

— BOARD OF COMMISSIONERS —

MELVIN E. HAMPTON
PUBLIC AFFAIRS

VIRGIE WELLS
PUBLIC PROPERTY

BEVERLY M. PRICE
PUBLIC SAFETY

REED ANDERSON
PUBLIC WORKS

WILLIAM HORN
PUBLIC FINANCE

CITY OF CYNTHIANA

MELVIN HAMPTON, MAYOR
HOURS 8:00 A.M. TO 4:00 P.M.
P.O. BOX 67
CYNTHIANA, KENTUCKY 41031

July 1, 1985

Office of the Secretary of State
Capitol Building
Frankfort, Kentucky 40601

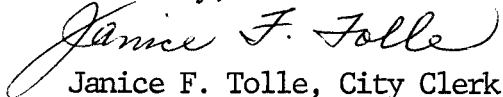
Re: Annexation of Property by
City of Cynthiana, Kentucky

Dear Sir:

Pursuant to the requirements of KRS. 81A.470, enclosed please find a certified copy of Ordinance #1149 of the City of Cynthiana annexing certain property to the City. Also enclosed is an accurate map of the annexed area with a metes and bounds description as required by law.

Please record these documents in the appropriate manner. If you have any questions, please advise.

Sincerely,



Janice F. Tolle, City Clerk
City of Cynthiana
P.O. Box #67
Cynthiana, Kentucky 41031

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SECRETARY OF STATE
RECEIVED
JUL 02 1985

Commonwealth of Kentucky

July 1, 1985

I, Janice F. Tolle, City Clerk of the City of Cynthiana, Kentucky, do certify that the foregoing is a true and correct copy of Ordinance # 1149 of the City of Cynthiana, Kentucky as recorded in my office.

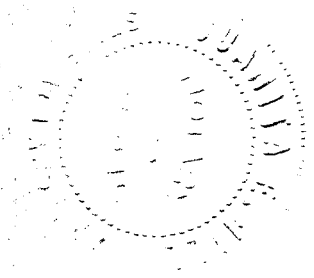
Given under my hand this the 1st day of July, 1985

Janice F. Tolle

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE 1st DAY OF July, 1985

MY COMMISSION EXPIRES MARCH 3/18/86, 1986

Juanita E. Hill
Juanita E. Hill, N.P.H.C.KY



SWINFORD & SIMS, P.S.C.

ATTORNEYS AT LAW

CYNTHIANA, KENTUCKY 41031-0397

June 7, 1985.

Hon. Melvin E. Hampton, Mayor
Hon. Beverly M. Price, Commissioner
Hon. William Horn, Commissioner
Hon. Virgie Wells, Commissioner
Hon. Reed Anderson, Commissioner
City of Cynthiana
East Pleasant Street
Cynthia, Kentucky 41031

RE: Annexation of 12.0709 acres of Warren Judy Farm

Dear City Commission:

As the sole owners of property adjacent to the City of Cynthiana, Harrison County, Kentucky (the "City"), lying south of part of Unit 3-C of Robynwood Heights Subdivision and east of part of property owned by the Harrison County Board of Education (the "Property"), we hereby request the City to extend its existing boundary and annex the Property to the City, subject to the following conditions:

1. The Property to be annexed to the City is as described on plat captioned "Exhibit A", a copy of which is attached hereto, and as described in the legal description attached hereto as "Exhibit B".
2. The owners and the City shall enter into an Agreement whereby either the owners or the City shall provide municipal water and sewer services to the Property, according to plans and specifications approved by the City, at the expense of the owners, and at no cost to the City.

There is enclosed herewith a copy of a proposed "Intent Ordinance", and a copy of a "Verified Consent" form which we intend to file in this matter.

City Commission
June 7, 1985
Page 2

We would appreciate this matter being placed on the docket for consideration at the regular Commission Meeting to be held June 11, 1985.

