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 ALISON LUNDERGAN GRIMES
SECRETARY OF STATE

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 #1564 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, City Clerk

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

Leslie Mullett, Notary

My Commission expires September 4, 2019

ORDINANCE NO. 1564

AN ORDINANCE OF THE CITY OF CYNTHIANA, KENTUCKY EXTENDING ITS PRESENT BOUNDARY AND ANNEXING CERTAIN ADJACENT PROPERTY TO THE CITY CONSISTING OF 26.733 ACRES LYING ON THE NORTH SIDE OF MILLERSBURG PIKE (KY 32 & KY 36), ON THE EAST AND NORTH SIDES OF CULPEPPER DRIVE AND ON THE SOUTHWEST SIDE OF CHELSEA DRIVE AND BEING CURRENTLY OWNED BY HARRISON MEMORIAL HOSPITAL, INC..

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 residential development in the area of lying generally on the north side of Millersburg Pike (KY 32 & KY 36), on the east and north sides of Culpepper Drive, and on the southwest side of Chelsea Drive, and,

WHEREAS, the area to be annexed is suitable for development for urban residential 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 owner of said property has 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 adjacent or contiguous property to the City:

PARCEL 1 (26.733 Acres)

All that certain tract or parcel of land, lying and being located in Harrison County, Kentucky: and situated on the north side of Millersburg Pike (KY 32 & KY 36), on the east and north sides of Culpepper Drive, and on the southwest side of Chelsea Drive; and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin" is a set #4 rebar, eighteen (18") inches in length, with an orange cap stamped "Darnell 3553." All bearings stated herein are referenced to Plat Cabinet 4, Sheet 548A. All deed and plat references stated herein are found in the office of the Harrison County Clerk, unless otherwise stated.

Beginning at a mag nail in the center of Millersburg Pike (KY 32 & KY 36), a corner to William C. Doan & Janice K. Doan (D.B. 249, Pg. 365); said point lying S.56°17'28"E. 826.16 feet from a mag nail at the intersection of the centerline of said Millersburg Pike (KY 32 & KY 36) with the east right-of-way of Culpepper Drive; thence with the center of said Millersburg Road (KY 32 & KY 36) for four calls as follows: (1) N.61°54'48"W. 402.16 feet to a point, (2) N.57°04'09"W. 66.74 feet to a point, (3) N.52°02'12"W. 87.50 feet to a point, and (4) N.49°12'11"W. 274.03 feet to a mag nail at the east right-of-way of Culpepper Drive; thence with the said right-of-way of said road N.44°59'15"E. passing an iron pin at 30.00 feet, in all 393.04 feet to an iron pin at the north right-ofway of Culpepper Drive; thence with said right-of-way of said road N.48°24'45"W. 260.45 feet to a point, in the line of Steven A. Chasteen (D.B. 152, Pg. 44; P.B. 1, Sh. 49); thence with said Chasteen, Stephen A. Besson & Kelly R. Besson (D.B. 233, Pg. 217; P.B. 1, Sh. 49), Billy Gene Whitaker & Sandra Kay Whitaker (D.B. 147, Pg. 582; P.B. 1, Sh. 49), and Christa Strawzell (D.B. 316, Pg. 421; P.B. 1, Sh. 49) N.44°59'15"E. 490.00 feet to a found iron pipe/pin, a corner to Steven Todd Brannock & Leann M. Brannock (D.B. 324, Pg. 257; P.B. 1, Sh. 49); thence with said Brannock, Bobby S. Barnes & Cindy Barnes (D.B. 250, Pg. 350; P.B. 1, Sh. 49), Nancy Moore (D.B. 303, Pg. 82; P.B. 1, Sh. 49), and Kerri Childress (D.B. 314, Pg. 78; P.B. 1, Sh. 49) N.45°04'47"E. 439.43 feet to a found iron pipe/pin, a corner to Joseph E. Schreiber & Amy J. Schreiber (D.B. 305, Pg. 125; P.B. 1, Sh. 49); thence with said Schreiber N.48°35'57"E. 90.02 feet to an iron pin, a corner to James D. Sapp & Carol Sapp (D.B. 281, Pg. 380; P.B. 1, Sh. 49) and Charles O. Pugh, Trustee (D.B. 238, Pg. 182; P.C. 1, Sh. 40D); thence with said Pugh S.61°13'54"E. 94.94 feet to a found iron pin bearing "J. Casey LS 2017" and N.71°03'17"E. 143.19 feet to a found iron pin bearing "J. Casey LS 2017" in the southwest right-of-way of Chelsea Drive; thence with said right-of-way of said road S.18°55'01"E. 190.03 feet to an iron pin, a corner to Mary Gim Norfleet (D.B. 275, Pg. 396; P.C. 4, Sh. 548A); thence with said Norfleet S.71°04'30"W. 120.00 feet to a found iron pin bearing "J. Casey LS 2017" and S.18°55'30"E. 160.07 feet to a found iron pin bearing "J. Casey LS 2017", a corner to Darwin E. Root & Linda J. Root (D.B. 283, Pg. 688; P.C. 4, Sh. 548A); thence with said Root

