Deeds, plats and PVA information of record in the Pulaski County Court House, and right-of-way data obtained from the Kentucky Transportation Cabinet, plans for U.S. Highway 27, also calls taken from previous annexation surveys for the City of Burnside. The purpose of this annexation survey is to delineate the limits of the aforesaid annexation. It does not in any way reflect a determination of the individual parcel boundaries and should not be used for that purpose.

Beginning at a point, located at or near west right-of-way of U.S. Highway 27, having a KY State Plane single zone coordinate of (N: 3,532,722.084, E: 5,248,900.714). Said point further described as being in the City limit line of Burnside, Kentucky per Ordinance #110.10;

Thence N 81°57'12" W, 283.13' to a point at or near the east right-of-way of Old Monticello Road;

Thence N 04°00'33" E, 343.31' to a point at the at or near southeast right-of-way intersection of said Old Monticello Road and Summit Drive;

Thence with said Summit Drive N 84°15'30" E, 317.95' to a point at or near the right-of-way of intersection said Summit Drive and US Highway 27, said point further described as being in the City limit line of Burnside, Kentucky per Ordinance #110.10;

Thence with said City limit line S 08°15'01" W, 418.24' to the point of Beginning.

Said Annex boundary having an area of 2.59 acres.

- II. The Ordinance shall become effective on the date of its passage and publication in the Commonwealth Journal as required by KRS Chapter 424.
- III. Upon final annexation, the annexed property shall retain the zoning classification of C-2 Commercial until changed by zoning map amendments and/or other proper procedure.

First Reading: 01/27/14
Second Reading: 02/13/14
Date of Publication 02/14/14

Crissa Morris
Crissa Morris, City Clerk

Ronald Jones
Ronald Jones, Mayor

**City of Burnside – Buyers Paradise Properties, Annexation
Ordinance # 110.23
Description**

A certain tract or parcel of land located adjacent to the existing City limits of Burnside, Kentucky on the west side of U.S. Highway 27, approx. 870' north of the centerline intersection of US Hwy. 27 and Boat Dock Road, and being more particularly described as follows:

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Beginning at a point, located at or near west right-of-way of U.S. Highway 27, having a KY State Plane single zone coordinate of (N: 3,532,722.084, E: 5,248,900.714). Said point further described as being in the City limit line of Burnside, Kentucky per Ordinance #110.10;

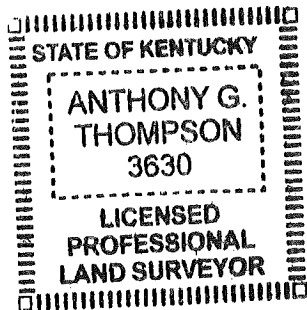
Thence N 81°57'12" W, 283.13' to a point at or near the east right-of-way of Old Monticello Road;


Thence N 04°00'33" E, 343.31' to a point at the at or near southeast right-of-way intersection of said Old Monticello Road and Summit Drive;

Thence with said Summit Drive **N 84°15'30" E, 317.95'** to a point at or near the right-of-way of intersection said Summit Drive and US Highway 27, said point further described as being in the City limit line of Burnside, Kentucky per Ordinance #110.10;

Thence with said City limit line **S 08°15'01" W, 418.24'** to the point of Beginning.

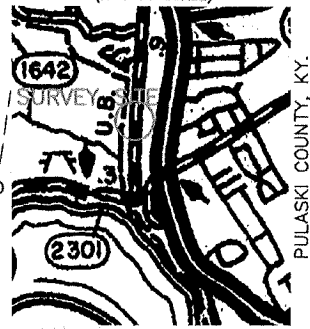
Said Annex boundary having an area of **2.59 acres**.




Anthony G. Thompson PLS 3630 01-22-14
Date

BEARINGS SHOWN HEREON WERE CORRELATED TO GRID NORTH KENTUCKY SPC (1600) SINGLE ZONE PER GPS OBSERVATIONS DESCRIBED HEREON.

VICINITY MAP (NOT TO SCALE)



WEST SUMMIT DRIVE 80' R/W

N 84°15'30" E 317.95'

OLD MONTICELLO ROAD 60' R/W
DEPT. OF HIGHWAYS

N 04°00'33" E 343.31'

ANNEX AREA
2.59 Acres

STATE OF KENTUCKY
ANTHONY G. THOMPSON
3630
LICENSED PROFESSIONAL LAND SURVEYOR

S 08°15'01" W 418.24'
U.S. HIGHWAY 27 R/W VARIES
DEPARTMENT OF HIGHWAYS

EXISTING CITY OF BURNSIDE
ORDINANCE NO. 110.10

LEGEND

- (THESE SYMBOLS AND LINE TYPES MAY OR MAY NOT APPEAR ON THIS PLAT)
- (SET) 5/8" STEEL REBAR, 18" IN LENGTH WITH A ORANGE PLASTIC CAP STAMPED A.G.T. PLS. 3630
 - ⊙ (SET) 5/8" STEEL REBAR, 18" IN LENGTH WITH A YELLOW PLASTIC CAP STAMPED A.G.T. REF. MON. PLS. 3630
 - ⊙ (FOUND OR EXISTING) CORNER OR REFERENCE MONUMENT AS DESCRIBED HEREON.
 - SURVEY POINT (NO MONUMENT SET)
- POB POINT OF BEGINNING**
- ANNEX BOUNDARY LINE
 - - - RIGHT-OF-WAY
 - - - REFERENCE LINE
 - - - APPROXIMATE LOCATION OF ADJOINING BOUNDARY LINE (NOT SURVEYED THIS DATE)

NOTES:

LAND SHOWN HEREON IS SUBJECT TO ALL COVENANTS, EASEMENTS, EXCEPTIONS, RIGHT-OF-WAYS, RESTRICTIONS OF RECORD, NOT OF RECORD, OR THAT MAY APPLY.

