

Phone: (859) 234-7150 • Fax: (859) 234-0035

DATE MAKEN 22, 2024

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY

February 22, 2024

Office of the Secretary of State Land Office 700 Capital Ave., Ste. 80 Frankfort, KY 40601

I, Jamie Hutchison, City Clerk of the City of Cynthiana, Kentucky, do certify that the attached is a true and correct copy of Ordinance #1659 dated 1/10/2024 annexing certain property into the City in accordance with the requirements of KRS.81A.412. There are no registered voters residing in this area.

Jamie Hutchison, City Clerk

Subscribed, sworn to, and acknowledged before me this the 22nd day of February 2024

Elizabeth Kitchen, Notary

My Commission expires 9-4-27

AN ORDINANCE OF THE CITY OF CYNTHIANA, KENTUCKY EXTENDING ITS PRESENT BOUNDARY AND ANNEXING BY CONSENT CERTAIN ADJACENT OR CONTIGUOUS PROPERTY TO THE CITY CONSISTING OF CERTAIN PROPERTY LYING ON THE EAST SIDE OF NEW LAIR ROAD (KENTUCKY HIGHWAY 982), AND BEING APPROXIMATELY 54.006 ACRES MORE OR LESS CURRENTLY OWNED BY THE CYNTHIANA-HARRISON COUNTY ECONMIC DEVELOPMENT AUTHORITY, INC.

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 its citizens, and

WHEREAS, the City Commission recognizes the potential for urban development in the area lying on the east side of New Lair Road (Kentucky Highway 982), adjacent or contiguous to the current city boundary and currently owned by the Cynthiana-Harrison County Economic Development Authority, Inc. and

WHEREAS, the area to be annexed is suitable for development for urban, residential, commercial, or industrial purposes including, but not limited to, construction of industrial facilities, without unreasonable delay and it is desirable for all concerned that said growth and development be within the expanded limits of the City of Cynthiana, and

WHEREAS, the owner of said property has requested and consented to the annexation in writing pursuant to KRS 81A.412, and

WHEREAS, the property is contiguous to the existing city boundary and the City has provided written notice to the Harrison County Fiscal Court more than 45 days prior to enactment of this Ordinance or the Harrison County Fiscal Court has given concurrence prior to the expiration of 45 days as required by Senate Bill 141 enacted by the 2023 General Assembly;

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 east side of New Lair Road (KY 982); and more particularly described as follows:

ANNEXATION AREA: PARCEL 1 (54.006 Acres)

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 Kentucky North Zone State Plane. All deed and plat references stated herein are found in the office of the Harrison County Clerk, unless otherwise stated.

Beginning at a mag nail in the center of New Lair Road (KY 982), a corner to Perm Cast Inc. (D.B. 172, Pg. 374; P.C. 4, Sh. 462A); said point being located N.23°08'19"E. 1,596.90 feet from a point in the center of said road, a corner to The 4, LLC (D.B. 377, Pg. 101; P.C. 4, Sh. 462A); thence with the center of said New Lair Road (KY 982) N.23°19'22"E. 64.05 feet to a mag nail, a corner to Suburban Park Properties, LLC (D.B. 301, Pg. 514); thence with said Suburban Park Properties, LLC S.62°41'38"E, passing an iron pin bearing "Witness 3553" at 22.94 feet, in all 143.52 feet to an iron pin, a corner to Harrison County Board of Education (D.B. 306, Pg. 579; P.C. 6, Sh. 75A); thence with said Harrison County Board of Education for three calls as follows: (1) S.64°10'56"E. 316.56 feet to an iron pin, (2) S.64°45'15"E. 549.54 feet to an iron pin, and (3) S.64°19'39"E. 1,263.67 feet to an iron pin, a corner to Phillip Lee McGlone (D.B. 281, Pg. 371); thence with said McGlone for three calls as follows: (1) S.23°49'07"W. 577.40 feet to an iron pin, (2) S.24°07'05"W. passing a witness pin at 523.21 feet, in all 528.21 feet to a point, and (3) S.23°18'28"W. 108.41 feet to an iron pin, a corner to Parcel 2, a new division of Frazer Scott Herrington & Marlene Herrington (D.B. 244, Pg. 751; D.B. 304, Pg. 677); thence with said Parcel 2 for 11 calls as follows: (1) N.82°08'40"W. 271.90 feet to an iron pin, (2) N.25°13'36"W. 175.69 feet to an iron pin, (3) N.67°22'07"E. 128.79 feet to an iron pin, (4) N.22°37'12"W. 38.52 feet to an iron pin, (5) S.72°30'16"W. 169.44 feet to an iron pin, (6) S.52°57'02"W. 245.35 feet to an iron pin, (7) N.82°08'40"W. 622.59 feet to an iron pin, (8) N.09°35'36"E. 198.75 feet to an iron pin, (9) N.65°01'05"W. 84.63 feet to an iron pin, (10) N.87°15'07"W. 221.62 feet to an iron pin, and (11) S.64°56'52"W. 158.02 feet to a found iron pin bearing "LS 3191", a corner to The 4, LLC (D.B. 377, Pg. 101; P.C. 4, Sh. 462A); thence with said The 4, LLC N.21°26'32"E. 951.83 feet to a found iron pin bearing "LS 3191", a corner to Perm Cast Inc. (D.B. 172, Pg. 374; P.C. 4, Sh. 462A); thence with said Perm Cast Inc. for three calls as follows: (1) N.21°26'36"E, 26.90 feet to a point, (2) N.21°42'46"E. 568.19 feet to a found iron pin bearing "LS"

3191", and (3) N.64°13'10"W. passing a found iron pin bearing "LS 3191" at 563.19 feet, in all 585.75 feet to the point of beginning containing an area of 54.006 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 Darnell Engineering, Inc. on November 7, 2023. See Plat recorded in Plat Cabinet 7, Sheet 176 B.

