



104 E. Pleasant Street
P.O. Box 67
Cynthiana, KY 41031-0067
Phone: (859) 234-7150
Fax: (859) 234-0035

City of Cynthiana

September 15, 2005

RECEIVED AND FILED
DATE Sept. 20, 2005

Kandie Adkinson
Land Office Division
Secretary of State
700 Capital Avenue
Suite 152
Frankfort, Kentucky 40601-5687

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Adkinson

Dear Kandie:

You recently returned Ordinance #1400 annexing property located on KY Hwy 36W because the map and surveyor's certification was not adequate. I am returning that to you along with the appropriate map from the surveyor.

If additional information is needed, please contact me.

Sincerely,

Charleen M. McIlvain
City Clerk



TREY GRAYSON
SECRETARY OF STATE

COMMONWEALTH OF KENTUCKY
OFFICE OF THE SECRETARY OF STATE

SUITE 152, STATE CAPITOL
700 CAPITAL AVENUE
FRANKFORT, KY 40601-3493
(502) 564-3490
FAX: (502) 564-5687
WEBSITE: WWW.KYSOS.COM

August 22, 2005

Ms. Charleen McIlvain
City Clerk
104 E. Pleasant Street
P.O. Box 67
Cynthiana, KY 41031-0067

Dear Ms. McIlvain:

Our office received your submission of Annexation Ordinance 1400 for the city of Cynthiana. Unfortunately we are unable to file the annexation at this time.

Under the terms of KRS 81A.470, pertaining to city boundary changes, cities are required to submit an "accurate map and description of the annexed, transferred, or severed area". Under the provisions of KRS 322.400, no public authority "shall accept for filing, file, or record any map, plat, survey, or other document related to the practice of land surveying unless it evidences certification by a professional land surveyor". Certifications must include the surveyor's signature, stamp and the date the map was certified. (The certifications & map should be eye-readable.) The Board of Licensure for Professional Engineers and Land Surveyors informs us that a statement of how the map was constructed is also part of the certification process. Please contact Mr. Bob Fentress (phone 1-800-573-2680) if further clarification is needed.

Please attach the surveyor's certification to the annexation map and resubmit.

We thank you for working with us to ensure the Union file contains accurate information on boundary changes. Our records are copied for various agencies—some of which generate your city boundary maps. Other agencies use your filings for population estimates and urban growth projects. In order for us to provide the most accurate city information available, it is imperative all cities comply with the provisions stated in KRS 81A.470 and KRS 322.400.

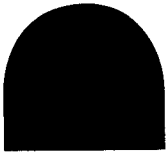
Sincerely,

Kandie Adkinson, Administrative Supervisor,
Land Office Division, for

TREY GRAYSON
SECRETARY OF STATE



AN EQUAL OPPORTUNITY EMPLOYER M/F/D



104 E. Pleasant Street
 P.O. Box 67
 Cynthiana, KY 41031-0067
 Phone: (859) 234-7150
 Fax: (859) 234-0035

City of Cynthiana

August 15, 2005

The Honorable Trey Grayson
 Secretary of State
 700 Capital Avenue, Suite 152
 The Capital
 Frankfort, Kentucky 40601

RECEIVED AND FILED
 DATE Sept 20, 2005
 TREY GRAYSON
 SECRETARY OF STATE
 COMMONWEALTH OF KENTUCKY
Kerlie Adkinson

TO WHOM IT MAY CONCERN:

I, Charleen McIlvain, City Clerk of the City of Cynthiana, Kentucky, do certify that the attached is a true and correct copy of Ordinance #1400 of the City of Cynthiana, Kentucky establishing appropriate zoning classifications and annexing approximately 13.856 into the City limits.

Charleen McIlvain
 Charleen McIlvain, City Clerk

Subscribed, sworn to, and acknowledged before me this the 16th day of August 2005.