Very truly yours,



Warren C. Judy



Janice C. Judy

cc: Hon. John Lair, City Attorney

AN ORDINANCE EXPRESSING THE INTENT OF THE CITY OF CYNTHIANA, KENTUCKY, TO EXTEND ITS PRESENT BOUNDARY SOUTH AND ANNEX CERTAIN CONTIGUOUS PROPERTY TO THE CITY, BEING APPROXIMATELY 12.0709 ACRES, LYING SOUTH OF PART OF UNIT 3-C OF ROBYNWOOD HEIGHTS SUBDIVISION AND EAST OF PART OF HARRISON COUNTY BOARD OF EDUCATION PROPERTY.

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

WHEREAS the City recognizes the growth of urban development in the area south of Robynwood Subdivision, east of Harrison County Junior High School, and,

WHEREAS, it is desirable for all concerned that said urban growth and development occur within expanded limits of the City of Cynthiana; and,

WHEREAS, the City is willing and able to provide municipal water and sewer facilities to the annexed area to insure a safe and reliable water supply and safe and healthful disposal of waste in the area of potential and actual development, subject to an Agreement to be made with the Owners of the annexed area;

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

SECTION 1. That the City of Cynthiana, Kentucky hereby expresses its intent to extend its boundaries and annex

contiguous property to the City as shown on a plat captioned "Exhibit A", attached hereto, the legal description of the property being as follows:

A certain tract or parcel of land lying in Harrison County, Kentucky, adjacent to the south City Limits of Cynthiana, Kentucky, and being a described as follows:

BEGINNING at a set iron pin (1/2" ref. bar) by a corner fence post, a corner with Harrison County Board of Education and Robynwood Heights Subdivision: THENCE

S 66 degrees 40 minutes 10 seconds east - 1143.03 feet with Robynwood Heights Subdivision, Unite 3-C, Plat Cabinet 1, Page 68 F, to a set iron pin at the SW end of Judy Lane; thence with same S 66 degrees 29 minutes 30 seconds E - 52.98 feet across SW end of Judy Lane to a set iron pin on north side of a large hackberry stump, a corner with Robynwood Heights Subdivision and Warren Judy; thence with line of Warren Judy four calls, S 42 degrees 10 minutes 09 seconds W - 174.72 feet down hill to a set iron pin; thence S 31 degrees 39 minutes 10 seconds W - 325.15 feet down hill to a set iron pin; thence N 66 degrees 57 minutes 15 seconds W - 50.19 feet to a set iron pin on the west side of a proposed street; thence N 66 degrees 57 minutes 15 seconds W - 925.47 feet to a set iron pin in a fence, a corner with Harrison County Board of Education, Deed Book 124, Page 387; thence N 10 degrees 16 minutes 03 seconds E - 504.74 feet with their line and fence to the beginning point, containing twelve and 709/10000 (12.0709) acres. This description prepared from a physical survey conducted by Berlyn Brown, Ky RLS 763 on April 30, 1985.

Being part of the same property as that conveyed Warren C. Judy and Janice C. Judy, his wife, by Harold Harpe, et ux., by deed dated September 3, 1976, and recorded in Deed Book 147, Page 430.

All references are to the records of the Harrison County Court Clerk's Office.

SECTION 2. That annexation of this area to the City is desirable due to its great potential for urban growth and development, and the advantages to be derived by all concerned from its orderly development and the furnishing of municipal water and sewers to the area.

SECTION 3. That this Ordinance shall take effect from and after its passage, approval, and publication as required by law.

First Reading and Approval June 11, 1985

Second Reading and Approval June 25, 1985

Michael E. Hampton
MAYOR

ATTEST:

Janice F. Tolle
City Clerk

VERIFIED CONSENT TO ANNEXATION
AND WAIVER

Come the affiants, Warren C. Judy and Janice C. Judy,
Route #1, Cynthiana, Kentucky 41031, and state as follows:

1) That they are the sole joint owners of that certain tract of real property South of part of Unit 3-C of Robynwood Heights Subdivision and East of part of Harrison County Board of Education property near Cynthiana, Harrison County, Kentucky, and more fully described in the Ordinance of Annexation of the City of Cynthiana as shown in Exhibit "A" attached to such ordinance, and the legal description found therein.

2) That there are no residents on said property.

3) That they, their successors and assigns, have no objection to annexation of this property by the City of Cynthiana, and hereby waive any and all rights to object to such annexation that they may have pursuant to the Kentucky Revised Statutes or the Municipal Code of Ordinances of the City of Cynthiana.