S.71°30'20"E. 165.20 feet to a found iron pin bearing "H&M Inc. 3407", a corner to Mary Gim Norfleet (D.B. 275, Pg. 396; P.C. 4, Sh. 548A); thence with said Norfleet S.71°30'20'E. passing a found iron pin bearing "H&M Inc. 3407" at 183.27 feet, in all 206.18 feet to a found iron pin bearing "J. Casey LS 2017", a corner to Jack H. Owen Estate, Robert A. Owen, Jr., & Julie Owen Jones (D.B. 272, Pg. 627; P.C. 4, Sh. 596A); thence with said Owen, Owen, & Jones S.18°04'46"W. 491.91 feet to a fence post, a corner to Perry Thomas Rose & Kathy Jo Rose (D.B. 184, Pg. 199); thence in part with Rose and John W. Schreiber & Leigh Ann Schreiber (D.B. 218, Pg. 631) N.71°23'47"W. 244.23 feet to a point at the edge of a pond; thence with said Schreiber S.23°07'17"W. 117.46 feet to an iron pin, a corner to Lewis M. Gaffin & Mary Jo Gaffin (D.B. 132, Pg. 624; D.B. 138, Pg. 44; D.B. 149, Pg. 508; P.C. 1, Sh. 7E); thence with said Gaffin S.23°07'17"W. 103.50 feet to an iron pin, a corner to Leslie C. Marsh & Lynda R. Marsh (D.B. 208, Pg. 556); thence in part with said Marsh, Danny A. Wilson & Kim C. Wilson (D.B. 244, Pg. 117), & Harold E. Bennett, Sr. & Yvonne M. Bennett (D.B. 297, Pg. 7) S.23°07'17"W. 276.00 feet to a found iron pipe/pin, a corner to Leslie C. Smith & Joan E. Smith (D.B. 147, Pg. 746); thence with said Smith S.23°07'17"W. 109.94 feet to a found iron pipe/pin, a corner to Ricky A. Reffett (D.B. 308, Pg. 582); thence with said Reffett and William C. Doan & Janice K. Doan (D.B. 249, Pg. 365) S.23°07'17"W. passing an iron pin at 170.50 feet, in all 200.50 feet to the point of beginning containing an area of 26.733 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 September 3, 2013. See Plat recorded in Plat Cabinet _____, Sheet _____.

Said property being the same as that property deeded Harrison Memorial Hospital, Inc., Inc. by Robert A. Owen, Jr. Executor of the Estate of Jack H. Owen, by deed dated September 9, 2013 and recorded in Deed Book 328, Page 750.