Kathy M. Brooks
 Kathy M. Brooks, Notary

My Commission expires May 2, 2009

ORDINANCE NO. 1400

AN ORDINANCE OF THE CITY OF CYNTHIANA, KENTUCKY EXTENDING ITS PRESENT BOUNDARY AND ANNEXING CERTAIN CONTIGUOUS PROPERTY TO THE CITY CONSISTING OF APPROXIMATELY 13.856 ACRES LOCATED ON TRICUM PIKE CURRENTLY OWNED BY THE CITY OF CYNTHIANA, KENTUCKY.

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 industrial development in the area of Tricum Pike; and

WHEREAS, the area to be annexed is suitable for industrial 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, 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 contiguous property to the City:

PARCEL NO. 1:

Beginning at an iron pin on the east right of way line of KY State Route 36 (also known as Tricum Pike), said point being N 32°29'07" W a distance of 68.57 feet from the northwest corner of the Tricum Pike Bridge over the South Fork of the Licking River; thence S 80°35'51" W a distance of 25.02 feet to a concrete nail in the centerline of KY State Route 36; thence with the centerline of KY State Route 36 for the next five calls, N 07°04'38" W a distance of 63.30 feet to a concrete nail;

thence N. 06*05'21" W a distance of 263.31 feet to a concrete nail; thence N 05*15'57" W a distance of 158.48 feet to a concrete nail; thence along a curve to the left with a radius of 245.16 feet and a chord of N 21*37'14" W a distance of 245.16 feet to a concrete nail; thence N 40*00'00" W a distance of 943.93 feet to a concrete nail; thence leaving the centerline of KY State Route 36 with a new line across the lands of Grantor N 54*52'28" E a distance of 25.09 feet to an iron pin in the right of way line of KY State Route 36; thence continuing on the same new line N 54*52'28" E a distance of 313.84 feet to an iron pin; thence S 62*35'42" E a distance of 47.63 feet to an iron pin; thence N 68*54'50" E a distance of 169.46 feet to an iron pin; thence S 77*32'58" E a distance of 58.84 feet to an iron pin; thence S 40*00'00" E a distance of 524.99 feet to an iron pin witness corner; thence continuing on the same bearing S 40*00'00" E a distance of 100.00 feet to a concrete nail in rock on the water line of the South Fork of the Licking River; thence with the water line of the South Fork of the Licking River S 19*05'44" W a distance of 137.07 feet to a concrete nail in rock having an iron pin witness corner at N 70*54'16" W a distance of 50.00 feet; thence continuing with the water line of the South Fork of the Licking River along a curve to the left having a radius of 1652.35 feet with a chord of S 14*07'02" W a distance of 431.22 feet to a concrete nail in rock having an iron pin witness corner at N 81*19'19" W a distance of 50.00 feet; thence continuing with the water line of the South Fork of the Licking River along a curve to the left having a radius of 1765.14 feet with a chord of S 02*57'02" W a distance of 311.18 feet to a concrete nail in rock; thence continuing with the water line of the South Fork of the Licking River along a curve to the left having a radius of 926.81 feet with a chord of S 07*15'52" E a distance of 311.35 feet to an iron pin; thence leaving the water line of the South Fork of the Licking River S 80*35'51" W a distance of 37.90 feet to the Point of Beginning and containing 12.60 acres more or less and being part of Tract No. 1 as described in Deed Book 187, Page 367 recorded in the Harrison County Clerk's Office. This survey was completed on August 12, 2002 by Jeffrey N. Ash, LS 3257, with all corners set by this survey, with iron pins noted being 5/8" rebar iron pins with ID caps at corners referenced. See Plat of record in Plat Cabinet _____, Page _____.