This the 7 day of June, 1985.

Warren C. Judy
WARREN C. JUDY

Janice C. Judy
JANICE C. JUDY

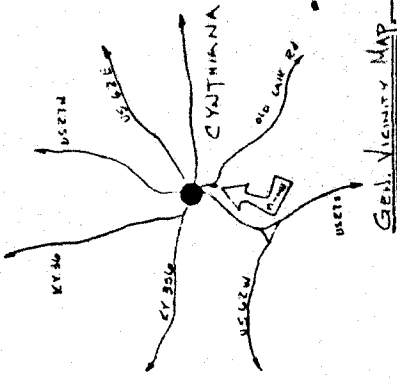
STATE OF KENTUCKY
SCT.
COUNTY OF HARRISON

Subscribed and sworn to before me by Warren Judy and Janice Judy, on this the 7 day of June, 1985.

My Commission Expires:
August 27, 1988

Paul Ronald Mahoney
NOTARY PUBLIC

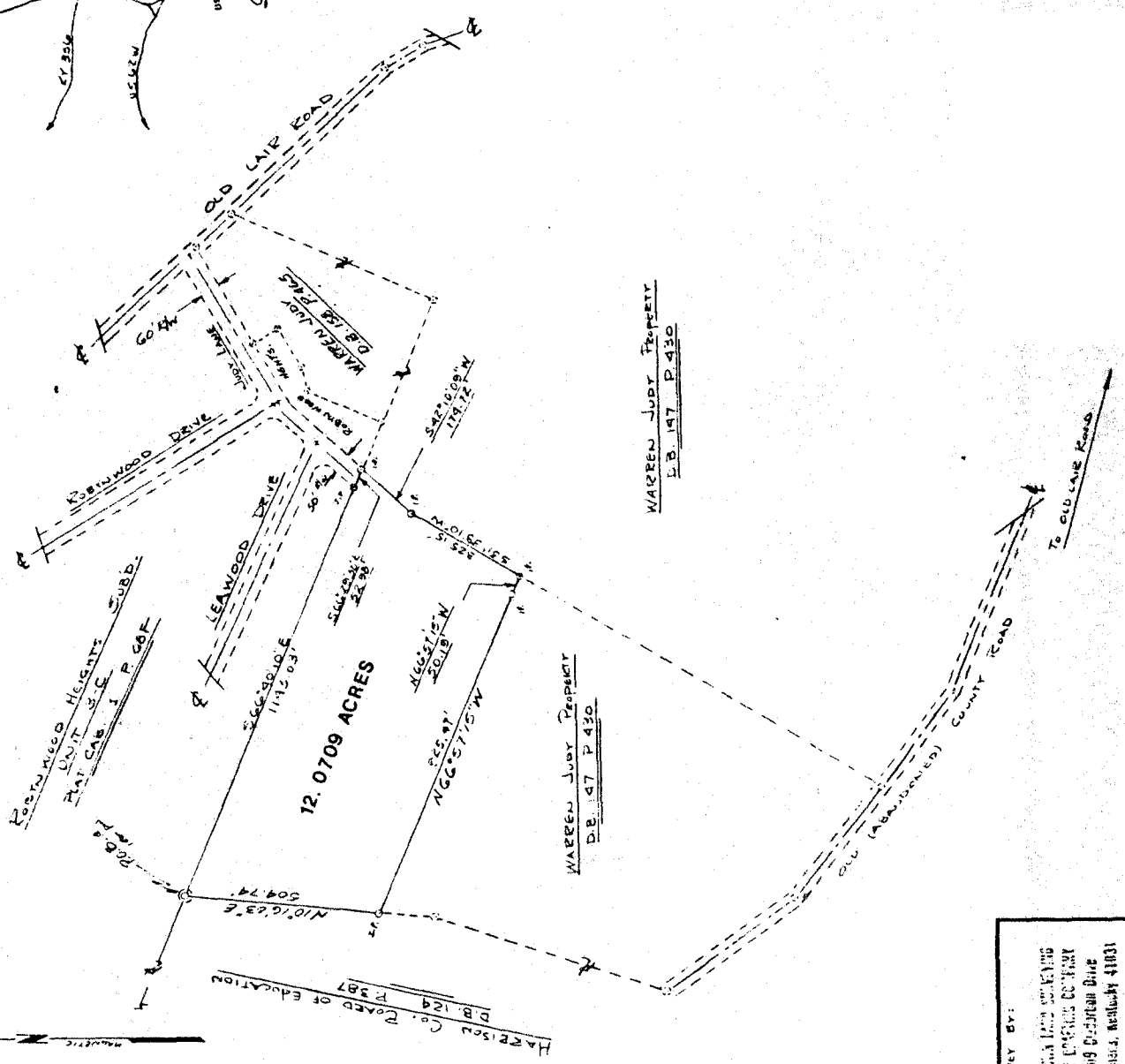
(SEAL)



