

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. 2012-10 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 December 8, 2014

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

ORDINANCE NO. 2012-10

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 County of Pulaski, 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. 2012-3, 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. 2012-3 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~~ ^{November} 5, 2012, on motion made by Council Member Linda Hughes and seconded by Council Member Paul Moody, 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
ALLEN R. DOBBS, MAYOR
CITY OF FERGUSON, KENTUCKY

ATTEST:

Melody Jones
MELODY JONES, CITY CLERK

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

A certain tract or parcels of land described as 20 feet each side of the centerline of Elihu Cabin Hollow Road from the new right-of-way for the Elihu Cabin Hollow road approach (east) toward Pitman creek bridge. Lying and being on the waters of Pitman Creek, and located and lying approximately 1500 feet south of the intersection of Kentucky Highway 1247 (relocated), 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 east right-of-way of Kentucky 1247 (relocated) and in the Ferguson City Limits boundary (Ordinance No.).

Thence with the aforementioned approach right-of-way S 80°44'11" E a distance of 133.77 feet;

Thence N 83°49'47" E a distance of 276.79 feet;

Thence S 68°56'13" E a distance of 66.78 feet to a point 20 feet north of the centerline of Elihu Cabin Hollow Road.

Thence along a line 20 feet north of the centerline of said road the following;

Thence N 86°17'26" E a distance of 68.01 feet;

Thence N 84°53'53" E a distance of 549.37 feet;

Thence with a curve turning to the right with an arc length of 330.82', with a radius of 430.56', with a chord bearing of S 74°38'39" E, with a chord length of 322.74 feet;

Thence S 52°16'56" E a distance of 630.67 feet.

Thence crossing said Elihu Cabin Hollow road S 48°58'36" W a distance of 41.14 feet;

Thence along the south side of and 20 feet from the centerline of Elihu Cabin Hollow road the following;

Thence N 52°15'01" W a distance of 622.52 feet;

Thence with a curve turning to the left with an arc length of 300.48', with a radius of 390.56', with a chord bearing of N 74°41'34" W, with a chord length of 293.13 feet;

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

To research the map, contact the
Office of Secretary of State
or the County 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. 2012-3 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
MELODY JONES, City Clerk
CITY OF FERGUSON, KY

Seal :

RECEIVED AND FILED
DATE December 3, 2014

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Katie Addison

ORDINANCE NO. 2012-3

AN ORDINANCE OF THE CITY OF FERGUSON, KENTUCKY STATING THE INTENT AND DESIRE TO ANNEX A CORRIDOR OF ROADWAY, SPECIFICALLY ELIHU CABIN HOLLOW ROAD (EAST), 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 Elihu Cabin Hollow Road 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 Elihu Cabin Hollow Road, 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, MAYOR
CITY OF FERGUSON, KENTUCKY**

ATTEST:



MELODY JONES, CITY CLERK

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

A certain tract or parcels of land described as 20 feet each side of the centerline of Elihu Cabin Hollow Road from the new right-of-way for the Elihu Cabin Hollow road approach (east) toward Pitman creek bridge. Lying and being on the waters of Pitman Creek, and located and lying approximately 1500 feet south of the intersection of Kentucky Highway 1247 (relocated), 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 east right-of-way of Kentucky 1247 (relocated) and in the Ferguson City Limits boundary (Ordinance No.).

Thence with the aforementioned approach right-of-way S 80°44'11" E a distance of 133.77 feet;

Thence N 83°49'47" E a distance of 276.79 feet;

Thence S 68°56'13" E a distance of 66.78 feet to a point 20 feet north of the centerline of Elihu Cabin Hollow Road.

Thence along a line 20 feet north of the centerline of said road the following;

Thence N 86°17'26" E a distance of 68.01 feet;

Thence N 84°53'53" E a distance of 549.37 feet;

Thence with a curve turning to the right with an arc length of 330.82', with a radius of 430.56', with a chord bearing of S 74°38'39" E, with a chord length of 322.74 feet;

Thence S 52°16'56" E a distance of 630.67 feet.

Thence crossing said Elihu Cabin Hollow road S 48°58'36" W a distance of 41.14 feet;

Thence along the south side of and 20 feet from the centerline of Elihu Cabin Hollow road the following;

Thence N 52°15'01" W a distance of 622.52 feet;

Thence with a curve turning to the left with an arc length of 300.48', with a radius of 390.56', with a chord bearing of N 74°41'34" W, with a chord length of 293.13 feet,;

Thence S 84°53'53" W a distance of 549.93 feet;

Thence S 86°17'00" W a distance of 68.10 feet to a point in the aforementioned approach right-of-way.

Thence with said approach right-of-way S 47°44'32" W a distance of 75.41 feet.

Thence S 84°02'44" W a distance of 322.66 feet;

Thence N 34°32'46" W a distance of 169.75 feet to the beginning.

Containing an area of 109644.37 square feet, or 2.52 acres.

Surveyed November 26, 2011, by Timothy D. Woodcock PLS 3124.

□■■■■■■■■■■■■■■■■■■■■□
-STATE OF KENTUCKY-
- - - - -
: TIMOTHY D. :
: WOODCOCK :
: 3124 :
- - - - -
- LICENSED -
- PROFESSIONAL -
- LAND SURVEYOR -
□■■■■■■■■■■■■■■■■■■■■□

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 :

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

April 12, 2012

Mr. Barty Bullock
Pulaski County Judge Executive
P. O. Box 712
Somerset, KY 42502

Re: **Notice of Intent to Annex**

Dear Mr. Bullock,

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 Elihu Cabin Hollow Road West, Elihu Cabin Hollow Road East, and Jones Knob Road 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 reading 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. Martin Hatfield, Pulaski County Attorney

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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
8th District Office
P. O. Box 780
Somerset, KY 42502

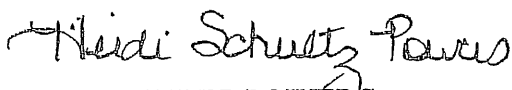
Re: **Notice of Intent to Annex**

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

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 (Pulaski County, Kentucky) 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 Elihu Cabin Hollow Road (East) 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 City Limits of Ferguson, (Ordinance 2010-8) and at a point in the centerline of Cabin Hollow Road, and following the right of way an easterly direction 1555.80 feet.

APPROVED:

Allen R. Dobbs

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