

City of Cynthiana

104 E. Pleasant Street • P.O. Box 67 • Cynthiana, KY 41031-0067 • Phone: (859) 234-7150 • Fax: (859) 234-0035

March 9, 2018

The Honorable Alison Lundergan Grimes
Secretary of State
The Capitol
700 Capitol Avenue, Suite 152
Frankfort, Kentucky 40601

RECEIVED AND FILED
DATE March 19, 2018

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Adkinson

I, Jamie D. Hutchison, City Clerk of the City of Cynthiana, Kentucky, do certify that the attached is a true and correct copy of Ordinance #1545 and an accurate legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, the same having been certified by a professional land surveyor of territory.

Jamie D. Hutchison
Jamie D. Hutchison, City Clerk

Subscribed, sworn to, and acknowledged before me this the 9th day of March, 2018.

Leslie Mullett
Leslie Mullett, Notary

My Commission expires September 4, 2019

ORDINANCE NO. 1545

AN ORDINANCE OF THE CITY OF CYNTHIANA, KENTUCKY EXTENDING ITS PRESENT BOUNDARY AND ANNEXING CERTAIN ADJACENT OR CONTIGUOUS PROPERTY TO THE CITY CONSISTING OF CERTAIN PROPERTY LYING ON THE WEST SIDE OF WILLIAMSTOWN ROAD (KY 36) AND THE NORTH SIDE OF KENTUCKY HIGHWAY 356 AND ON THE NORTH WEST SIDE OF THE EXISTING CITY LIMITS OF THE CITY OF CYNTHIANA AND BEING CURRENTLY OWNED BY POINDEXTER FARMS, LLLP

WHEREAS, the City Commission of the City of Cynthiana recognizes the importance of orderly urban growth in preserving and expanding the benefits of municipal government for all citizens; and,

WHEREAS, the City Commission recognizes the potential for urban development in the area lying generally on the west side of Williamstown Road (KY 36) and the north side of Kentucky Highway 356 and on the north west side of the existing city limits of the city of Cynthiana and being currently owned by Poindexter Farms, LLLP.

WHEREAS, the area to be annexed is suitable for development for urban residential, commercial or industrial purposes without unreasonable delay and it is desirable for all concerned that said growth and development be within the expanded limits of the City of Cynthiana; and

WHEREAS, the owners of said property have requested and consented to the annexation pursuant to KRS 81A.412,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CYNTHIANA, KENTUCKY AS FOLLOWS:

SECTION 1: That the City of Cynthiana, Kentucky, hereby extends its boundaries and annexes the following described contiguous property to the City:

TRACT 1 All that certain tract or parcel of land, lying and being located in Harrison County, Kentucky: and situated on the northwest side of

Cynthiana Bypass (US 62) & the north side of White Oak Pike (KY 356); and more particularly described as follows:

Beginning at an iron pin in the northwest right-of-way of Cynthiana Bypass (US 62), a corner to Commonwealth of Kentucky (D.B. 281, Pg. 46) and Commonwealth of Kentucky (D.B. 295, Pg. 313); said point lying S.42°21'29"W. 1,040.47 feet from a found iron pin bearing "J. Casey LS 2017" in the southwest right-of-way of Williamstown Road (KY 36), a corner to Commonwealth of Kentucky (D.B. 281, Pg. 46) and John A. Lee & Mary Ann Lee (D.B. 207, Pg. 155; D.B. 257, Pg. 356; P.C. 4, Sh. 490); thence with the said northwest right-of-way of said Cynthiana Bypass (US 62) and said Commonwealth of Kentucky (D.B. 295, Pg. 313) for 12 calls as follows: (1) S.64°09'41"W. 119.19 feet to a point, (2) S.70°00'38"W. 352.80 feet to an iron pin, (3) S.67°07'42"W. 211.52 feet to a point, (4) S.51°53'04"W. 75.00 feet to a point, (5) S.56°57'26"W. 63.27 feet to a point, (6) S.77°23'22"W. 269.63 feet to an iron pin, (7) S.36°24'52"W. 314.51 feet to point, (8) S.59°13'19"W. 166.82 feet to an iron pin, (9) S.31°43'43"W. 430.32 feet to a point, (10) S.25°46'11"W. 213.22 feet to an iron pin, (11) S.21°00'18"W. 262.63 feet to a point, and (12) S.17°13'40"W. 250.69 feet to an iron pin at the intersection of the said northwest right-of-way of Cynthiana Bypass (US 62) and the north right-of-way of White Oak Pike (KY 356), a corner to Commonwealth of Kentucky (D.B. 295, Pg. 313); thence with said north right-of-way of said White Oak Pike (KY 356) S.88°36'44"W. 160.53 feet to a point and N.74°31'32"W. 52.41 feet to a found iron pin bearing "J. Casey LS 2017", a corner to William T. Moses & Ruby Ellen Moses (D.B. 130, Pg. 601); thence in part with said Moses and Double "M" Dixie Sales, Inc. (D.B. 192, Pg. 310) N.05°53'38"W. 1,425.47 feet to a found iron pin bearing "J. Casey LS 2017"; thence continuing in part with said Double "M" Dixie Sales, Inc. and Ronnie L. Mann & John McCandless (D.B. 211, Pg. 114; P.C. 4, Sh. 34A) N.36°23'48"E. 851.65 feet to a found iron pin bearing "J. Casey LS 2017"; thence continuing with said Ronnie L. Mann & John McCandless N.32°37'23"E. 119.50 feet to a found iron pin bearing "J. Casey LS 2017", a corner to John A. Lee & Mary Ann Lee (D.B. 207, Pg. 155; D.B. 298, Pg. 315; P.C. 4, Sh. 491); thence with said Lee S.78°18'25"E. passing a found iron pin at 724.12 feet, in all 907.26 feet to a found iron pin bearing "Joe H. Justice RLS 1989", a corner to John A. Lee & Mary Ann Lee (D.B. 207, Pg. 155; D.B. 257, Pg. 356; P.C. 4, Sh. 490); thence with said Lee N.54°48'59"E. 691.91 feet to a found iron pin bearing "Joe H. Justice RLS 1989" and S.28°37'01"E. 388.53 feet to a found iron pin bearing "Joe H. Justice RLS 1989", a corner to Commonwealth of Kentucky (D.B. 281, Pg. 46); thence with said Commonwealth of Kentucky S.04°46'51"W. 313.50 feet to the point of beginning containing an area of 50.135 acres more or less, and being subject to any and all easements or right-of-way of record and in existence and in accordance with a survey and plat by Darnell Engineering, Inc. on August 25, 2015. See Plat recorded in Plat Cabinet 6, Sheet 280 B.

