



May 16, 2024

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

RECEIVED AND FILED  
DATE June 13, 2024

MICHAEL G. ADAMS  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Travis H

I, Jamie Hutchison, City Clerk of the City of Cynthiana, Kentucky, do certify that the attached is a true and correct copy of Ordinance #1554 and an accurate legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, the same having been certified by a professional land surveyor of territory.

*Jamie Hutchison*

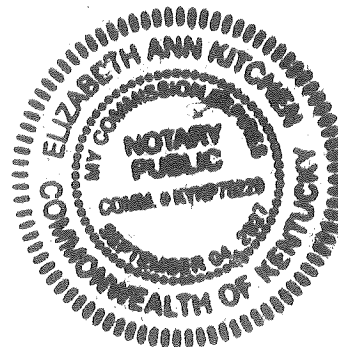
\_\_\_\_\_  
Jamie Hutchison, City Clerk

Subscribed, sworn to, and acknowledged before me this the 16<sup>th</sup> day of May 2024

*Elizabeth Kitchen*

\_\_\_\_\_  
Elizabeth Kitchen, Notary

My Commission expires September 4, 2027



## ORDINANCE NO 1554

AN ORDINANCE OF THE CITY OF CYNTHIANA, KENTUCKY EXTENDING ITS PRESENT BOUNDARY AND ANNEXING CERTAIN ADJACENT OR CONTIGUOUS PROPERTY TO THE CITY CONSISTING OF CERTAIN PROPERTY LYING ON THE SOUTHWEST SIDE OF WILLIAMSTOWN ROAD (KY 36) AND THE NORTH SIDE OF CYNTHIANA BYPASS (US HIGHWAY 62) AND ON THE NORTH WEST SIDE OF THE EXISTING CITY LIMITS OF THE CITY OF CYNTHIANA AND BEING CURRENTLY OWNED BY COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS.

**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 urban development in the area lying generally on the southwest side of Williamstown Road (KY 36) and the north side of the Cynthiana Bypass (US Highway 62) and on the north west side of the existing city limits of the city of Cynthiana and being currently owned by Commonwealth of Kentucky Transportation Cabinet, Department of Highways.

**WHEREAS**, the area to be annexed is suitable for development for urban residential, commercial or industrial purposes 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 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 or adjacent 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 Cynthiana Bypass

(US 62) & the southwest side of Williamstown Road (KY 36); and more particularly described as follows:

**ANNEXATION AREA (8.059 Acres)**

Beginning at an iron pin at the intersection of the north right-of-way of Cynthiana Bypass (US 62) and the southwest right-of-way of Williamstown Road (KY 36), a corner to Commonwealth of Kentucky (D.B. 281, Pg. 46); said point lying N.38°54'00"W. 857.41 feet from an iron pin in said right-of-way of said Williamstown Road (KY 36), a corner between Poindexter Farms, LLLP (D.B. 328, Pg. 106; P.C. 2, Sh. 144A) and Brad Marshall (D.B. 290, Pg. 329; P.C. 4, Sh. 291); thence with the said north right-of-way of Cynthiana Bypass (US 62) and said Commonwealth of Kentucky (D.B. 281, Pg. 46) for seven calls as follows: (1) S.75°56'37"W. 49.18 feet to a point, (2) S.75°56'18"W. 205.15 feet to a point, (3) S.71°07'06"W. 201.95 feet to an iron pin, (4) S.56°10'40"W. 175.86 feet to a point, (5) S.71°00'15"W. 60.00 feet to a point, (6) S.75°14'26"W. 270.74 feet to a point, and (7) S.64°09'41"W. 132.61 feet to an iron pin, a corner to Poindexter Farms, LLLP (D.B. 332, Pg. 234; P.C. 6, Sh. 176B); thence with said Poindexter Farms, LLC N.04°46'51"E. 313.50 feet to a found iron pin bearing "Joe H. Justice RLS 1989", a corner to John A. Lee & Mary Ann Lee (D.B. 207, Pg. 155; D.B. 257, Pg. 356; P.C. 4, Sh. 490); thence with said Lee N.55°55'43"E. 814.76 feet to a found iron pin bearing "J. Casey LS 2017" in the southwest right-of-way of Williamstown Road (KY 36); thence with said right-of-way of said road S.38°54'00"E. 510.79 feet to the point of beginning containing an area of 8.059 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 August 25, 2015. See Plat recorded in Plat Cabinet \_\_\_\_\_, Sheet \_\_\_\_\_.

