CERTIFICATION PURSUANT TO KRS 81A.470

I, Joetta Marshall, duly appointed City Clerk for the City of Flemingsburg, certify that the attached copy of Annexation ordinance # 2-18-2, passed on February 15, 2018, is a true and accurate copy of the ordinance on file at City Hall.

Joetta Marshall

Joetta Marshall, City Clerk

City of Flemingsburg, Kentucky

(seal)

RECEIVED AND FILED
DATE Sept. 27, 2018

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

CITY OF FLEMINGSBURG, KENTUCKY
ORDINANCE NO.: 2-18-2

AN ORDINANCE OF THE CITY OF FLEMINGSBURG, KENTUCKY ANNEXING INTO ITS CORPORATE LIMITS LAND OWNED BY FLEMING COUNTY PUBLIC HEALTH TAXING DISTRICT HEREINAFTER DESCRIBED.

WHEREAS, a certain owner of real estate has consented in writing to the annexation of a certain parcel of real estate located in Fleming County, Kentucky, said property being contiguous with the current corporate limits of the City of Flemingsburg; and

WHEREAS, said property is identified and described in the land survey and plat representing said survey by Travis M. McGlone, R.L.S., dated April 5, 2018 and which will be placed of record in Plat Cabinet No. 4, Slide No. 514, Fleming County Clerk's Office, and will be recorded within sixty (60) days of passage as permitted by KRS 81A.470 and KRS 81A.475, and

WHEREAS, said property is adjacent to and contiguous with the City's boundaries and is urban in character and is suitable for development for urban purposes without unreasonable delay,

WHEREFORE, BE IT ORDAINED BY THE CITY OF FLEMINGSBURG, KENTUCKY:

SECTION 1: AUTHORITY

The annexation of the hereinafter described land is authorized by KRS 82.082 and KRS 81A.400 et seq.

SECTION 2: CONSENT TO ANNEXATION

The below referenced written consent to annexation executed, acknowledged and delivered to the City of Flemingsburg, Kentucky pursuant to KRS 81A.412 and of record in the office of the Fleming County Clerk are hereby acknowledged and accepted by the City of Flemingsburg, Kentucky for all intents and purposes expressed therein; said consents to annexation are made a part of this ordinance by reference; to-wit:-

Property Owner:	Consent Recorded At	Property Consent Applies To
Fleming County Public Health Taxing District	MC 3, Page 586	*D.B. 234 Page 304

SECTION 3: ANNEXATION

A. The land described in subsection C. below is found to be contiguous with and adjacent to the boundaries of the City of Flemingsburg, Kentucky and is suitable for development for urban purposes without unreasonable delay.

B. The land described in subsection C. below is hereby annexed to and shall be within the corporate limits of the City of Flemingsburg, Kentucky.

C. The land annexed by the City of Flemingsburg, Kentucky by operation of this ordinance is described as follows:

Being the real property located in Fleming County, Kentucky, more particularly described as follows:

BEGINNING at a point in the west right-of-way line of the Flemingsburg By-Pass; said point being located S 12 deg. 51' 03" W 525.65 feet from the right-of-way corner 95.00 feet left of station 261 + 06.72 and corner between the property owned by R. W. Crain and the property owned by James A. Hurd and J. B. Shannon; thence with the right-of-way of the Flemingsburg By-Pass S 12 deg. 51' 03" W 202.50 feet; thence S 9 deg. 45' 01" W 53.58 feet; thence leaving the right-of-way line N 77 deg. 08' 57" W 220.90 feet; thence N 12 deg. 51' 03" E 256.00 feet; thence S 77 deg. 08' 57" E 218.___ feet to the **beginning and containing approximately 1.28 acres.**

Being the same property conveyed to Fleming County Public Health Taxing District from The Fleming County Board of Health by deed dated the 24th day of April, 2008 and of record in Deed Book 234, Page 304, Fleming County Clerk's Office.

D. The map of the area described in subsection C. above is drawn and will be placed of record in the Fleming County Plat Cabinet upon final passage of this Annexation Ordinance .

SECTION 4: EFFECTIVE DATE

This Ordinance shall become effective upon two (2) readings thereof, roll call vote passage by the City Council, approval by the Mayor and publication as required by law.

COUNCIL ACTION
ORDINANCE NO. 2-18-2

First Reading of this Ordinance was had on January 8th, 2018.

Joetta Marshall
Joetta Marshall, City Clerk

Second Reading of this Ordinance was had on February 12th, 2018, and upon roll call vote was adopted by the City Council of the City of Flemingsburg, Kentucky.

Joetta Marshall
Joetta Marshall, City Clerk

MAYORAL APPROVAL

I hereby accept and approve the foregoing Ordinance No.: 2-18-2 and direct same to be published in accordance with applicable law this 15th day of February, 2018.

