

RECEIVED AND FILED  
DATE May 9, 2016

ORDINANCE NO. 2012-13

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandie Adkinson

**AN ORDINANCE OF THE CITY OF FERGUSON, KENTUCKY ANNEXING A TERRITORY OF LAND CONTIGUOUS TO THE EXISTING CITY LIMITS OF FERGUSON, KENTUCKY.**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FERGUSON, KENTUCKY, AS FOLLOWS:**

**WHEREAS**, the City Council has determined that the hereinafter described territory is urban in character and/or suitable for development for urban purposes; and

**WHEREAS**, the City Council has determined that no part of the area to be annexed shall be nor currently is included in the boundary of another city; and

**WHEREAS**, pursuant to KRS 81A.425 notice was sent on April 12, 2012 by first-class mail to each property owner listed on the records of the Pulaski County Property Valuation Administrator as of January 1, 2012, being the Commonwealth of Kentucky; and

**WHEREAS**, said notice was mailed no later than fourteen (14) days prior to the meeting at which the ordinance proposing the annexation and stating the intention of the City of Ferguson to annex the territory received its second reading; and

**WHEREAS**, Ordinance No. 2012-6, proposing the annexation was duly read in accordance with the Kentucky Revised Statutes and was published and went into effect on May 31, 2012; and

**WHEREAS**, more than sixty (60) days have elapsed since Ordinance No. 2012-6 went into effect, and no petition containing signatures of property owners in the area to be annexed has been received by the Mayor pursuant to KRS 81A. 420; and

**WHEREAS**, all notices required by Kentucky Revised Statutes have been provided and/or published according to law;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Ferguson, Kentucky that the City of Ferguson hereby ratifies the Mayor's signature upon and approves any and all documents necessary to effectuate the intent of this ordinance including, but not limited to the Consents of Annexation and further, the City hereby annexes the following described unincorporated area and makes it a part of the City of Ferguson, Kentucky:

SEE PROPERTY DESCRIPTION ATTACHED AS EXHIBIT 1  
AND INCORPORATED BY REFERENCE

This ordinance shall take effect after its passage, approval and upon publication. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

At a meeting of the City Council of the City of Ferguson, Kentucky held on ~~October~~ <sup>November</sup> 8, 2012, on motion made by Council Member Paul Moody and seconded by Council Member Sue Poynter, the foregoing ordinance was adopted after full discussion by the following vote:


<input type="checkbox"/> YES	<input type="checkbox"/> NO	NORA ANDERSON
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	TONY DEPRATO
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	LINDA HUGHES

<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	PAUL MOODY
<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	SUE POYNTER
<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	BETTY WALLACE

FIRST READING: September 10, 2012

SECOND READING: ~~October 8, 2012~~  
November 5, 2012

APPROVED:



ALLEN R. DOBBS, MAYOR  
CITY OF FERGUSON, KENTUCKY

ATTEST:

Melody Jones  
MELODY JONES, CITY CLERK

## CITY CLERK'S CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Ferguson, Kentucky, and the foregoing three (3) pages of Ordinance No. 2012-13 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on November 5, 2012, all as appears in the official records of said City.

WITNESS, my hand and Seal, this 13 day of November, 2013.

Melody Jones  
MELODY JONES, City Clerk  
CITY OF FERGUSON, KY

Seal :

RECEIVED AND FILED  
DATE May 9, 2016

ORDINANCE NO. 2012-6

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Handie Robinson

AN ORDINANCE OF THE CITY OF FERGUSON, KENTUCKY STATING THE INTENT AND DESIRE TO ANNEX A CORRIDOR OF ROADWAY, SPECIFICALLY KENTUCKY HIGHWAY 2747, PULASKI COUNTY, KENTUCKY, TO THE CITY OF FERGUSON, KENTUCKY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FERGUSON, KENTUCKY, AS FOLLOWS:

The City of Ferguson, Kentucky does hereby state its intention to annex, pursuant to KRS 81A.420, the following boundary of unincorporated territory which is a corridor known as Kentucky Highway 2747 which is contiguous to current boundaries of the City, and is a territory that is urban in character or suitable and desirable for urban development without unreasonable delay:

A certain portion of corridor located and being in Pulaski County, State of Kentucky known as Kentucky Highway 2747, and more fully described in the survey which is attached hereto and is available in the City Clerk's Office for public review.

