



**CITY OF CYNTHIANA**

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

RECEIVED AND FILED  
DATE May 17, 2004

May 10, 2004

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Katie Adkins

Trey Grayson  
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 #1377 of the City of Cynthiana, Kentucky.

Charleen McIlvain  
Charleen McIlvain, City Clerk

Subscribed, sworn to, and acknowledge before me this the 12<sup>th</sup> day of May.

Tale H. Smith  
Notary

My commission expires 9/15/05.

RECEIVED AND FILED  
DATE May 17, 2004

**ORDINANCE NO. 1377**

TRACY GIBSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
By Hankie Ashwin

**AN ORDINANCE EXPRESSING THE INTENT OF THE CITY OF CYNTHIANA, KENTUCKY TO EXTEND ITS PRESENT BOUNDARY AND ANNEX CERTAIN CONTIGUOUS PROPERTY TO THE CITY CONSISTING OF TWO PARCELS CONTAINING APPROXIMATELY 25.766 ACRES, MORE OR LESS, AND 13.166 ACRES, MORE OR LESS, GENERALLY LYING WEST OF CYNTHIANA AND ON THE EAST SIDE OF SMITH-MARTIN LANE.**

**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 residential development in the area located on the east side of Smith-Martin Lane, 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:

**PARCEL NO. 1:**

All that certain tract or parcel of land, lying and being located in Harrison County, Kentucky; and situated on the north side of Leesburg Pike (U.S. 62) and the east side of Smith-Martin Lane; 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 P.C. 5, Sh. 100A.

Beginning at a concrete right-of-way marker in north right-of-way line of Leesburg Pike (U.S. 62); said point lying N. 42°36'30" E. 1365.74 feet from an iron pin at the intersection of the north right-of-way of Leesburg Pike (US 62) with the east right of way of Smith-Martin Lane; thence with the north right-of-way of Leesburg pike for seven calls as follows: (1) S. 35°21'26" W. 302.30 feet to an iron pin, (2) S. 64°21'26" W. 82.10 feet to an iron pin, (3) S. 30°57'26" W. 125.30 feet to an iron pin, (4) S. 42°22'26" W. 446.20 feet to an iron pin, (5) S. 46°16'26" W. 198.40 feet to a Point in Right-of-Way, (6) S. 47°32'26" W. 54.60 feet to a Point in Right-of-Way, and (7) S. 48°32'26" W. 169.20 feet to an iron pin at the intersection of the north right-of-way of Leesburg Pike (US 62) and the east right-of-way of Smith-Martin Lane; thence with the east right-of-way of Smith-Martin Lane for three calls as follows: (1) N. 30°50'34" W. 92.50 feet to an iron pin, (2) N. 36°31'34" W. 76.50 feet to an Iron Pin, and (3) S. 64°47'26" W. 15.00 feet to a Mag Nail in the center of Smith-Martin Lane; thence with the center of the said lane N. 25°08'29" W. 922.44 feet to a Mag Nail, a corner to Mary Tipton Palmer Estate, Mary Louise Palmer Culbertson (D.B. 81, Pg. 585; W.B. P, Pg. 164); thence with said Culbertson, N. 48°15'46" E. passing over an Iron Pin at 20.00 feet, in all 811.95 feet to an iron pin, a corner to Cynthiana-Harrison County Economic Authority, Inc. (D.B. 228, Pg. 515; D.B. 229, Pg. 528; P.C. 5, Sh. 100A), thence with the Cynthiana-Harrison County Economic Authority, Inc. line S. 58°17'17" E. passing over an iron pin at 949.45 feet, in all 960.53 feet to the point of beginning containing an area of 25.766 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 January 9, 2004. See Plat recorded in Plat Cabinet \_\_\_\_, Sheet \_\_\_\_.

**PARCEL NO. 2:**

All that certain tract or parcel of land, lying and being located in Harrison County, Kentucky; and situated on the east side of Smith-Martin Lane; 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 P.C. 5, Sh. 100A.

Beginning at a Mag Nail in the center of Smith-Martin Lane, a corner to Mary Louise Culbertson (D.B. 78, Pg. 597 & W.B. P, Pg. 164); said point lying N. 25°08'29" W. 922.44 feet from a Mag Nail at the intersection of the north right-of-way of Leesburg Pike (US 62) and the center of said road; thence with the center of said road N. 26°15'46" W. 1416.15 feet to a Mag Nail, a corner to the Cynthiana-Harrison County Economic Authority, Inc. (D.B. 238, Pg 48); thence with said Economic Authority N. 54°40'09" E. at 15.00 feet passing an iron pin, in all 29.69 feet to an iron pin, a corner to the Cynthiana-Harrison County Economic Authority, Inc. (D.B. 228, Pg. 515 & D.B. 229, Pg. 528); thence with said Economic Authority S. 58°17'17" E. 1420.35 feet to an iron pin, a corner to Mary Louise Culbertson (D.B. 78, Pg. 597 & W.B. P, Pg. 164); thence with said Culbertson S. 48°15'46" W. at 791.95 feet passing an iron pin, in all 811.95 feet to the point of beginning an area of 13.166 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 January 6, 2004. See Plat recorded in Plat Cabinet \_\_\_\_, Sheet \_\_\_\_.

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 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 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:** April 13, 2004

**SECOND READING AND PASSAGE:** April 27, 2004

Virgie F. Wells  
Virgie F. 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.**