TRACT 2 All that certain tract or parcel of land, lying and being located in Harrison County, Kentucky: and situated on the south side of Cynthiana Bypass (US 62) & southwest side of Williamstown Road (KY 36); and more particularly described as follows:

Beginning at an iron pin in the south right-of-way of Cynthiana Bypass (US 62), a corner to Bundy Corporation (D.B. 182, Pg. 244), Commonwealth of Kentucky (D.B. 295, Pg. 313), and Commonwealth of Kentucky (D.B. 281, Pg. 46); said point lying S.35°32'09"W. 1,359.41 feet from a found iron pin bearing "J. Casey LS 2017" in the southwest right-of-way of Williamstown Road (KY 36), a corner to Commonwealth of Kentucky (D.B. 281, Pg. 46) and John A. Lee & Mary Ann Lee (D.B. 207, Pg. 155; D.B. 257, Pg. 356; P.C. 4, Sh. 490); thence with the said south right-of-way of said Cynthiana Bypass (US 62) and said Commonwealth of Kentucky (D.B. 281, Pg. 46) for seven calls as follows: (1) N.69°12'36"E. 25.72 feet to a point, (2) N.71°00'15"E. 350.00 feet to a point, (3) N.73°36'25"E. 220.23 feet to a point, (4) N.80°28'00"E. 60.83 feet to a point, (5) N.76°16'42"E. 463.65 feet to a point, (6) N.58°30'26"E. 238.32 feet to a point, and (7) N.63°30'05"E. 44.67 feet to an iron pin in the southwest right-of-way of Williamstown Road (KY 36); thence with said right-of-way S.38°54'00"E. 524.59 feet to an iron pin, a corner to Brad Marshall (D.B. 290, Pg. 329; P.C. 4, Sh. 291); thence with said Marshall for three calls (3) as follows: (1) S.61°24'48"W. 216.75 feet to an iron pin, (2) S.38°54'00"E. 234.78 feet to an iron pin, and (3) N.61°24'48"E. 216.75 feet to an iron pin in the southwest right-of-way of Williamstown Road (KY 36); thence with said right-of-way S.38°54'00"E. 935.33 feet to a point, a corner to Gerald R. Harpel & Cassie M. Harpel (D.B. 311, Pg. 54); thence with said Harpel for four calls as follows: (1) S.12°41'46"W. 450.99 feet to an iron pin, (2) S.18°07'53"W. 211.66 feet to an iron pin, (3) N.63°28'45"W. 88.25 feet to an iron pin, and (4) S.24°46'35"W. 268.17 feet to an iron pin, a corner to Joe Fitzgerald Estate (D.B. 191, Pg. 655; P.C. 3, Sh. 34C); thence with said Joe Fitzgerald Estate N.79°55'32"W. 199.78 feet to an iron pin, a corner to Darren C. Wilson (D.B. 282, Pg. 843; P.C. 2, Sh. 189A); thence in part with said Wilson and Ronnie Mann & John McCandless (D.B. 205, Pg. 678) N.79°55'32"W. 879.17 feet to a found iron pin bearing "J. Casey LS 2017", a corner to Stratton Properties, Inc. (D.B. 231, Pg. 477); thence with said Stratton Properties, Inc. N.09°18'48"W. 146.67 feet to a found iron pin bearing "J. Casey LS 2017" and S.84°11'25"W. 700.88 feet to a found iron pin bearing "J. Casey LS 2017", a corner to Stratton Properties, Inc. (D.B. 290, Pg. 765); thence with said Stratton Properties, Inc. S.84°14'09"W. 151.45 feet to a found iron pin, a corner to Bundy Corporation (D.B. 133, Pg. 815); thence with said Bundy Corporation N.04°51'56"E. 108.60 feet to a found iron rod; thence in part with said Bundy Corporation and Bundy Tubing Company (D.B. 126, Pg. 547) N.74°53'28"W. 536.35 feet to a found iron pin bearing "J. Casey LS 2017", a corner to Bundy Corporation (D.B. 182, Pg. 244); thence with said Bundy Corporation N.17°15'45"E. 201.61 feet to a found iron pin bearing "J. Casey LS 2017" and N.19°04'45"E. 1,086.21 feet to the point of beginning containing an area of 88.687 acres more or less, and being subject to any and all easements or right-of-way of record and in existence and in accordance with a survey and plat by Darnell Engineering, Inc. on August 25, 2015. See Plat recorded in Plat Cabinet 6, Sheet 280 B.