Being the same property deeded the Cynthiana-Harrison County Economic Development Authority, Inc. by Frazer Scott Herrington and Marlene Herrington, his wife by deed dated December 13, 2023 and recorded in Deed Book 387, Page 37.

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 I-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 prepared by a professional land surveyor 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. The City Clerk shall further immediately forward to the Harrison County Clerk a map delineating the boundaries of the annexed area along with a list of properties included in the annexation and the names and addresses of the property owners 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.

Second reading and passage: JANNA 10, 6

Mayor James Smith

ATTEST:

Jamie Hutchison, City Clerk

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

Come the Affiants, Frazer D. Lebus, III, Chairman & President of the Cynthiana-Harrison County Economic Development Authority, Inc., and Mike Ravenscraft, Vice President of the Cynthiana-Harrison County Economic Development Authority, Inc., on behalf of the Cynthiana-Harrison County Economic Development Authority, Inc., after being duly sworn and for their request for annexation, annexation agreement and affidavit for and on behalf of the Cynthiana-Harrison County Economic Development Authority, Inc. state as follows:

- 1. The Cynthiana-Harrison County Economic Development Authority is the owner of a certain parcel or tract of property located in Harrison County, Kentucky and situated on the East side of New Lair Road (Kentucky 982), consisting of approximately 54.006 acres and being more particularly described on Exhibit A attached hereto.
- 2. The Affiants, on behalf of the Cynthiana-Harrison County Economic Development Authority, Inc. hereby request and consent to the annexation of said property by the City of Cynthiana and the Affiants, on behalf of the Cynthiana-Harrison County Economic Development Authority, Inc., waive any and all right to object or remonstrate to the annexation of said property as described herein.
- 3. The Affiants acknowledge that in order to comply with the requirements of Kentucky Revised Statutes and the Kentucky Secretary of State, the property to be annexed must be surveyed by a licensed land surveyor with a plat to be prepared in recordable form in accordance with said requirements.

CYNTHIANA-HARRISON COUNTY ECONOMIC DEVELOPMENT **AUTHORITY** Frazer D. Lebus, III, Chairman & President Cynthiana-Harrison County Economic Development Authority, Inc. By: Mike Ravenscraft, Vice President Cynthiana-Harrison County Economic Development Authority, Inc. This Request for Annexation has been subscribed, sworn to and acknowledged before me by Frazer D. Lebus, III, in his capacity as Chairman & President of the Cynthiana-Harrison County Economic Development Authority, Inc., on this the 13^{er}day MICHAEL ANN STEPHENS Notary Public - State At Large KENTUCKY - Notary ID # KYNP75982 My Commission Expires 07/17/2027

STATE OF KENTUCKY COUNTY OF HARRISON

STATE OF KENTUCKY **COUNTY OF HARRISON**

of December , 2023.

My commission expires: 0711712027

This Request for Annexation has been subscribed, sworn to and acknowledged before me by Mike Ravenscraft, in his capacity as Vice President of the Cynthiana-Harrison County Economic Development, Authority, Inc., on this the 15th day of December, 2023 MILY KOUNG TO TAR LINE TO T

My commission expires:

Notary Public

EXHIBIT A

All that certain tract or parcel of land, lying and being located in Harrison County, Kentucky: and situated on the east side of New Lair Road (KY 982); and more particularly described as follows:

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Harrison County

Courthouse



Jason Marshall
County Judge Executive

Cynthiana, Kentucky 41031

Harrison County Fiscal Court 111 South Main Street - Suite 201 Cynthiana, Kentucky 41031 Phone: 859.234.7136

Fax: 859.234.6647

January 10, 2024

City of Cynthiana PO Box 67 Cynthiana, KY 41031

Dear Mayor and Commissioners:

Please be advised that the Harrison County Fiscal Court, at its regular meeting held on January 9, 2024, approved the annexation of 54.006 acres of property belonging to the Cynthiana-Harrison County Economic Development located at 1469 New Lair Road (KY Hwy 982), Cynthiana, KY.

Please accept this letter as our formal concurrence to proceed with said annexation.

If you should need any additional information, please feel free to contact my office.

Sincerely,

Jason Marshall

County Judge/Executive

DARNELL ENGINEERING. INC.

P.O. Box 175 Cynthiana, KY 41031 (859) 234-8957-Telephone

ENGINEERING & SURVEYING Allen Patrick Darnell, PE, PLS allenoatrickdarnell a gonal.com (EMAIL)

November 8, 2023

File No. 23-5594

Frazer Scott Herrington Marlene Herrington #1469 New Lair Road Cynthiana, KY 41031

Re: Legal Description for Parcel 1 (54.006 Acres)

PARCEL 1 (54.006 Acres)

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Said property being a portion of that property deeded Frazer Scott Herrington by Anna Jeanette Hehr, William Hehr, Billie Joyce Cook, & Betty Lake Cook by deed dated December 14. 2000 and recorded in Deed Book 244, Page 751.

STATE OF KENTUCKY

ALLEN PATRICH DARNELL 3553

LICENSED
PROFESSIONAL
LAND SURVEYOR