Being a part of the same property conveyed Commonwealth of Kentucky Transportation Cabinet, Department of Highways by Joe H. Fitzgerald, single, by Deed dated the 7<sup>th</sup> day of October, 2004 and lodged of record in Deed Book 281, Page 46.

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.

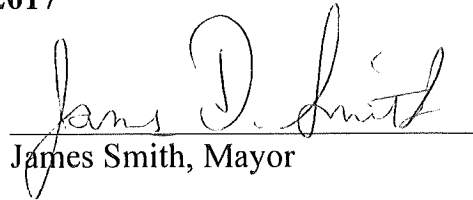
**SECTION 4:** The property annexed has been zoned A-1 and the duly annexed territory shall retain the same zoning classification as applied prior to annexation pending any changes which may be made subsequent to the adoption of this Ordinance by appropriate zoning map amendments or other regulations 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 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 Clerk shall further forward 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.

**FIRST READING AND APPROVAL: 12/20/2016**

**SECOND READING AND PASSAGE: 1/3/2017**

  
James Smith, Mayor

**ATTEST:**

  
Jamie Hutchison, City Clerk

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

Comes the Affiant, Robert Yeager, Chief District Engineer on behalf of the Commonwealth of Kentucky Transportation Cabinet, Department of Highways, after being duly sworn, and for their request for annexation, annexation agreement and affidavit, state as follows:

1. The Affiant is the Chief District Engineer for the Commonwealth of Kentucky Department of Highways District 6 and has authority to execute this document on behalf of the Commonwealth of Kentucky Transportation Cabinet Department of Highways (the "Department").

2. The Department is the sole owner of a certain parcel or tract of property located on Ky. Hwy. 36W and US 62 (Cynthiana Bypass) and being Parcel No. 42-X consisting of 8.059 acres and being more particularly described in Deed Book 281, Page 46 in the Harrison County Clerk's Office and as further described on Exhibit "A" attached hereto.

3. The Department hereby requests and consents to the annexation of said property by the City of Cynthiana and the Affiant waives any and all right to object or remonstrate to the annexation of said property as described herein.


4. The Department acknowledges that in order to comply with the requirements of the Kentucky Revised Statutes and the Kentucky Secretary of State, the property to be annexed will have to be surveyed with a plat to be prepared in recordable form in accordance with said requirements. The Department has agreed that the cost of the survey (\$266.74) will be paid one-half by the City of Cynthiana and one-half by the Department.

5. The Department acknowledges that the City of Cynthiana has not made any commitment and is not required to make any commitment to extend water or sewer service to the subject property at City expense, however, the property will

be eligible to be serviced by the City sanitary sewer system and/or water system at such time in the future as those lines and facilities may be available along Ky. Hwy. 36W and Affiant may at its expense, extend service lines to the property in accordance with applicable City Ordinances and regulations.

6. This consent, annexation agreement and affidavit is executed under the authority of KRS 81A.412 and other applicable law.

Further the Affiant saith naught.


  
Robert Yeager, Chief District  
Engineer, District 6, on behalf of  
Commonwealth of Kentucky  
Transportation Cabinet,  
Department of Highways

STATE OF KENTUCKY  
COUNTY OF Kenton

Subscribed, sworn to and acknowledged before me by Robert Yeager, acting as Chief District Engineer, District 6, on behalf of Commonwealth of Kentucky Transportation Cabinet, Department of Highways, on this the 14<sup>th</sup> day of December 2016.

My commission expires:

11-14-18  
my Notary ID # 522856

  
Notary Public

**DARNELL ENGINEERING, INC.**

P.O. Box 175  
Cynthiana, KY 41031  
(859) 234-8957-Telephone  
(859) 234-0294-Facsimile

**ENGINEERING & SURVEYING**  
Allen Patrick Darnell, PE, PLS  
patdarnell@kymail.com (EMAIL)

June 21, 2016

File No. 16-3282

City of Cynthiana  
C/o Hon. John Lair  
115 East Pike Street  
Cynthiana, Kentucky 41031

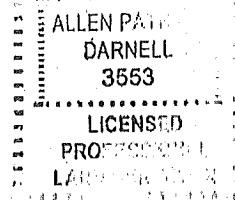
Re: Legal Description for Commonwealth of Kentucky @ Cynthiana Bypass (US 62) & Williamstown Road (KY 36)