SECTION 2: A plat of the subject property is attached hereto as a part hereof.

SECTION 3: Annexation of this area to the City of Cynthiana is desirable due to its potential for development and the advantages to be derived by all concerned from the annexation of this area without unreasonable delay.

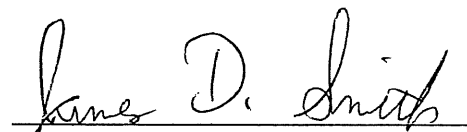
SECTION 4: The property annexed has been zoned A-1 and the duly annexed territory shall retain the same zoning classification as applied prior to annexation pending any changes which may be made subsequent to the adoption of this Ordinance by appropriate zoning map amendments or other regulations in accordance with KRS 100.209 and other applicable law.

SECTION 5: The City Clerk shall immediately cause an accurate map of the newly annexed area with a metes and bounds description prepared by a professional land surveyor together with a certified copy of this Ordinance to be recorded in the Office of the Harrison County Clerk and the Office of the Secretary of State of the Commonwealth of Kentucky. The Clerk shall further forward a map delineating the boundaries of the annexed area along with a list of of properties included in the annexation and the names and addresses of the property owners all in compliance with KRS 81A.470 and KRS 81A. 475.


SECTION 6: This Ordinance shall take effect from and after its passage, approval and publication as required by law.

FIRST READING AND APPROVAL: 2/2/2016_

SECOND READING AND PASSAGE: 2/16/2016


James Smith, Mayor

ATTEST:


Jamie Hutchison, City Clerk

Tract 1

DARNELL ENGINEERING, INC.

P.O. Box 175
Cynthiana, KY 41031
(859) 234-8957-Telephone
(859) 234-0294-Facsimile

ENGINEERING & SURVEYING
Allen Patrick Darnell, PE, PLS
patdarnell@kymail.com (EMAIL)

September 10, 2015

File No. 15-3037

City of Cynthiana
C/o Hon. John Lair
115 East Pike Street
Cynthiana, Kentucky 41031

Re: Legal Description for Poindexter Farms, LLLP @ Cynthiana Bypass (US 62) & White Oak Pike (KY 356)

All that certain tract or parcel of land, lying and being located in Harrison County, Kentucky; and situated on the northwest side of Cynthiana Bypass (US 62) & the north side of White Oak Pike (KY 356); and more particularly described as follows:

ANNEXATION AREA (50.135 Acres)

Beginning at an iron pin in the northwest right-of-way of Cynthiana Bypass (US 62), a corner to Commonwealth of Kentucky (D.B. 281, Pg. 46) and Commonwealth of Kentucky (D.B. 295, Pg. 313); said point lying S.42°21'29"W. 1,040.47 feet from a found iron pin bearing "J. Casey LS 2017" in the southwest right-of-way of Williamstown Road (KY 36), a corner to Commonwealth of Kentucky (D.B. 281, Pg. 46) and John A. Lee & Mary Ann Lee (D.B. 207, Pg. 155; D.B. 257, Pg. 356; P.C. 4, Sh. 490); thence with the said northwest right-of-way of said Cynthiana Bypass (US 62) and said Commonwealth of Kentucky (D.B. 295, Pg. 313) for 12 calls as follows: (1) S.64°09'41"W. 119.19 feet to a point, (2) S.70°00'38"W. 352.80 feet to an iron pin, (3) S.67°07'42"W. 211.52 feet to a point, (4) S.51°53'04"W. 75.00 feet to a point, (5) S.56°57'26"W. 63.27 feet to a point, (6) S.77°23'22"W. 269.63 feet to an iron pin, (7) S.36°24'52"W. 314.51 feet to point, (8) S.59°13'19"W. 166.82 feet to an iron pin, (9) S.31°43'43"W. 430.32 feet to a point, (10) S.25°46'11"W. 213.22 feet to an iron pin, (11) S.21°00'18"W. 262.63 feet to a point, and (12) S.17°13'40"W. 250.69 feet to an iron pin at the intersection of the said northwest right-of-way of Cynthiana Bypass (US 62) and the north right-of-way of White Oak Pike (KY 356), a corner to Commonwealth of Kentucky (D.B. 295, Pg. 313); thence with said north right-of-way of said White Oak Pike (KY 356) S.88°36'44"W. 160.53 feet to a point and N.74°31'32"W. 52.41 feet to a found iron pin bearing "J. Casey LS 2017", a corner to William T. Moses & Ruby Ellen Moses (D.B. 130, Pg. 601); thence in part with said Moses and Double "M" Dixie Sales, Inc. (D.B. 192, Pg. 310) N.05°53'38"W. 1,425.47 feet to a found iron pin bearing "J. Casey LS 2017"; thence continuing in part with said Double "M" Dixie Sales, Inc. and Ronnie L. Mann & John McCandless (D.B. 211, Pg. 114; P.C. 4, Sh. 34A) N.36°23'48"E. 851.65 feet to a found iron pin bearing "J. Casey LS 2017"; thence continuing with said Ronnie L. Mann & John McCandless N.32°37'23"E. 119.50 feet to a found iron pin bearing "J. Casey LS 2017", a corner to John A. Lee & Mary Ann Lee (D.B. 207, Pg. 155; D.B. 298, Pg. 315; P.C. 4, Sh. 491); thence with said Lee S.78°18'25"E. passing a found iron pin at 724.12 feet, in all 907.26 feet to a found iron pin bearing "Joe H. Justice RLS 1989", a corner to John A. Lee & Mary Ann Lee (D.B. 207, Pg. 155; D.B. 257, Pg. 356; P.C. 4, Sh. 490); thence with said Lee N.54°48'59"E. 691.91 feet to a found iron pin bearing "Joe H. Justice RLS 1989" and S.28°37'01"E. 388.53 feet to a found iron

