



CITY OF CYNTHIANA

P.O. BOX 67 • 104 E. PLEASANT ST.
CYNTHIANA, KENTUCKY 41031
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RECEIVED AND FILED
DATE May 5, 2003

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

April 29, 2003

John Y. Brown, III
Secretary of State
The Capitol
700 Capitol Avenue, Suite 152
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 #1363 of the City of Cynthiana, Kentucky.

Charleen McIlvain
Charleen McIlvain, City Clerk

Subscribed, sworn to, and acknowledged before me this the 2nd day of May, 2003.

Kathy M. Brooks
Kathy M. Brooks, Notary

My Commission expires May 2, 2005

ORDINANCE NO. 1363-2003

AN ORDINANCE OF THE CITY OF CYNTHIANA, KENTUCKY EXTENDING ITS PRESENT BOUNDARY AND ANNEXING CERTAIN CONTIGUOUS PROPERTY TO THE CITY CONSISTING OF APPROXIMATELY 121.389 ACRES MORE OR LESS GENERALLY LYING EAST OF CYNTHIANA AND ON THE NORTH SIDE OF U.S. 62, ODDVILLE PIKE.

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 commercial development in the area east of Cynthiana and lying on the north side of U.S. 62 and the Oddville Pike; and

WHEREAS, the area to be annexed is suitable for commercial development and for other 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, plans are underway to extend municipal water to the area to be annexed and to provide other urban services and the area is otherwise proper and suitable for annexation pursuant to KRS 81A.410 and other applicable law; and

WHEREAS, the City of Cynthiana enacted Ordinance No. 1360 on March 14, 2003 declaring the intent of the City of Cynthiana to annex the subject property and the City further proposed to establish zoning classifications for the newly annexed property and to amend its zoning map accordingly and did further refer the matter to the Cynthiana-Harrison County-Berry Joint Planning Commission for a public hearing and findings as required by law; and

WHEREAS, the Cynthiana-Harrison County-Berry Joint Planning Commission conducted a public hearing on April 21, 2003 and subsequently made written Findings of Fact and Conclusions regarding the appropriate zoning classifications for the subject property which findings and conclusions have been adopted by the City of Cynthiana; and

WHEREAS, the City of Cynthiana has duly published the Ordinance of intent to annex in the Cynthiana Democrat; and all owners of the subject property have consented to annexation pursuant to KRS 81A.412.

WHEREAS, it is now appropriate for the City of Cynthiana to annex the subject property;

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 Oddville Pike (US 62); 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 5, Sheet 67A.

Beginning at a found nail by a fence post, a corner to the Handy Farm, Inc. (D.B. 224, Pg. 39); said point lying S 54°12'05" W. 1457.20 feet from the intersection of said Oddville Pike with Republican Pike (KY 392); thence with said Handy Farm, Inc. for three calls as follows: (1) N. 13°01'58" E. 1013.69 feet to a found nail by a fence post, (2) N. 17°00'14" W. 1312.57 feet to a found nail by a fence post, and (3) N. 58°01'17" W. 183.01 feet to a found nail by a fence post in the line of Garnett Bruin & Susan Bruin (D.B. 199, Pg. 345); thence with said Bruin N. 15°22'15" E. at 332.10 feet passing an iron pin, a corner to Nancy Bruncker Garrison, in all 852.45 feet to an iron pin; thence continuing in part with said Bruin and Lona R. Rorer (W.B. W, Pg. 21 & D.B. 117, Pg. 189) N. 49°29'44" W. 252.29 feet to an iron pin; thence continuing with said Rorer N 57°10'03" E. 599.68 feet to a Mag Nail in a tree; thence continuing with said Rorer and Manville Bradford & Sue L. Bradford (D.B. 191, Pg. 335) N. 58°34'18" E. 427.40 feet to an iron pin; thence continuing with said Bradford for three calls as

follows: (1) S. 39*03'03" E. 482.24 feet to a Mag Nail in a fence post, (2) S. 31*59'38" E. 324.03 feet to an iron pin, and (3) S. 50*37'41" E. 1766.24 feet to an iron pin in the north right-of-way of Oddville Pike (US 62); thence with said right-of-way for twelve (12) calls as follows: (1) S. 34*01'26" W. 68.90 feet to a point, (2) S. 34*34'50" W. 59.34 feet to a point, (3) S. 36*05'34" W. 59.97 feet to a point, (4) S. 38*57'43" W. 62.90 feet to a point, (5) S. 42*10'29" W. 58.78 feet to a point, (6) S. 44*33'10" W. 57.19 feet to a point, (7) S. 46*20'17" W. 60.06 feet to an iron pin, (8) S. 47*52'19" W. at 277.26 feet passing an iron pin, in all 509.31 feet to a point, (9) S. 48*08'59" W. at 172.51 feet passing an iron pin, in all 881.09 feet to an iron pin, a corner to Mary June Bruncker, (10) S. 50*17'30" W. 984.19 feet to a point, (11) S. 55*19'30" W. 147.56 feet to a point, and (12) S. 62*07'30" W. 283.27 feet to the point of beginning containing an area of 121.389 acres more or less, and being subject to any and all easements or right-of-ways of record and in existence and in accordance with a survey and plat by Allen Patrick Darnell, PE, PLS on February 26, 2002.

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: Pursuant to the recommendation of the Cynthiana-Harrison County-Berry Joint Planning Commission, the property to be annexed has been assigned a zoning classification of B3 (Highway Business).

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 and the Office of the Secretary of State of the Commonwealth of Kentucky and the office of the Department of Local Government. She 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: 4/22/03

Second reading and passage:

4/24/03

Virgie F. Wells
Virgie Wells, Mayor

ATTEST:

Charleen McIlvain
Charleen McIlvain, City Clerk

PLEASE NOTE:

The oversize map or maps submitted with this particular filing are currently unavailable for online research. The map(s) will be added at a later date.

For copies needed immediately, please contact the Secretary of State's Office, Land Office Division, phone 502-564-3490.