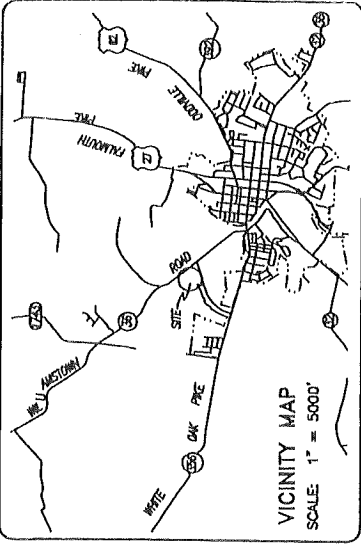
All that certain tract or parcel of land, lying and being located in Harrison County, Kentucky: and situated on the north side of Cynthiana Bypass (US 62) & the southwest side of Williamstown Road (KY 36); and more particularly described as follows:

***ANNEXATION AREA (8.059 Acres)***

Beginning at an iron pin at the intersection of the north right-of-way of Cynthiana Bypass (US 62) and the southwest right-of-way of Williamstown Road (KY 36), a corner to Commonwealth of Kentucky (D.B. 281, Pg. 46); said point lying N.38°54'00"W. 857.41 feet from an iron pin in said right-of-way of said Williamstown Road (KY 36), a corner between Poindexter Farms, LLLP (D.B. 328, Pg. 106; P.C. 2, Sh. 144A) and Brad Marshall (D.B. 290, Pg. 329; P.C. 4, Sh. 291); thence with the said north right-of-way of Cynthiana Bypass (US 62) and said Commonwealth of Kentucky (D.B. 281, Pg. 46) for seven calls as follows: (1) S.75°56'37"W. 49.18 feet to a point, (2) S.75°56'18"W. 205.15 feet to a point, (3) S.71°07'06"W. 201.95 feet to an iron pin, (4) S.56°10'40"W. 175.86 feet to a point, (5) S.71°00'15"W. 60.00 feet to a point, (6) S.75°14'26"W. 270.74 feet to a point, and (7) S.64°09'41"W. 132.61 feet to an iron pin, a corner to Poindexter Farms, LLLP (D.B. 332, Pg. 234; P.C. 6, Sh. 176B); thence with said Poindexter Farms, LLC N.04°46'51"E. 313.50 feet to a found iron pin bearing "Joe H. Justice RLS 1989", a corner to John A. Lee & Mary Ann Lee (D.B. 207, Pg. 155; D.B. 257, Pg. 356; P.C. 4, Sh. 490); thence with said Lee N.55°55'43"E. 814.76 feet to a found iron pin bearing "J. Casey LS 2017" in the southwest right-of-way of Williamstown Road (KY 36); thence with said right-of-way of said road S.38°54'00"E. 510.79 feet to the point of beginning containing an area of 8.059 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 August 25, 2015. See Plat recorded in Plat Cabinet \_\_\_\_, Sheet \_\_\_\_.