pin bearing "Joe H. Justice RLS 1989", a corner to Commonwealth of Kentucky (D.B. 281, Pg. 46); thence with said Commonwealth of Kentucky S.04°46'51"W. 313.50 feet to the point of beginning containing an area of 50.135 acres more or less, and being subject to any and all easements or right-of-way of record and in existence and in accordance with a survey and plat by Darnell Engineering, Inc. on August 25, 2015. See Plat recorded in Plat Cabinet 6, Sheet 280.B

Allen Patrick Darnell
03/10/2014

STATE OF KENTUCKY
ALLEN PATRICK
DARNELL
3553
LICENSED
PROFESSIONAL
LAND SURVEYOR

DARNELL ENGINEERING, INC.

*P.O. Box 175
Cynthiana, KY 41031
(859) 234-8957-Telephone
(859) 234-0294-Facsimile*

*ENGINEERING & SURVEYING
Allen Patrick Darnell, PE, PLS
patdarnell@kymail.com (EMAIL)*

January 25, 2016

File No. 15-3037

City of Cynthiana
C/o Hon. John Lair
115 East Pike Street
Cynthiana, Kentucky 41031

Re: Revised Legal Description for Poindexter Farms, LLLP @ Cynthiana Bypass (US 62) & Williamstown Road (KY 36)

All that certain tract or parcel of land, lying and being located in Harrison County, Kentucky; and situated on the south side of Cynthiana Bypass (US 62) & southwest side of Williamstown Road (KY 36); and more particularly described as follows:

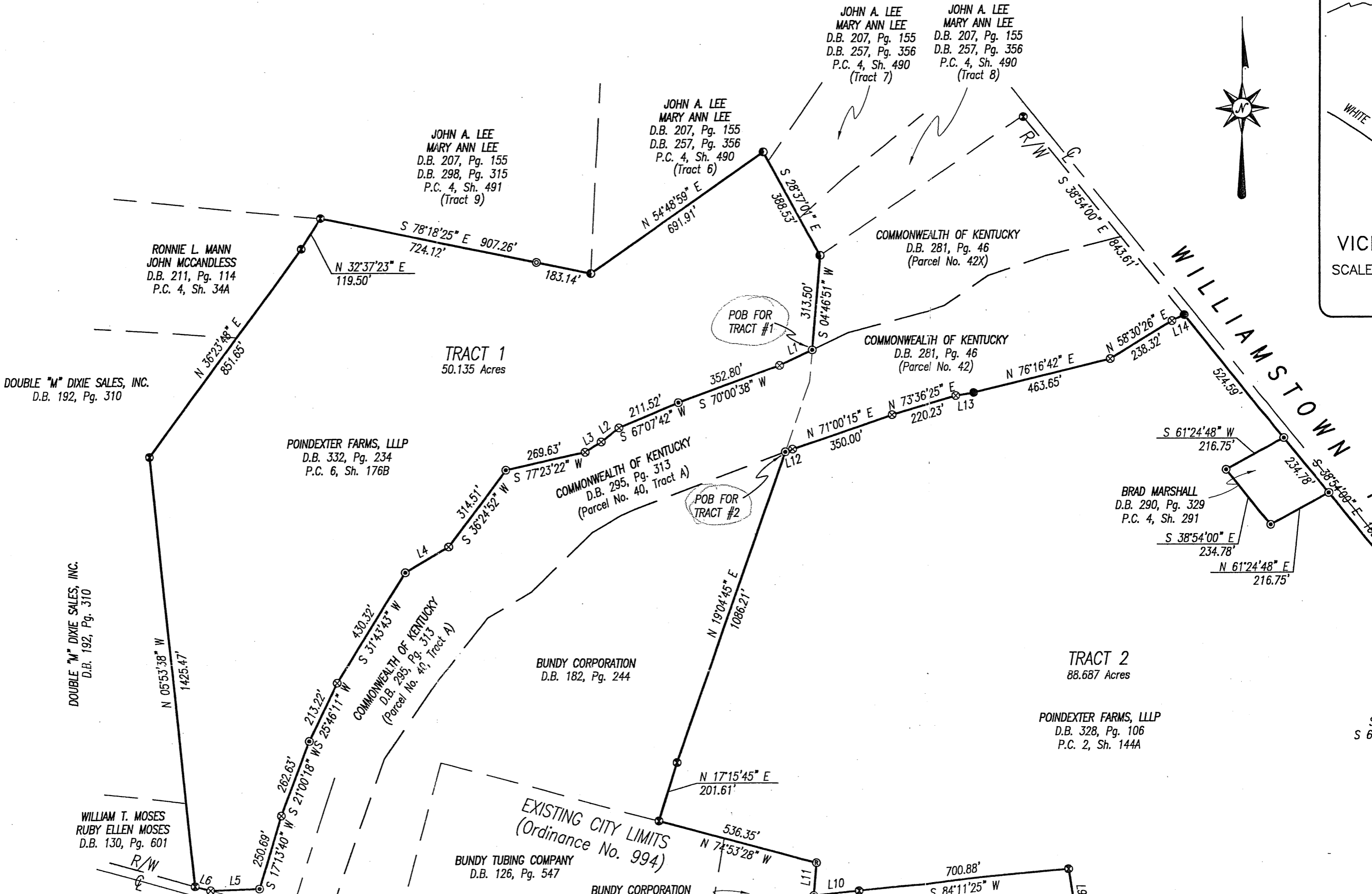
ANNEXATION AREA (88.687 Acres)