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: 4-4-17

SECOND READING AND PASSAGE: 4-18-17

James Smith, Mayor

ATTEST:

Jamie Hutchison, City Clerk

REQUEST FOR ANNEXATION BY CONSENT AND AFFIDAVIT PURSUANT TO KRS 81A.412

Comes the Affiant, Sheila Currans, Chief Executive Officer of Harrison Memorial Hospital, Inc., acting on behalf of Harrison Memorial Hospital, Inc., after being duly sworn, and for the request of Harrison Memorial Hospital, Inc. for annexation and affidavit, states as follows:

- 1. That Harrison Memorial Hospital, Inc. is the sole owner of a certain parcel or tract of property located on Millersburg Pike, said property being more particularly described in Deed Book 328, Page 750 and being shown as Parcel 1 on the Plat attached hereto as Exhibit A and a legal description of which is attached as Exhibit B.
- 2. That Harrison Memorial Hospital, Inc. hereby requests and consents to the annexation of said property by the City of Cynthiana and waives any and all right to object or remonstrate to the annexation of said property as described herein.
- 3. Affiant further acknowledges that the City of Cynthiana has not made any promise or commitment regarding the availability or capacity of water or sewer service to the subject property, however, following the annexation the property would be eligible to be serviced by the City sanitary sewer system to the extent capacity is available or may be available in the future.
- 4. This consent and affidavit is executed under the authority of KRS 81A. 412 and other applicable law.

Further the Affiant saith naught.

HARRISON MEMORIAL HOSPITAL, INC.

By:

Sheila Currans,

Chief Executive Officer

| | $V \checkmark$ |
|------------------|----------------|
| STATE OF | <u> </u> |
| COUNTY OF | Harrison |

Subscribed, sworn to and acknowledged before me by Sheila Currans, acting on behalf of Harrison Memorial Hospital, Inc. as its Chief Executive Officer, on this the 17th day of April 2017.

My commission expires: $\frac{5/19/2017}{}$

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 -paidarnell@kymail.com (EMAIL)

April 3, 2017

File No. 17-3551

Harrison Memorial Hospital, Inc. Attn: Sheila Currans #1210 Ky. Hwy. 36; Millersburg Pike Cynthiana, KY 41031

Re: Annexation Description for Parcel 1 (26.733 Acres) Owen Property @ Country Club Estates

PARCEL 1 (26.733 Acres)