FIRST READING: February 6, 2012

SECOND READING: May 7, 2012

APPROVED:

Allen R. Dobbs  
ALLEN R. DOBBS, MAYOR  
CITY OF FERGUSON, KENTUCKY

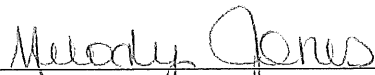
ATTEST:

Melody Jones  
MELODY JONES, CITY CLERK

## CITY CLERK'S CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Ferguson, Kentucky, and the foregoing one (1) pages of Ordinance No. 2012-6 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on May 7, 2012, all as appears in the official records of said City.

WITNESS, my hand and Seal , this 13 day of November, 2013.

  
\_\_\_\_\_  
MELODY JONES, City Clerk  
CITY OF FERGUSON, KY

Seal :

**Description of  
A Proposed Corridor Annexation Boundary  
For the City of Ferguson Kentucky**

A certain tract or parcels of land described as generally 30 feet each side of the centerline of Kentucky Highway 2747 (old Ky. 1247) from the existing Ferguson City Limits of Ordinance no. 34, to a point approximately 100' south of Jones Knob Road.

Lying and being on the waters of Pitman Creek, and located and lying approximately 400 feet south of the intersection of Kentucky Highway 2747, and the Kentucky 914 bypass in Pulaski County Kentucky.

Note: All bearings are based on NAD 83, Kentucky Single Zone projection.

Beginning at a point in the existing Ferguson City Limits (ordinance no. 34) in the center of the old Kentucky 1247 now 2747.

Thence S 12°38'32" W a distance of 19.93' to a point in the existing south right-of-way of Kentucky 2747.

Thence S 75°03'09" E a distance of 441.93' to a point 30' offset from the centerline of said 2747.

Thence with the right-of-way of Kentucky 2747 (30' offset from the centerline) with a curve turning to the right with an arc length of 457.79', with a radius of 399.68', with a chord bearing of S 43°32'09" E, with a chord length of 433.18 feet;

Thence S 06°51'35" E a distance of 774.32';

Thence with a curve turning to the right with an arc length of 610.96', with a radius of 1076.76', with a chord bearing of S 09°23'42" W, with a chord length of 602.79 feet;

Thence S 25°21'15" W a distance of 128.75';

Thence with a curve turning to the left with an arc length of 391.66', with a radius of 1775.53', with a chord bearing of S 19°02'06" E, with a chord length of 390.87 feet;

Thence S 13°14'41" W a distance of 1692.30';

Thence S 76°45'19" E a distance of 60.00' to a point in the east right-of-way of Kentucky 2747.

Thence with said right-of-way N 13°14'41" E a distance of 92.15' to a point in the south right-of-way of Jones Knob road.

Thence crossing Jones Knob road, N 13°14'41" E a distance of 30.89' to a point in the North right-of-way of said Jones Knob road.

Thence leaving Jones Knob road and continuing with Kentucky 2747 east right-of-way (30' offset from the centerline) N 13°14'41" E a distance of 1569.54';

Thence with a curve turning to the right with an arc length of 378.70', with a radius of 1715.33', with a chord bearing of N 19°01'49" E, with a chord length of 377.93 feet;

Thence N 25°21'15" E a distance of 128.60';

Thence with a curve turning to the left with an arc length of 644.84', with a radius of 1136.76', with a chord bearing of N 09°23'28" E, with a chord length of 636.23 feet;

Thence N 06°51'35" W a distance of 776.27';

Thence with a curve turning to the left with an arc length of 528.61', with a radius of 459.96', with a chord bearing of N 43°24'19" W, with a chord length of 499.96 feet;

Thence N 77°38'09" W a distance of 451.38' to a point in the existing Ferguson City Limits (ordinance No. 34)

Thence with said City Limits boundary S 10°52'47" E a distance of 21.91' to the point of beginning,

Containing 258370.05 square feet, or 6.16 acres

Surveyed November 26, 2011, by Tim Woodcock PLS 3124.