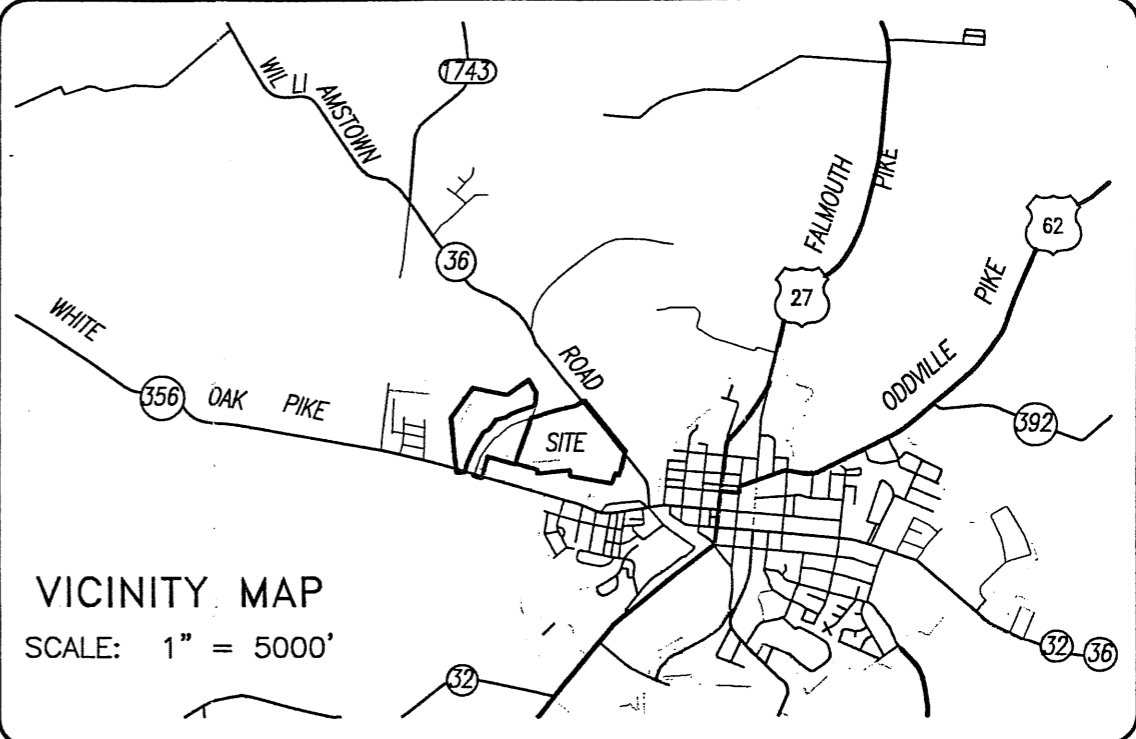
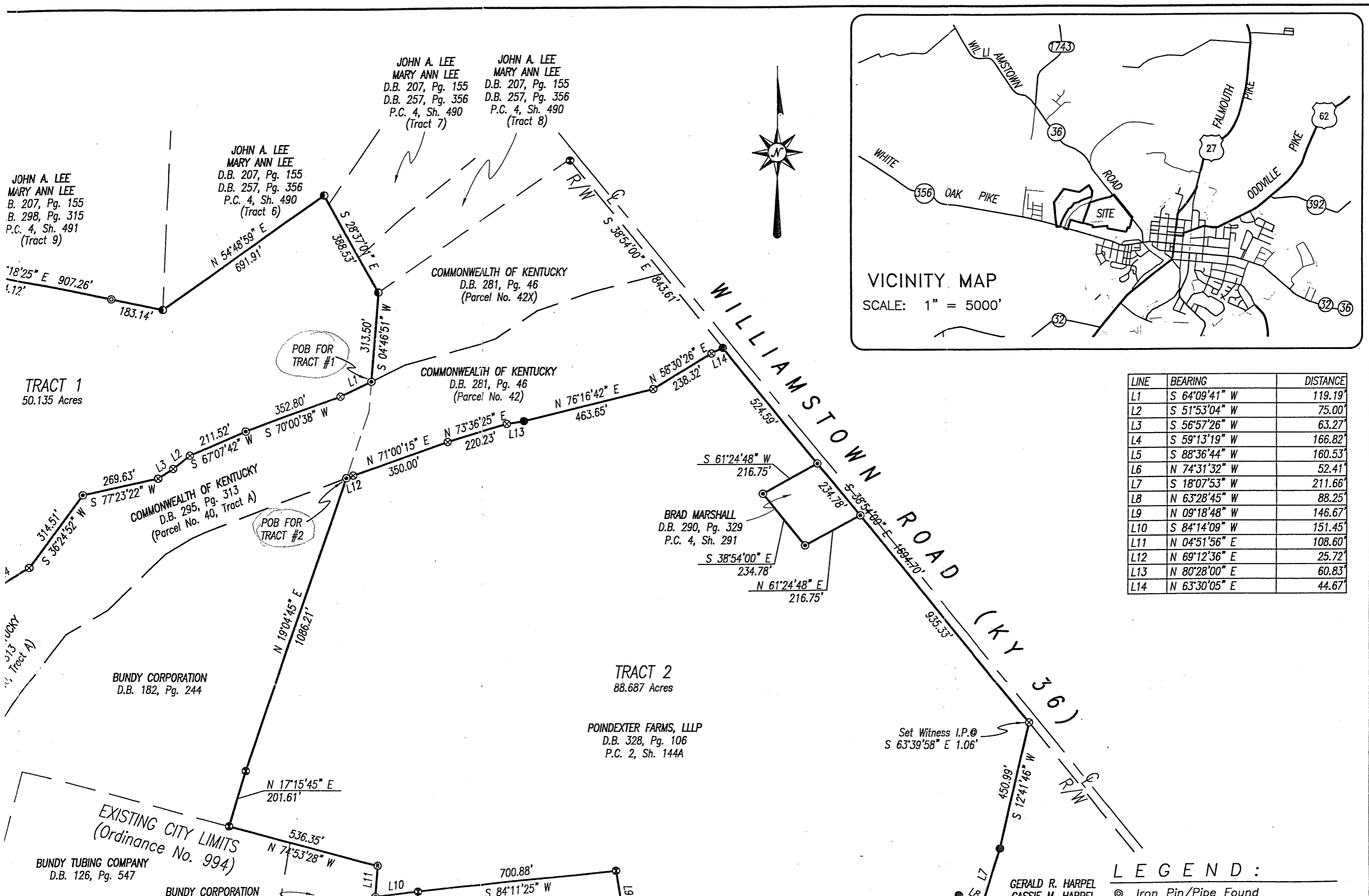
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Pg. 815); thence with said Bundy Corporation N.04°51'56"E. 108.60 feet to a found iron rod; thence in part with said Bundy Corporation and Bundy Tubing Company (D.B. 126, Pg. 547) N.74°53'28"W. 536.35 feet to a found iron pin bearing "J. Casey LS 2017", a corner to Bundy Corporation (D.B. 182, Pg. 244); thence with said Bundy Corporation N.17°15'45"E. 201.61 feet to a found iron pin bearing "J. Casey LS 2017" and N.19°04'45"E. 1,086.21 feet to the point of beginning containing an area of 88.687 acres more or less, and being subject to any and all easements or right-of-way of record and in existence and in accordance with a survey and plat by Darnell Engineering, Inc. on August 25, 2015. See Plat recorded in Plat Cabinet 10, Sheet 280 B

