

CITY OF CYNTHIANA

P.O. BOX 67 • 104 E. PLEASANT ST.
CYNTHIANA, KENTUCKY 41031
(859) 234-7150

RECEIVED AND FILED
DATE Oct. 15, 2002

JOHN Y. BROWN III
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adkins

September 25, 2002

The Honorable John Y Brown, III
Secretary of State
700 Capitol Avenue, Suite 152
The Capitol
Frankfort, Kentucky 40601

I, Charleen McIlvain, City Clerk of the City of Cynthiana, Kentucky, do certify that the attached is a true and correct copy of Request for Annexation by Consent and Affidavit Pursuant to KRS 81A.412 Ordinance #1353 of the City of Cynthiana, Kentucky.

Charleen McIlvain
Charleen McIlvain, City Clerk

Subscribed, sworn to, and acknowledged before me this the 25th day of September, 2002

Kathy M. Brooks
Kathy M. Brooks, Notary

My Commission expires May 2, 2005

RECEIVED AND FILED
DATE Oct. 15, 2002

ORDINANCE NO. 1353

JOHN Y. BROWN III
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adkins

AN ORDINANCE OF THE CITY OF CYNTHIANA, KENTUCKY EXTENDING ITS PRESENT BOUNDARY AND ANNEXING CERTAIN CONTIGUOUS PROPERTY TO THE CITY CONSISTING OF AN AREA OF APPROXIMATELY FIVE (5) ACRES, MORE OR LESS, LYING GENERALLY SOUTH OF THE PRESENT CITY BOUNDARY AND NORTH OF STOKELY DRIVE AND BEING CURRENTLY OWNED BY GRACE APOSTOLIC CHURCH, INC., A KENTUCKY CORPORATION.

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 growth of business and/or residential development in the area of lying generally north of Stokely Drive and,

WHEREAS, the area to be annexed is suitable for development for urban purposes without unreasonable delay and it is desirable for all concerned that said growth and development occur 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:

All that certain tract or parcel of land, lying and being located in Harrison County, Kentucky; and situated on the north side of Stokely 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 a orange cap

stamped "Darnell 3553". All bearings stated herein are referenced to the Parent Tract.

Beginning an iron pin in the east right-of-way of Stokely Drive, a corner to the City of Cynthiana Municipal Housing Commission (D.B. 126, Pg. 122); said point lying S 53*29'23" W. 1247.88 feet from a found iron pin with aluminum disc cap bearing "Survey Point" in the east right-of-way of Riggs Avenue, a corner to the Delta Mobile Home Park; thence in part with the north right-of-way of said Stokely Drive and Lot 83, Block 6 of Grays Run Estates (P. C. 3, Sh. 94D) S 74*33'01" W. 75.62 feet to an iron pin; thence with a new division line through James A. Brown and Martha R. Brown (D.B. 207, Pg. 587); N 43*30'00" W. 561.88 feet to an iron pin in the line of City of Cynthiana Municipal Housing Commission (D.B. 122, Pg. 126, et al.); thence with said Housing Commission N. 46*30'00" E. 113.19 feet to a found concrete monument with aluminum disc, a corner to the City of Cynthiana Municipal Housing Commission (D.B. 121, Pg. 21); thence with said Housing Commission S. 80*32'08" E 832.59 feet to an iron pin in the line of the City of Cynthiana Municipal Housing Commission (D.B. 126, Pg. 122); thence with said Housing Commission S. 53*29'23" W. 552.03 feet to the point of beginning containing an area of 5.000 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 Allen Patrick Darnell, PE, PLS on May 4, 2002. See Plat recorded in Plat Cabinet 4, Sheet 502A.

Being the same property as that conveyed Grace Apostolic Church, Inc., a Kentucky corporation, by James A. Brown and Martha R. Brown, his wife, by Deed dated the 2nd day of August 2002 and of record in Deed Book 258, Page 640.

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

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 A1-U 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 together with a certified copy of this Ordinance to be recorded in the Office of the Harrison County Clerk, the Office of the Secretary of State of the Commonwealth of Kentucky and the Office of the Department For Local Government. The Clerk shall further forward a map delineating the boundaries of the annexed area along with a list of the names and addresses of those property owners and/or registered voters who reside in such area 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: Sept. 10, 2002

SECOND READING AND PASSAGE: Sept. 24, 2002



Virgie F. Wells, Mayor

ATTEST:



Charleen McIlvain, City Clerk

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

Come the Affiants, William R. Howell, Sr. and Linda Howell, on behalf of Grace Apostolic Church, Inc., a Kentucky limited liability company, after being duly sworn, and for their request for annexation and Affidavit, state as follows:

1. The Affiant, William R. Howell, Sr., is the President, and the Affiant, Linda Howell, is the Secretary/Treasurer of Grace Apostolic Church, Inc., a Kentucky corporation, and the Affiants have full power and authority to act on behalf of Grace Apostolic Church, Inc. and to make this Affidavit and Request For Annexation on behalf of the company.


2. That Grace Apostolic Church, Inc. is the sole and only owner of a certain parcel or tract of property located north of Stokely Drive and being more particularly described and known as Parcel 1 on that certain plat dated June 4, 2002 prepared by Allen Patrick Darnell, PE, PLS.

3. That there are no residents or registered voters residing on said property at the present time.

4. That the Affiants, on behalf of Grace Apostolic Church, Inc., hereby request and consent to the annexation of said property by the City of Cynthiana and the Affiants, on behalf of Grace Apostolic Church, Inc., waive any and all right to object or remonstrate to the annexation of said property as described herein.

5. This consent and affidavit is executed under the authority of KRS 81A.412 and other applicable law.

Further the Affiants saith naught.



William R. Howell, Sr., President of
Grace Apostolic Church, Inc.

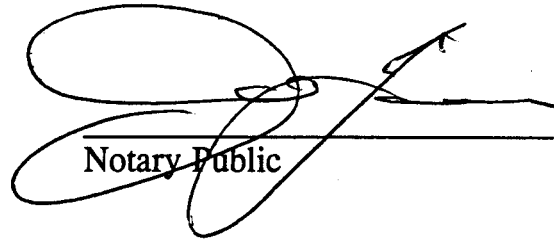
Linda Howell
Linda Howell, Secretary/Treasurer of
Grace Apostolic Church, Inc.

**STATE OF KENTUCKY
COUNTY OF HARRISON**

Subscribed, sworn to and acknowledged before me by William R. Howell, Sr., President of Grace Apostolic Church, Inc., and Linda Howell, Secretary/Treasurer of Grace Apostolic Church, Inc., on this the 10 day of September 2002.

My commission expires:

2/25/05


Notary Public