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City of Cynthiana

RECEIVED AND FILED
 DATE May 30, 2008

April 14, 2008

THEY GRAYSON
 SECRETARY OF STATE
 COMMONWEALTH OF KENTUCKY
 BY Kandice Adkinson

The Honorable Trey Grayson
 Secretary of State
 700 Capital Avenue, Suite 152
 The Capital
 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 #1446 of the City of Cynthiana, Kentucky.

Charleen McIlvain
 Charleen McIlvain, City Clerk

Subscribed, sworn to, and acknowledged before me this the 14th day of April 2008.

Kathy M. Brooks
 Kathy M. Brooks, Notary

My Commission expires May 2, 2009

RECEIVED AND FILED
DATE May 30, 2008

ORDINANCE NO. 1446 - 2008

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Pamela Adkins

AN ORDINANCE OF THE CITY OF CYNTHIANA, KENTUCKY EXTENDING ITS PRESENT BOUNDARY AND ANNEXING CERTAIN CONTIGUOUS PROPERTY TO THE CITY CONSISTING OF APPROXIMATELY 13.411 ACRES GENERALLY LYING ON THE NORTHEAST SIDE OF THE CITY AND EAST OF KENTUCKY HIGHWAY 62 EAST AND AT THE INTERSECTION OF SAID HIGHWAY AND REPUBLICAN 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 institutional use and urban nature of the area lying generally on the northeast side of the City adjacent to the Oddville Pike (KY Hwy. 62) near its intersection with Republican Pike, and

WHEREAS, the area to be annexed is institutional in nature and urban in use and is suitable for urban purposes without delay and it is desirable for all concerned that the development and institutional uses occur within the expanded limits of the City of Cynthiana, and

WHEREAS, plans are underway to extend municipal water and sewer facilities to the area to be annexed and to insure safe and healthful disposal of waste in the area of development 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. 1444 on January 8, 2008 declaring the intent of the City of Cynthiana to annex the subject property; and

WHEREAS, the City of Cynthiana has duly published the Ordinance of intent to annex along with a notice of right to protest in the Cynthiana Democrat for the time required by law with no protest having been received; and

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:

Parcel 1:

Beginning at a point in the intersection of the north right-of-way of Republican Pike (KY 392) with the south right-of-way of Oddville Avenue (US 62); said point lying S. 48°59'48" W. 1024.13 feet from a property corner in the south right-of-way of Oddville Avenue (US 62), a corner between Harrison County School District Finance Corporation (D.B. 280, Pg. 191) and Elizabeth W. Newkirk (D.B. 177, Pg. 88; P.C. 2, Sh. 51A); thence with the said south right-of-way of said Oddville Avenue (US 62) N. 48°59'48" E. 1024.13 feet to a property corner, a corner to Elizabeth W. Newkirk (D.B. 177, Pg. 88; P.C. 2, Sh. 51A); thence with said Newkirk S. 58°45'51" E. 509.08 feet to a property corner and S. 23°23'39" W. 453.60 feet to a property corner in the north right-of-way of Republican Pike (KY 392); thence with said right-of-way for four calls as follows: (1) S. 82°22'09" W. 508.79 feet to a point, (2) S. 82°44'10" W. 324.02 feet to a point, (3) N. 79°01'36" W. 89.73 feet to a point, and (4) N. 48°51'52" W. 151.73 feet to the point of beginning containing an area of 12.00 acres more or less, and being subject to any and all easements or right-of-way of record and in existence.

Said property being that property deeded Harrison County School District Finance Corporation by County of Harrison, Kentucky by deed dated May 28, 2004 and recorded in Deed Book 280, Page 191.

Parcel 2:

Beginning at a point at the intersection of the north right-of-way of Republican Pike (KY 392) with the south right-of-way of

Oddville Avenue (US 62); said point lying S. 48*59'48" W. 1024.13 feet from a property corner in the south right-of-way of Oddville Avenue (US 62), a corner between Harrison County School District Finance Corporation (D.B. 280, Pg. 191) and Elizabeth W. Newkirk (D.B. 177, Pg. 88; P.C. 2, Sh. 51A); thence crossing Oddville Avenue (US 62) N. 41*00'12" W. 60.00 feet to a point, in the line of Nancy Brunner Garrison (D.B. 96, Pg. 164; W.B. 2, Pg. 21; P.C. 5, Sh. 108B); thence with said Garrison and Trilogy Health Services, LLC (D.B. 273, Pg. 606; P.C. 5, Sh. 108B) N. 48*59'48" E. 1024.13 feet to a point; thence crossing Oddville Avenue (US 62) S. 41*00'12" E. 60.00 feet to a property corner, a corner between Elizabeth W. Newkirk (D.B. 177, Pg. 88; P.C. 2, Sh. 51A) and Harrison County School District Finance Corporation (D.B. 280, Pg. 191); thence with said Harrison County School District Finance Corporation S. 48*59'48" W. 1024.13 feet to the point of beginning containing an area of 1.411 acres more or less, and being subject to any and all easements or right-of-way of record and in existence.

Said property being that property deeded Commonwealth of Kentucky for Highway Right-of-Way purposes.

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 to be annexed is currently zoned A-1U and the City does not intend to request a change of the zoning classification at the present time.

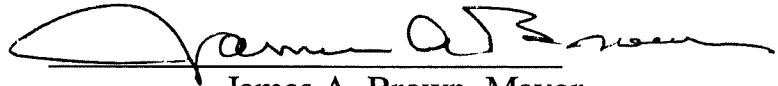
SECTION 5: The City Clerk shall immediately cause an accurate map of the newly annexed area with a metes and bounds description together with a certified copy of this Ordinance to be recorded in the Office of the Harrison County Clerk, the Office of the Secretary of State of the Commonwealth of Kentucky and the Governor's Office For Local Development. 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 May 1, 2008 after its passage, approval and publication as required by law.

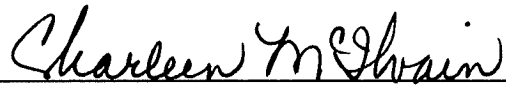
First reading: March 25, 2008

Second reading and passage: April 8, 2008



James A. Brown, Mayor

ATTEST:



Charleen McIlvain, City Clerk

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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