I DO HEREBY CERTIFY THAT THE SURVEY WAS MADE BY THE SURVEYOR AND THE DATA IS TO BE USED FOR THE PURPOSES OF RECORDING THE SURVEY AND THE SURVEYOR HAS BEEN ADVISED OF THE PURPOSE AND SCOPE OF THE SURVEY AND HAS AGREED TO THE TERMS AND CONDITIONS OF THE SURVEY. I AM NOT PROVIDING ANY WARRANTY AS TO THE ACCURACY OF THE SURVEY OR THE DATA. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE SURVEY OR THE DATA. THE SURVEYOR IS NOT PROVIDING ANY GUARANTEE OF THE ACCURACY OF THE SURVEY OR THE DATA. THE SURVEYOR IS NOT PROVIDING ANY GUARANTEE OF THE ACCURACY OF THE SURVEY OR THE DATA.

Warren Judy Property 7.33 6.41 6.45

TO THE PUBLIC: THIS SURVEY IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THE PURPOSES OF RECORDING THE SURVEY AND THE SURVEYOR HAS BEEN ADVISED OF THE PURPOSE AND SCOPE OF THE SURVEY AND HAS AGREED TO THE TERMS AND CONDITIONS OF THE SURVEY. I AM NOT PROVIDING ANY WARRANTY AS TO THE ACCURACY OF THE SURVEY OR THE DATA. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE SURVEY OR THE DATA. THE SURVEYOR IS NOT PROVIDING ANY GUARANTEE OF THE ACCURACY OF THE SURVEY OR THE DATA.