Allen Patrick Darnell
03/10/2016

STATE OF KENTUCKY
ALLEN PATRICK
DARNELL
3553
LICENSED
PROFESSIONAL
LAND SURVEYOR





LINE	BEARING	DISTANCE
L1	S 64°09'41" W	119.19'
L2	S 51°53'04" W	75.00'
L3	S 56°57'26" W	63.27'
L4	S 59°13'19" W	166.82'
L5	S 88°36'44" W	160.53'
L6	N 74°31'32" W	52.41'
L7	S 18°07'53" W	211.66'
L8	N 63°28'45" W	88.25'
L9	N 09°18'48" W	146.67'
L10	S 84°14'09" W	151.45'
L11	N 04°51'56" E	108.60'
L12	N 69°12'36" E	25.72'
L13	N 80°28'00" E	60.83'
L14	N 63°30'05" E	44.67'

DOUBLE "M" DIXIE SALES, INC.
D.B. 192, Pg. 310

WILLIAM T. MOSES
RUBY ELLEN MOSES
D.B. 130, Pg. 601

D.B. 332, Pg. 234
P.C. 6, Sh. 176B

COMMONWEALTH OF KENTUCKY
D.B. 295, Pg. 313
(Parcel No. 40, Tract A)

COMMONWEALTH OF KENTUCKY
D.B. 285, Pg. 313
(Parcel No. 40, Tract A)

BUNDY CORPORATION
D.B. 182, Pg. 244

BUNDY TUBING COMPANY
D.B. 126, Pg. 547

COMMONWEALTH OF KENTUCKY
D.B. 295, Pg. 309
(Parcel No. 61, Tract A)