EXCEPTION: There is excepted from the above described property a certain tract conveyed to C.P. Lebus Farm by The City of Cynthia and which is more particularly described as follows:

Beginning at a concrete nail found on the centerline of KY State Route 36 (also known as Tricum Pike), said point being west boundary corner of The City of Cynthiana Property as described in Deed Book 268, Page 381; thence leaving said centerline N 54*52'28" E a distance of 25.09 feet an iron pin on the east right of way line of KY State Route 36; thence leaving KY State Route 36 right of way with The City of Cynthiana Property (D.B. 268, P. 381) N 54*52'28" E, a distance of 313.84 feet to an iron pin found (LS 3257); thence S 62*35'42" E a distance of 47.63 feet to an iron pin found (LS 3257); thence N 68*20'50" E a distance of 169.46 feet to an iron pin found (LS 3257); thence S 77*32'58" E a distance of 58.84 feet to an iron pin found (LS 3257); thence S 40*00'00" E a distance of 107.47 feet to a new boundary corner, an iron pin set; thence across the lands of Grantor S 68*20'50" W a distance of 555.96 feet to an iron pin set on the right of way line of KY State Route 36; thence continuing on the same line 26.35 feet to a concrete nail set in the centerline of KY State Route 36; thence with said centerline N 40*00'00" W a distance of 96.94 feet to the Point of Beginning containing 1.770 acres more or less and being part of the same property as described in Deed Book 268, Page 381 recorded in the Harrison County Clerk's Office. This survey was completed on July 14, 2004 by Jeffrey N. Ash, LS 3257 with all corners set by this survey being 5/8" rebar iron pins with ID caps. See Plat of record in Plat Cabinet ____, Page ____.

PARCEL NO. 2:

Commencing from a concrete nail found on the centerline of KY State Route 36 (also known as Tricum Pike), said point being west boundary corner of The City of Cynthiana Property as described in Deed Book 268, Page 381; thence leaving said centerline N 54*52'28" E, a distance of 25.09 feet an iron pin on the east right of way line of KY State Route 36; thence leaving KY State Route 36 right of way with The City of Cynthiana Property (D.B. 268, P. 381) N 54*52'28" E a distance of 313.84 feet to an iron pin found (LS 3257); thence S 62*35'42" E a distance of 47.63 feet to an iron pin found (LS 3257); thence N 68*20'50" E a distance of 169.46 feet to an iron pin found (LS 3257); thence S 77*32'58" E a distance of 58.84 feet to an iron pin found (LS 3257); thence S 40*00'00" E a distance of 107.47 feet to a new boundary corner, an iron pin set being the Point of Beginning.

Thence from the Point of Beginning with a new line across the lands of Grantor N 68*20'50" E a distance of 235.04 feet to an iron pin set in flow line of drain; thence with said flow line of drain for the next seven calls, S 79*02'13" E a distance of 44.80 feet to an iron pin set, N 80*15'04" E a distance of 89.30 feet to an iron pin set S 58*40'40" E a distance of 25.73 feet to an iron pin set, N 74*50'08" E a distance of 50.15 feet to an iron pin set, S 77*45'00" E a distance of 27.08 feet to an iron pin set, S 39*12'58" E a distance of 33.48 feet to an iron pin set, and S 66*02'30" E a distance of 58.57 feet to a concrete nail set in rock on the water line of the South Fork of the Licking River; thence continuing with said water line S 24*56'17" W a distance of 185.86 feet to a concrete nail in rock having an iron pin witness corner set at N 66*53'31" W a distance of 50.00 feet; thence continuing with said water line S 23*18'06" W a distance of 245.42 feet to a concrete nail in rock having an iron pin witness corner set at N 40*00'00" E a distance of 50.00 feet; thence continuing with said water line S 19*05'44" W a distance of 42.45 feet to a concrete nail set in rock; thence leaving said water line N 40*00'00" W passing a witness corner at 100.00 feet having a total distance of 517.52 feet to the Point of Beginning containing 3.026 acres more or less and being part of the same property as described in Deed Book 187, Page 367, Tract No. 1, recorded in the Harrison County Clerk's Office. This survey was completed on July 14, 2004 by Jeffrey N. Ash, LS 3257, with all property and witness corners set by this survey being 5/8" rebar iron pins with ID caps. See Plat of record in Plat Cabinet _____, Page _____.

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. The City of Cynthiana is exempt from zoning regulation pursuant to Section 701 of the Zoning Ordinance.

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: July 12, 2005

SECOND READING AND PASSAGE: July 26, 2005


Virgie Wells, Mayor

ATTEST:


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.