HARRISON Co. Board of Education
 D.B. 124 P. 387

WARREN JUDY PROPERTY
 D.B. 47 P. 430

WARREN JUDY PROPERTY
 D.B. 147 P. 430

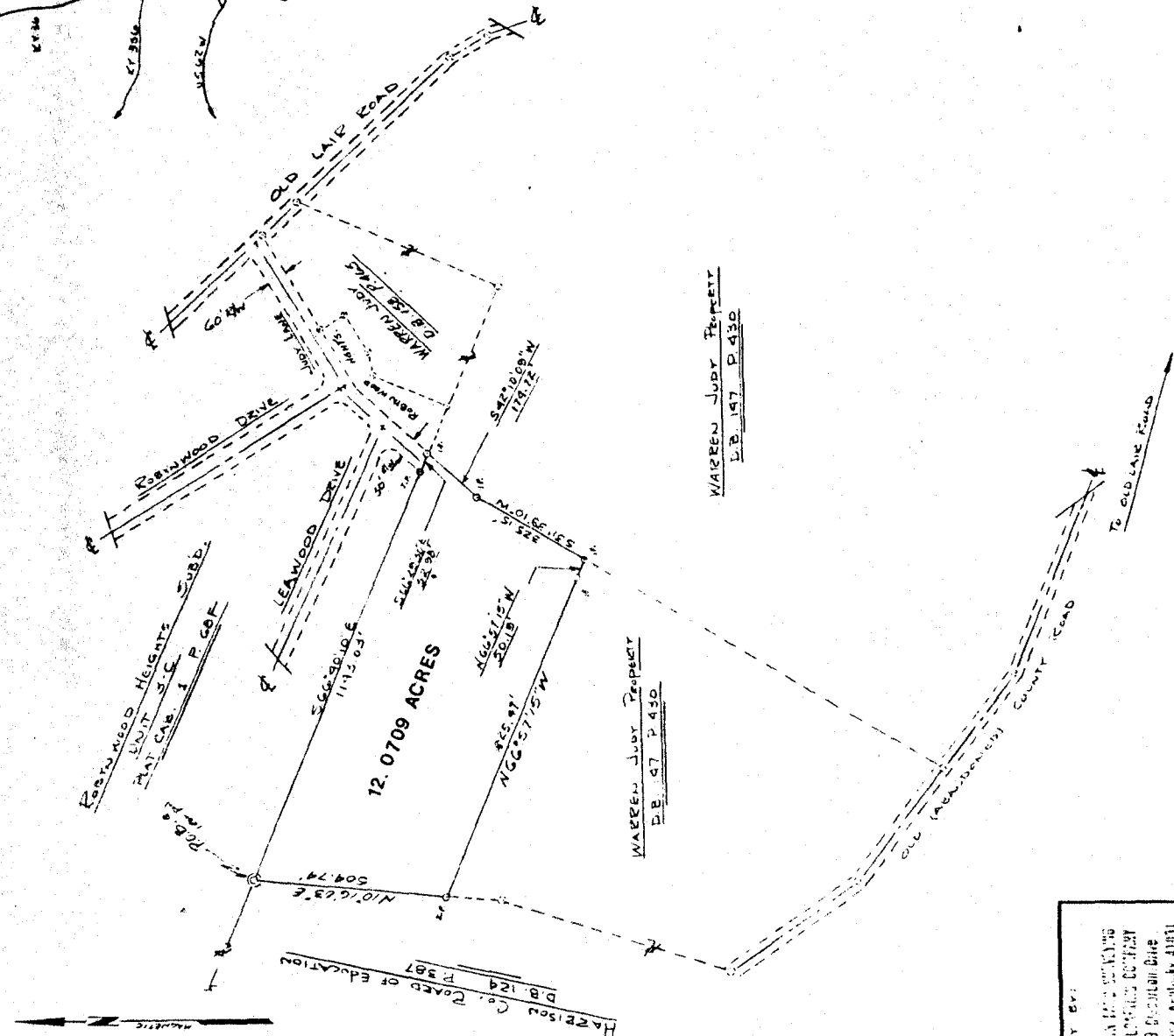
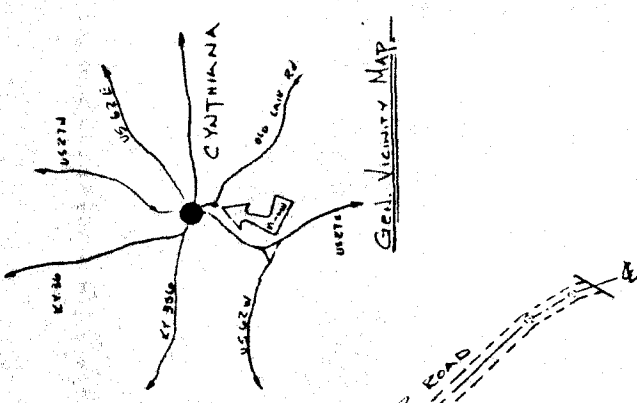
SURVEY BY:
 SHAWNEE SURVEYING
 AND ENGINEERING
 208 DESERAIN DRIVE
 COLUMBIA, MISSOURI 65201

STATE OF KENTUCKY
 Survey No. 10000
 LAND SURVEYOR

STATE OF SURVEY FOR
Warren Judy
 DATE: 4-30-85
 LOCATED ADDRESS: VANUE SOUTH OF HIGHWAY, AVE. ADJACENT TO THE CITY OF JOUETT, MISSOURI
 SURVEYOR: JUDY
 SCALE: 1" = 400'

NO. 124	DATE: 4-30-85	BY: JWB
124	4-30-85	4-30-85

1985-04-09A



100 METERS (328 FEET) THE SURVEY SHOWN HEREIN WILL BE PERMANENTLY MARKED BY THE SURVEYOR AND THE OWNER TO ADDITIONAL MARKERS WILL BE PLACED AT THE CORNERS AND INTERSECTIONS OF THE LINES AND DISTANCES AND THAT THE LOCATION AND EXTENT OF THE SURVEY AS SHOWN HEREIN SHALL BE THE BASIS OF THE ADJUSTMENT TO BE MADE BY THE SURVEYOR IN THE FIELD ALONG THE PROPERTY LINE SHOWN HEREON.