BUNDY CORPORATION
D.B. 133, Pg. 815

STRATTON PROPERTIES, INC.
D.B. 290, Pg. 765

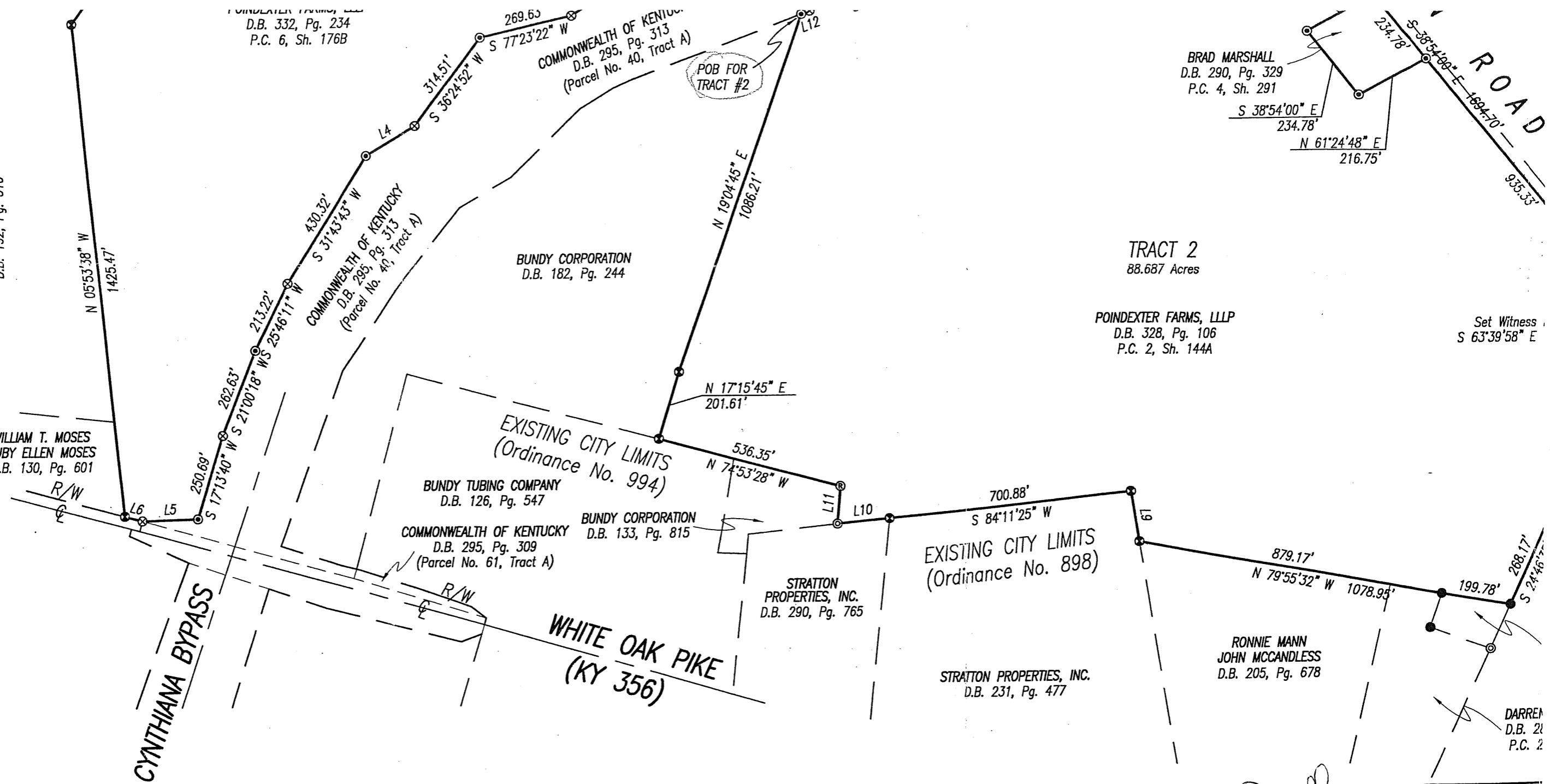
STRATTON PROPERTIES, INC.
D.B. 231, Pg. 477

BRAD MARSHALL
D.B. 290, Pg. 329
P.C. 4, Sh. 291

TRACT 2
88.687 Acres

POINDEXTER FARMS, LLLP
D.B. 328, Pg. 106
P.C. 2, Sh. 144A

Set Witness
S 63°39'58" E

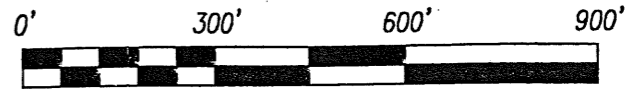


NOTES:

1. Tract 1 platted hereon is the same as Parcel 1 shown on Plat Cabinet 6, Sheet 176B and further described in Deed Book 332, Page 234.
2. Tract 2 platted hereon is the same as those properties or tracts of land described in Deed Book 328, Page 106. See also Plat Cabinet 2, Sheet 144A.
3. The purpose of this "Annexation Plat" is for annexation purposes only and does not contain all information necessary for a boundary survey.
4. Property shown hereon is subject to any and all easements or right-of-way of record and in existence at the date of this drawing.
5. Property shown hereon is subject to those restrictions set forth by the Cynthiana-Harrison County-Berry Joint Planning and Zoning Commission for its respective zoning classification.
7. See City of Cynthiana, Kentucky Ordinance Number 898 dated June 14, 1955 for adjacent city limits.
8. See City of Cynthiana, Kentucky Ordinance Number 994 dated June 30, 1965 for adjacent city limits.