LAND SHOWN HEREON MAY BE SUBJECT TO CERTAIN CITY, COUNTY, STATE, OR HEALTH DEPARTMENT REGULATIONS OR ZONING REGULATIONS.

NO TITLE REPORT WAS PROVIDED THIS SURVEY.

NO UNDERGROUND UTILITIES WERE SHOWN HEREON.

AERIAL PHOTO BACKGROUND PREDATES THIS SURVEY AND IS SHOWN FOR REFERENCE ONLY.

PURPOSE OF SURVEY (SCOPE): ANNEXATION

CERTIFICATION:

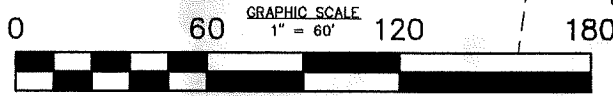
I HEREBY CERTIFY THAT BOUNDARY FOR ANNEXATION ORDINANCE NO. 110.23 FOR THE CITY OF BURNSIDE, KENTUCKY, SHOWN ON THIS PLAT IS BASED ON THE FOLLOWING INFORMATION: AN ACTUAL FIELD SURVEY OF MONUMENTS FOUND ALONG HIGHWAY 27 RIGHT-OF-WAY. CALLS TAKEN FROM DEED TO BUYERS PARADISE PROPERTIES, LLC, DEED BOOK 890, PAGE 041, OTHER DEEDS AND PLATS LISTED HEREON OF RECORD IN THE PULASKI COUNTY COURT CLERK'S OFFICE, AND RIGHT-OF-WAY DATA FROM THE KY. TRANSPORTATION CABINET, PLANS FOR KY HIGHWAY 27, ALSO CALLS TAKEN FROM PREVIOUS ANNEXATION SURVEYS FOR THE CITY OF BURNSIDE. THE PURPOSE OF THIS ANNEXATION SURVEY IS TO DELINEATE THE LIMITS OF THE AFORESAID ANNEXATION. IT DOES NOT IN ANY WAY REFLECT A DETERMINATION OF THE INDIVIDUAL PARCEL BOUNDARIES AND SHOULD NOT BE USED FOR THAT PURPOSE.

Anthony Thompson
ANTHONY THOMPSON
KY. PLS. NO. 3630
01-22-14
DATE

GPS DATA:
Percent of Boundary GPS used: ALL
GPS Type: TOPCON HIPER GA. DUAL FREQUENCY RECEIVERS
Type GPS Survey: STATIC & RTK
Relative Positional Accuracy 0.03' or better
Coordinates shown hereon based on OPUS Solution Dated: 10-21-10
STATE PLANE NAD 83
GEOID 00
Kentucky Single Zone (1600)
U.S. feet
Convergence: 00°42'24.91822"
Scale Factor: 1.000019102 and distances shown hereon were based on above described Grid.

POB
N: 3532722.084
E: 5248900.714
N 81°57'12" W 283.13'

DEAN LITRELL
DEED BOOK 889, PAGE 652



RESERVED FOR COUNTY COURT CLERK:

TITLE: CITY OF BURNSIDE - BUYERS PARADISE PROPERTIES, ANNEXATION ORDINANCE 110.23	
CLIENT(S): CITY OF BURNSIDE P.O. BOX 8 BURNSIDE, KY. 42519	OWNER(S): BUYERS PARADISE PROPERTIES, LLC 5210 SOUTH HWY. 27 SOMERSET, KY. 42501
JOB NO: 14-1582	DRAWN BY: A.G.T.
FIELD CREW: A.G.T.	SCALE: 1" = 60'
DWG. DATE: 01-22-14	SHEET NO. 2 OF 2

AGT
LAND SURVEYING
Anthony Thompson, PLS
2610 HWY. 90
BRONSTON, KY. 42518
(606) 561-7224

GPS SERVICES
CAD SERVICES
ALTA-ACSM
TOPOGRAPHIC SUBDIVISIONS
COMMERCIAL
RESIDENTIAL FARMS

GENERAL NOTE(S):
THESE DRAWINGS ARE NOT VALID UNLESS THE ORIGINAL SIGNATURE AND STAMP ARE ATTACHED. ANY REPRODUCTION OR VARIANCE TO THESE DRAWINGS BY ELECTRONIC OR ANY OTHER MEANS ARE NOT TO BE CONSIDERED ISSUED BY THE LICENSED PROFESSIONAL LAND SURVEYOR.
THIS SURVEY AND PLAT WAS PREPARED FOR THE ENTRY IN THE TITLE BLOCK HEREON AND DOES NOT EXTEND TO ANY OTHER ENTRY, UNLESS RECERTIFIED BY THE LICENSED PROFESSIONAL LAND SURVEYOR.