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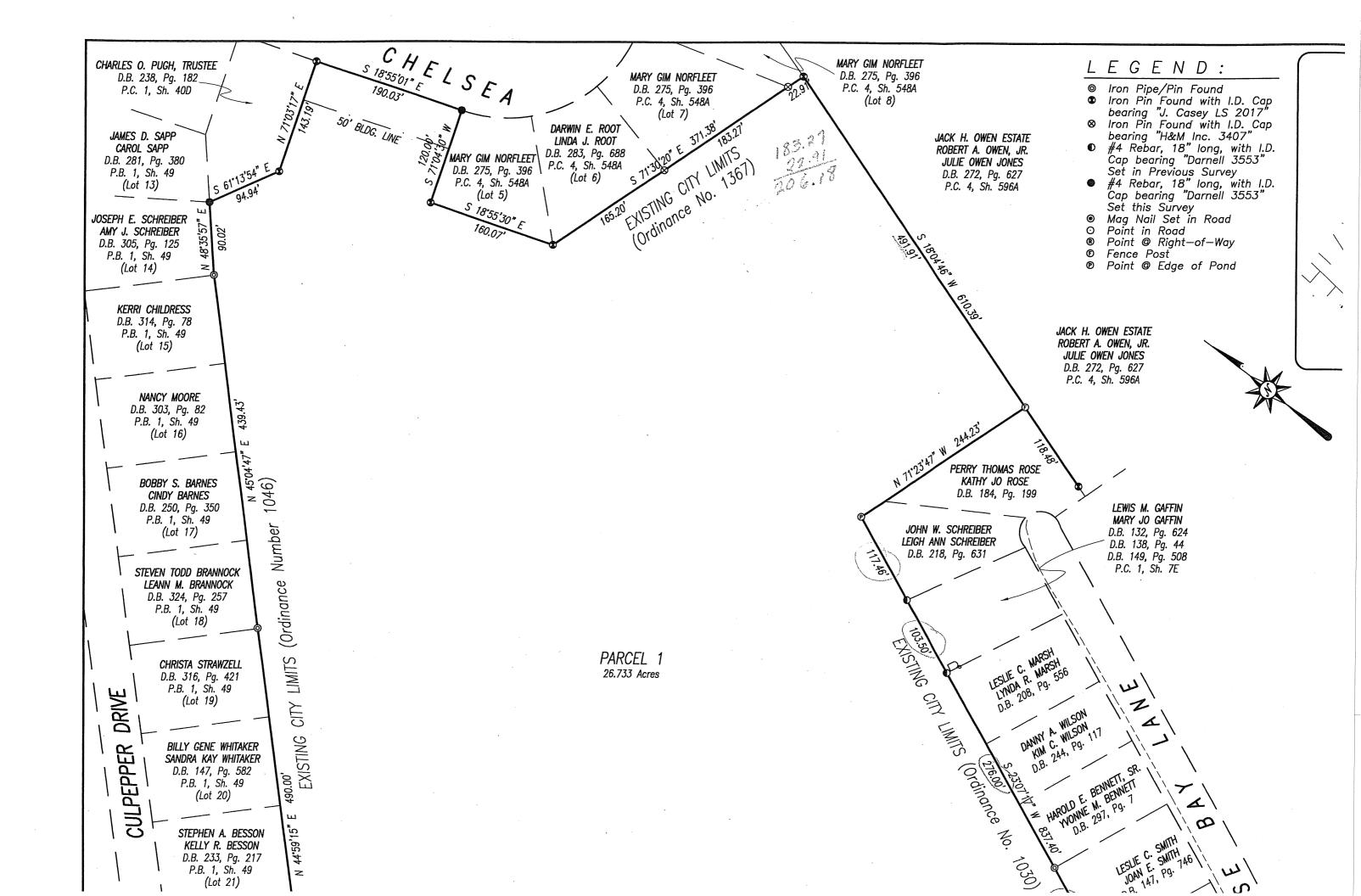
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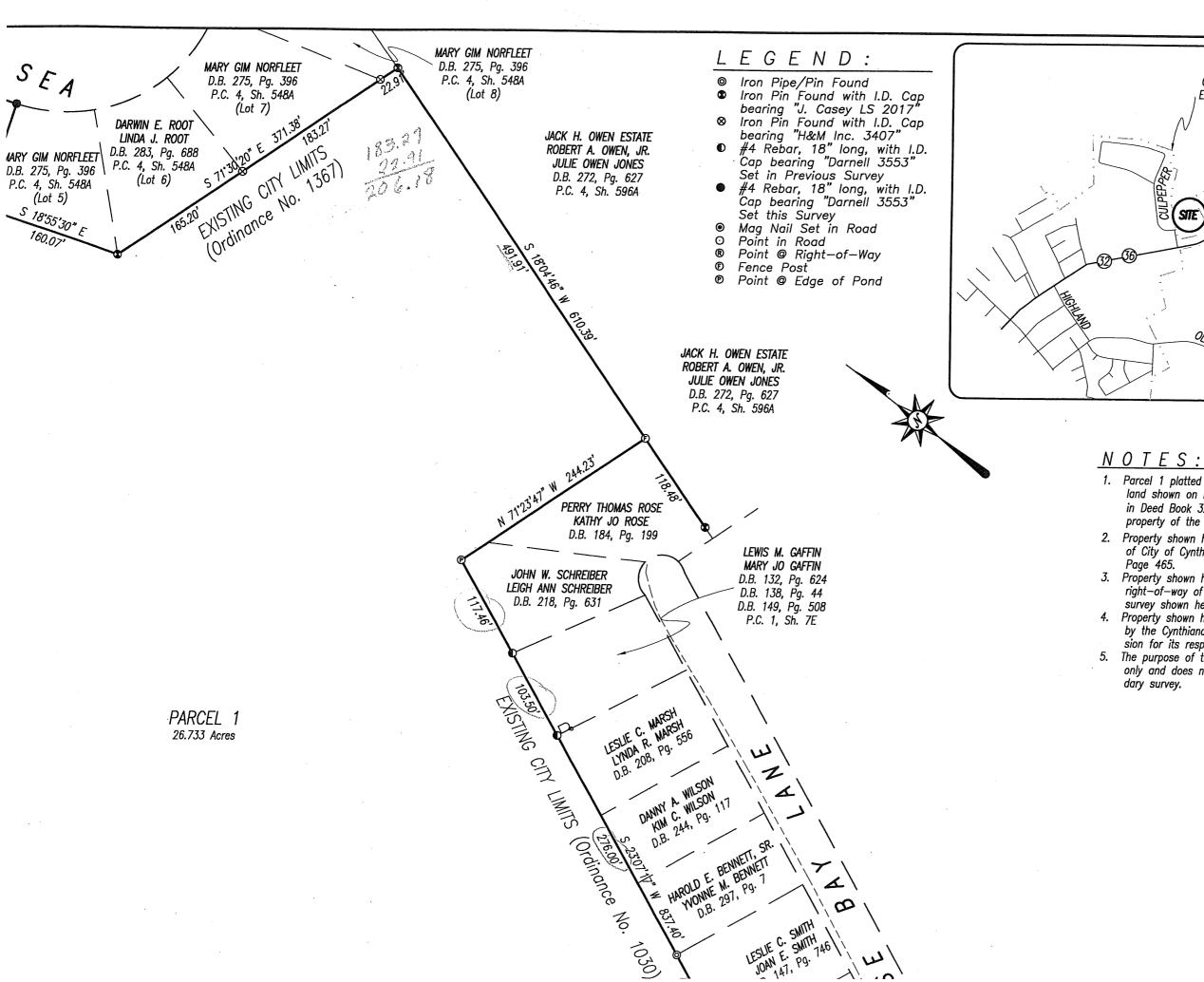
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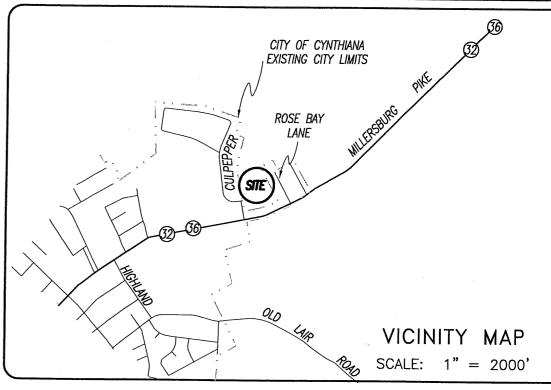
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DARNELL 3553
LICENSED FROSESSON
LAND CONVEY, A RESTRICT







- 1. Parcel 1 platted hereon is the same as that tract or parcel of land shown on Plat Cabinet 6, Sheet 202B and further described in Deed Book 328, Page 750. property of the parent tract after numerous exceptions.
- 2. Property shown hereon is subject to a utility easement in favor of City of Cynthiana, Kentucky as recorded in Deed Book 295,
- Property shown hereon is subject to any and all easements or right-of-way of record and in existence at the date of the field survey shown hereon.
- 4. Property shown hereon is subject to those restrictions set forth by the Cynthiana-Harrison County-Berry Joint Planning Commission for its respective zoning classification.

 5. The purpose of this "Annexation Plat" is for annexation purposes
- only and does not contain all information necessary for a boun-

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