STATE OF KENTUCKY  
TIMOTHY D.  
WOODCOCK  
3124  
LICENSED  
PROFESSIONAL  
LAND SURVEYOR



**PUBLIC NOTICE REGARDING ANNEXATION**

Pursuant to KRS 424.130(1)(b) and KRS 424.140, please take notice that the state owned right-of-way/territory described below shall become annexed by the City of Ferguson, Kentucky unless the owner of the area to be annexed (Kentucky State Highway Department) protests by signing and filing a petition with the Mayor of the City of Ferguson opposing the annexation of the right-of-way/territory by or before July 5, 2012. If no Petition in opposition to the annexation of the right-of-way/territory is received on or before July 5, 2012, the City of Ferguson, Kentucky, shall read an Ordinance annexing the property set forth herein.

The following paragraph describes a tract of land situated in Pulaski County, Kentucky on Kentucky State Highway 2747 adjoining the present city limits of the City of Ferguson, Kentucky, intended to be annexed into the City of Ferguson with said premises being more particularly described as follows:

Beginning at a point in the existing Ferguson City Limits, (Ordinance 34), and in the centerline of the existing Ky. Highway 2747. Thence following the centerline of Ky. 2747 and being 30 feet each side of said centerline for a distance of 4,544.89'.

**APPROVED:**

*Allen R. Dobbs*

**ALLEN R. DOBBS, MAYOR  
CITY OF FERGUSON**

CITY OF FERGUSON  
P.O. BOX 222 FERGUSON, KY 42533  
PHONE 606-679-6800  
FAX 606-678-9638

April 12, 2012

Commonwealth of Kentucky  
Department of Highways  
8<sup>th</sup> District Office  
P. O. Box 780  
Somerset, KY 42502

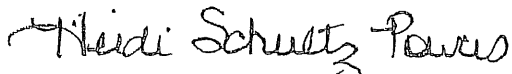
Re: Notice of Intent to Annex

Dear Sir or Madam,

This letter shall serve notice that the City of Ferguson, Kentucky intends to annex the right-of-way that you own within the areas known as Kentucky 914 Bypass, Kentucky 2747 and Rush Branch Road (Ky. 638) and described in the attached City of Ferguson Ordinances. The Intent to Annex Ordinances received their first reading on March 5, 2012 and shall receive their second readings at 7:00 p.m. on Monday, May 7, 2012 at Ferguson City Hall, 414 Murphy Avenue, Ferguson, Kentucky.

If you have any questions regarding this matter, please feel free to contact me at (606) 679-7345 or at the address above. Thank you for your prompt attention to this matter.

Very truly yours,



HEIDI SCHULTZ POWERS  
CITY ATTORNEY, CITY OF FERGUSON  
CC: Hon. Lisa Miracle

## CITY CLERK'S CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Ferguson, Kentucky, and the foregoing list of property owners is a true and complete list of all property owners listed on the records of the Pulaski County property valuation administrator as of January 1, 2012, within the territory to be annexed in City of Ferguson Ordinance Numbers 2012-1 through 2012-6.

Property Owners:

County of Pulaski—Elihu Cabin Hollow Road East and West;  
Jones Knob Road  
Commonwealth of Kentucky—Kentucky 914 Bypass, Kentucky  
2747 and Rush Branch Road (Ky. 638)

I further certify that letters have been sent to each of the property owners listed giving notice that the first reading of the Intent to Annex Ordinances has been made and that the second reading of the Intent to Annex Ordinances will be made on Monday, May 7, 2012 at 7:00 p.m. in the Ferguson City Hall. Said notices were mailed, first class mail, postage prepaid to all property owners listed herein. Said notices were mailed on April 12, 2012, which was more than 14 days prior to the May 7, 2012 meeting at which the Intent to Annex Ordinances shall receive their second reading. I further certify that copies of the proposed Intent to Annex Ordinances were included with the letters

WITNESS, my hand and Seal, this 7 day of May, 2012.

Melody Jones  
MELODY JONES, City Clerk  
CITY OF FERGUSON, KY

Seal :

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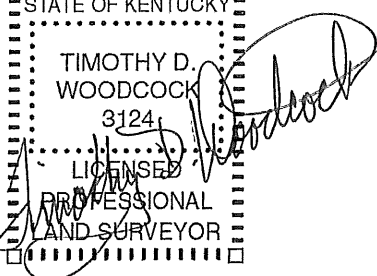
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STATE OF KENTUCKY  
TIMOTHY D.  
WOODCOCK  
3124  
LICENSED  
PROFESSIONAL  
LAND SURVEYOR



OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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