Warren Judy Property 732-4448

DATE OF SURVEY: _____
 DATE OF SALE: _____
 DATE OF RECORDING: _____

A PART OF SURVEY FOR	
Warren Judy	
PLAT NO. 1-200	BOOK 21, PAGE 45E
DATE 4-30-65	RECORDED 6-5-65
LOCATED APPROX 1/4 MILE SOUTH OF HIGHWAY 40, ADJACENT TO THE CITY OF CYNTHIANA CITY LIGHTS. SEE JUDY CASE IN RECORDS FOR ADJUSTMENT.	
SCALE 0 200 400	DATE 85-09-09A



SURVEY BY:
 BROWN & BROWN
 LAND SURVEYORS
 249 S. MAIN ST.
 CYNTHIANA, KENTUCKY 41031

PROPERTY OF WARREN JUDY
DEED DESCRIPTION

A certain tract or parcel of land lying in the County of Harrison, State of Kentucky, adjacent to the south City Limits of Cynthiana, Kentucky, and being a portion of the land conveyed to Warren Judy as recorded in Deed Book 147, Page 430, Harrison County Court Clerk's Office, Cynthiana, Kentucky and being further described as follows:

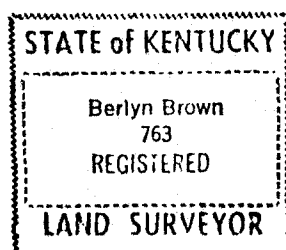
BEGINNING at a set iron pin ($\frac{1}{2}$ " ref. bar) by a corner fence post, a corner with Harrison County Board of Education and Robinwood Heights Subdivision: THENCE

S 66°40'10"E - 1143.03 feet with Robynwood Heights Subdivision, Unit 3 -C, Plat Cabinet 1, Page 68 F, to a set iron pin at the SW end of Judy Lane; thence with same S 66°29'30"E - 52.98 feet across SW end of Judy Lane to a set iron pin on north side of a large hackberry stump, a corner with Robynwood Heights Subdivision and Warren Judy; thence with line of Warren Judy four calls, S 42°10'09"W - 174.72 feet down hill to a set iron pin; thence S 31°39'10"W - 325.15 feet down hill to a set iron pin; thence N 66°57'15"W - 50.19 feet to a set iron pin on the west side of a proposed street; thence N 66°57'15"W - 925.47 feet to a set iron pin in fence, a corner with Harrison County Board of Education, Deed Book 124, Page 387; thence N 10°16'03"E - 504.74 feet with their line and fence to the beginning point, containing twelve and 709/10000 (12.0709) acres.

This description prepared from a physical survey conducted by

Berlyn Brown

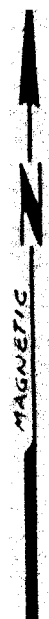
Ky RLS 763 on April 30, 1985.



Being part of the same property as that conveyed Warren C. Judy and Janice C. Judy, his wife, et ux., by deed dated September 3, 1976, and recorded in Deed Book 147, Page 430.

All references are to the Harrison County Court Clerk's Office.

EXHIBIT B



ROBYNWOOD HEIGHTS
 UNIT 3-C
 PLAT CAB. 1 P. 68F
 SUBD.

P.O.B. @
 1000 P.M.

ROBYNWOOD DRIVE

LEAWOOD DRIVE

12.0709 ACRES

HARRISON Co. BOARD OF EDUCATION
 D.B. 124 P. 387

N10°16'03"E
 504.74'

S66°40'10"E
 1143.03'

S66°29'30"E
 52.98'

N66°57'15"W
 50.19'

925.47'
 N66°57'15"W

325.15'
 S31°39'10"W

WARREN JUDY PROPERTY
 D.B. 147 P. 430

WARREN
 D.B. 147

EXHIBIT A

OLD

(A)