Allen Patrick Darnell
10/25/2014

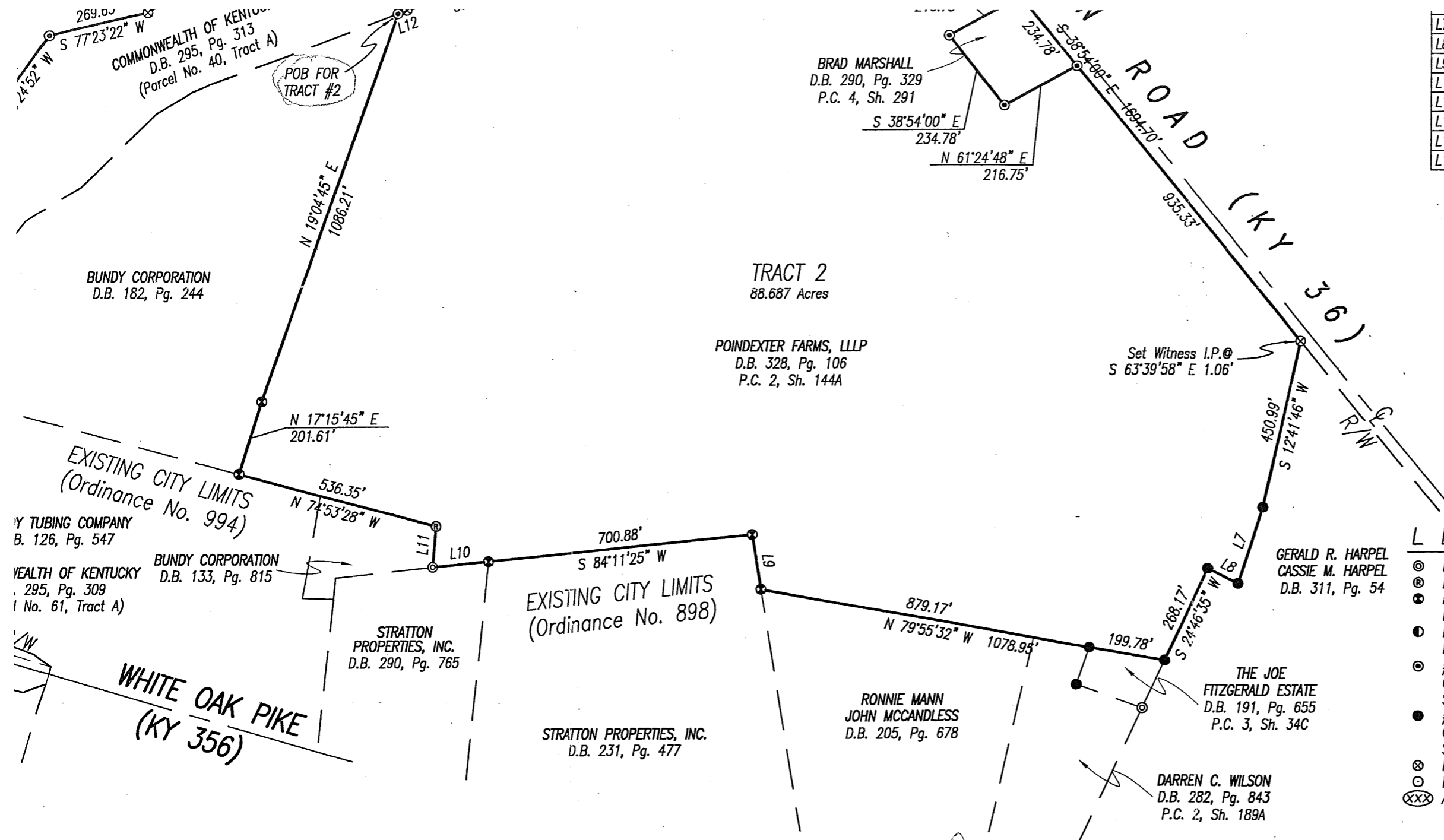
STATE OF KENTUCKY
ALLEN PATRICK
DARNELL
3553
LICENSED
PROFESSIONAL
LAND SURVEYOR



CYNTHIANA

STATE OF KENTUCKY
ALLEN PATRICK
DARNELL
3553
LICENSED
PROFESSIONAL
LAND SURVEYOR

L7	S 18°07'53" W	211.66'
L8	N 63°28'45" W	88.25'
L9	N 09°18'48" W	146.67'
L10	S 84°14'09" W	151.45'
L11	N 04°51'56" E	108.60'
L12	N 69°12'36" E	25.72'
L13	N 80°28'00" E	60.83'
L14	N 63°30'05" E	44.67'



- LEGEND:**
- ⊙ Iron Pin/Pipe Found
 - ⊙ Iron Rod Found
 - Iron Pin Found with I.D. Cap bearing "J. Casey LS 2017"
 - Iron Pin Found with I.D. Cap bearing "Joe H. Justice RLS 1989"
 - ⊙ #4 Rebar, 18" long, with I.D. Cap bearing "Darnell 3553" Set in Previous Survey
 - #4 Rebar, 18" long, with I.D. Cap bearing "Darnell 3553" Set this Survey
 - ⊙ Point @ Right-of-Way
 - ⊙ Railroad Spike Found
 - ⊙⊙⊙ Address

PLOTTED: 01/25/16 @ 11:00 BY APD

Allen Patrick Darnell
 01/25/2016

STATE OF KENTUCKY
 ALLEN PATRICK DARNELL
 3553
 LICENSED PROFESSIONAL LAND SURVEYOR



ANNEXATION PLAT

CITY OF CYNTHIANA

CYNTHIANA BYPASS & WILLIAMSTOWN ROAD (KY 36)

STATE OF KENTUCKY ALLEN PATRICK DARNELL 3553 LICENSED PROFESSIONAL LAND SURVEYOR	SCALE 1" = 300'	DATE 08/25/15	DARNELL ENGINEERING, INC. P.O. Box 175 Cynthiana, Kentucky 41031 (859) 234-8957 <small>*THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150.*</small>
	FILE NO. 15-3037	FILENAME POINANNEX2	
	FIELD BOOK 129-65	.CRD FILE PALMERBY	
	DRAWN BY APD	CHECKED BY APD	