*Allen Patrick Darnell*  
03/14/19



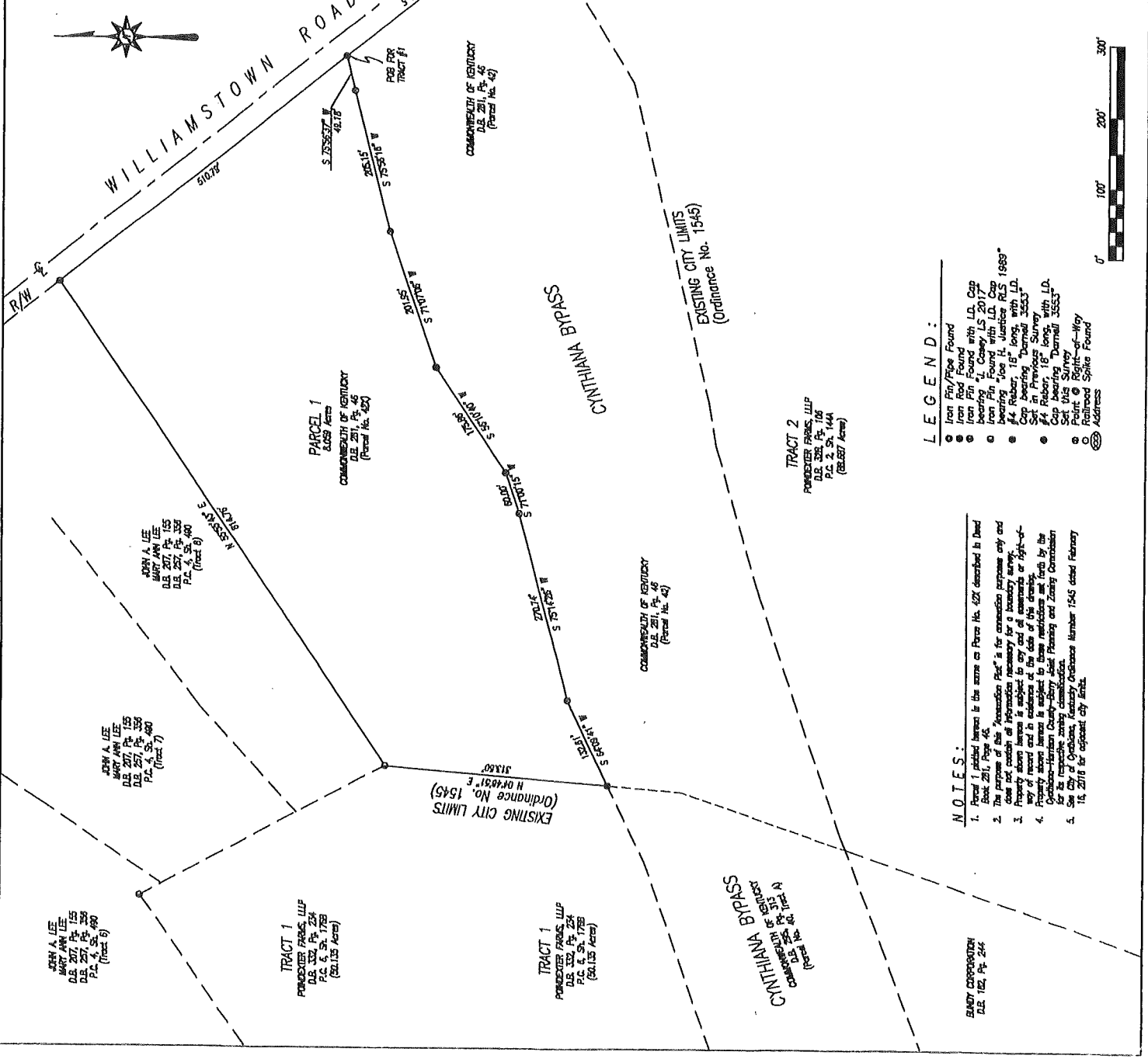


**ANNEXATION PLAT**  
**CITY OF CYNTHIANA**  
 CYNTHIANA BYPASS & WILLIAMSTOWN ROAD (KY 36)

**DARNELL ENGINEERING, INC.**  
 P.O. Box 175  
 Cynthiana, Kentucky 41031  
 (858) 234-8857

DATE	08/25/15
SCALE	1" = 100'
REVISION	15-2022
PROJECT	CHAMBERLAIN
PREPARED BY	DARNELL ENGINEERING, INC.
CHECKED BY	DARNELL ENGINEERING, INC.
DATE	08/25/15
PROJECT	CHAMBERLAIN
PREPARED BY	DARNELL ENGINEERING, INC.
CHECKED BY	DARNELL ENGINEERING, INC.
DATE	08/25/15
PROJECT	CHAMBERLAIN
PREPARED BY	DARNELL ENGINEERING, INC.
CHECKED BY	DARNELL ENGINEERING, INC.
DATE	08/25/15
PROJECT	CHAMBERLAIN
PREPARED BY	DARNELL ENGINEERING, INC.
CHECKED BY	DARNELL ENGINEERING, INC.

THIS PLAT IS SUBJECT TO THE KENTUCKY SURVEYING BOARD'S REVIEW AND APPROVAL.



- LEGEND:**
- Iron Pin/Pipe Found
  - Iron Rod Found
  - Iron Pin Found with L.D. Cap
  - Iron Pin Found with L.D. Cap bearing "Joe H. Justice RLS 1889"
  - #4 Rebar, 18" long, with L.D. Cap bearing "Darnell 2553"
  - Cap bearing "Survey" with L.D. Cap bearing "Darnell 3553"
  - Set this Survey
  - Point of Right-of-Way
  - Railroad Spike Found
  - Address

- NOTES:**
1. Parcel 1, shaded brown is the same as Parcel No. 427 described in Deed Book 291, Page 46.
  2. The purpose of this Annexation Plat is for annexation purposes only and does not contain all information necessary for a boundary survey.
  3. The survey was conducted in accordance with the standards of right-of-way of record and is subject to any and all other surveys of record.
  4. Cynthiana-Harrison County-Henry Local Planning and Zoning Commission for its respective zoning classification.
  5. See City of Cynthiana, Kentucky Ordinance Number 1545 dated February 11, 2016 for opposite City limit.

BUSBY CORPORATION  
 D.E. 102, Pg. 244



OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

To research the map, contact the  
Office of Secretary of State  
or the County Clerk.