Martin L. Voiers
Martin L. Voiers, Mayor

ATTEST:

Joetta Marshall
Joetta Marshall, City Clerk

PREPARED BY:

Kimberly Leet Razor
Attorney-At-Law
City Attorney
129 West Water Steet
Flemingsburg, Kentucky 41041
Phone: 606-845-2771
Fax: 606-849-3010
E-mail: kimrazorlaw@outlook.com

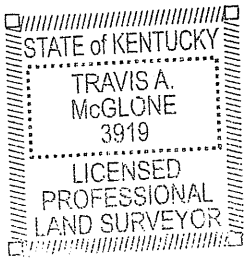
Surveyor's Intention and Legal Description

The intent of this legal description is to provide a metes and bounds description of the area denoted in Ordinance No. 2-18-2 by the City of Flemingsburg, Kentucky to annex the property of the Fleming County Public Health Taxing District DB 220 PG 152 per the Records of the Fleming County Clerk's Office; as prepared by Travis A. McGlone PLS 3919 of Buffalo Trace Surveying, LLC of 1386 Logan Run Road, Flemingsburg, KY 41041 on 4/5/2018. The following description was prepared in accordance with the information collected at the Fleming County Clerk's & Property Valuation Administration offices and the official records of the City of Flemingsburg. The boundary is based on deed plots and Record Plats. Some deeds were adjusted for closure and placed within the Kentucky State Plane Coordinate System (NAD 83) Single zone.

Ordinance No. 2-18-2 legal description:

Being a certain territory of land adjoining the existing limits of the City of Flemingsburg and on the West side of the Flemingsburg By-Pass at its junction with Brookhaven Drive in Fleming County, Kentucky and being more particularly described as follows:

Beginning at the West Right of way of the Flemingsburg By-Pass (KY HWY 11 CDB 6 PG 24) at its junction with the South right of way of Brookhaven Drive (PC 1 Slide 71) being corner to The Fleming County Board of Health DB 220 PG 152 PC 1 Slide 71 lot 5, having a Kentucky State Plane Coordinate (NAD 83-Single Zone) position of Northing: 4048148.65 & Easting: 5493319.24; Thence along the West right of way of the Flemingsburg By-Pass S11°56'04"W a distance of 202.50'; Thence S08°50'02"W a distance of 53.58' to the South East corner of the Board of Health; Thence leaving the right of way along the existing City Limits and The Fleming County Board of Health DB 194 PG 358 PC line N 78°03'56"W a distance of 220.90' to the South West corner of PC 1 Slide 71 Lot 5 ; Thence along the East right of way of Windsor Road N11°56'04" E a distance of 256.00' to the North West Corner of Lot 5; Thence along the South right of way of Brookhaven Drive S78°03'57"E a distance of 218.00' to the point of beginning containing 1.283 acres of territory included in the City of Flemingsburg Ordinance 2-18-2 annexation.



4/5/2018

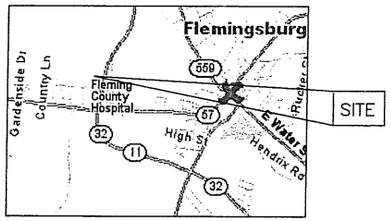
Travis A. McGlone PLS 3919 Date

LEGEND

- 1/2" X 18" IRON PIN & CAP SET (ORANGE PLASTIC CAP STAMPED "T. MCGLONE PLS 3919")
- MAG NAIL SET (2 1/4") – WITH 1.5" WASHER STAMPED "T.MCGLONE PLS 3919"
- 1/2" IRON PIN & CAP FOUND
- POINT ON BOUNDARY LINE (NO MONUMENT SET)
- TREE (AS NOTED ON PLAT)
- EXISTING FENCE
- BOUNDARY LINE – ORDINANCE 0-00-0
- CENTERLINE OF ROAD
- GRAVEL DRIVE/ROAD

ALL MONUMENTS ARE NEW UNLESS NOTED AS FOUND (RECORD)

VICINITY MAP (NTS)



FILE: FLEMINGSBURG ANNEX FITNESS CENTER.DWG

BUFFALO TRACE SURVEYING, LLC

TRAVIS MCGLONE, PLS
1386 LOGAN RUN ROAD
FLEMINGSBURG, KY 41041
PHONE: 606-845-2812
EMAIL:btsurveying@gmail.com

NEW PLAT OF CITY ANNEXATION FOR THE CITY OF FLEMINGSBURG (ORDINANCE 2-18-2)

234 WINDSOR ROAD
FLEMINGSBURG, FLEMING COUNTY, KENTUCKY
DATE: 4/5/2018 SCALE: 1"=100'
REVISED DATE: 6/28/2018

CLIENT: CITY OF FLEMINGSBURG
ADDRESS: 140 W. ELECTRIC AVE
FLEMINGSBURG, KY 41041

REVIEW DATE: 1/29/2018

FIELD SURVEY DATE: 1/24/2018

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT WAS OBTAINED BY MYSELF OR PERSONS UNDER MY DIRECT SUPERVISION. DEED PLOTS AND PRIOR PLATS WERE USED TO ESTABLISH BOUNDARY AND WERE ADJUSTED FOR CLOSURE. THIS PLAT IS NOT A PRODUCT OF A FIELD SURVEY AND DOES NOT COMPLY WITH 201 KAR 18:150 AND IS NOT INTENDED FOR TRANSFER.

TRAVIS A. MCGLONE PLS 3919 DATE

THIS PLAT OF SURVEY DOES NOT REPRESENT A BOUNDARY SURVEY AND IS NOT INTENDED FOR LAND TRANSFER.

0' 100' 200' 300'

RECORD SOURCE
DEED BOOK:220 PAGE:152
PLAT CAB: 1 SLIDE: 71

STATE of KENTUCKY
TRAVIS A. McGLONE 3919
LICENSED PROFESSIONAL LAND SURVEYOR

NOTES:

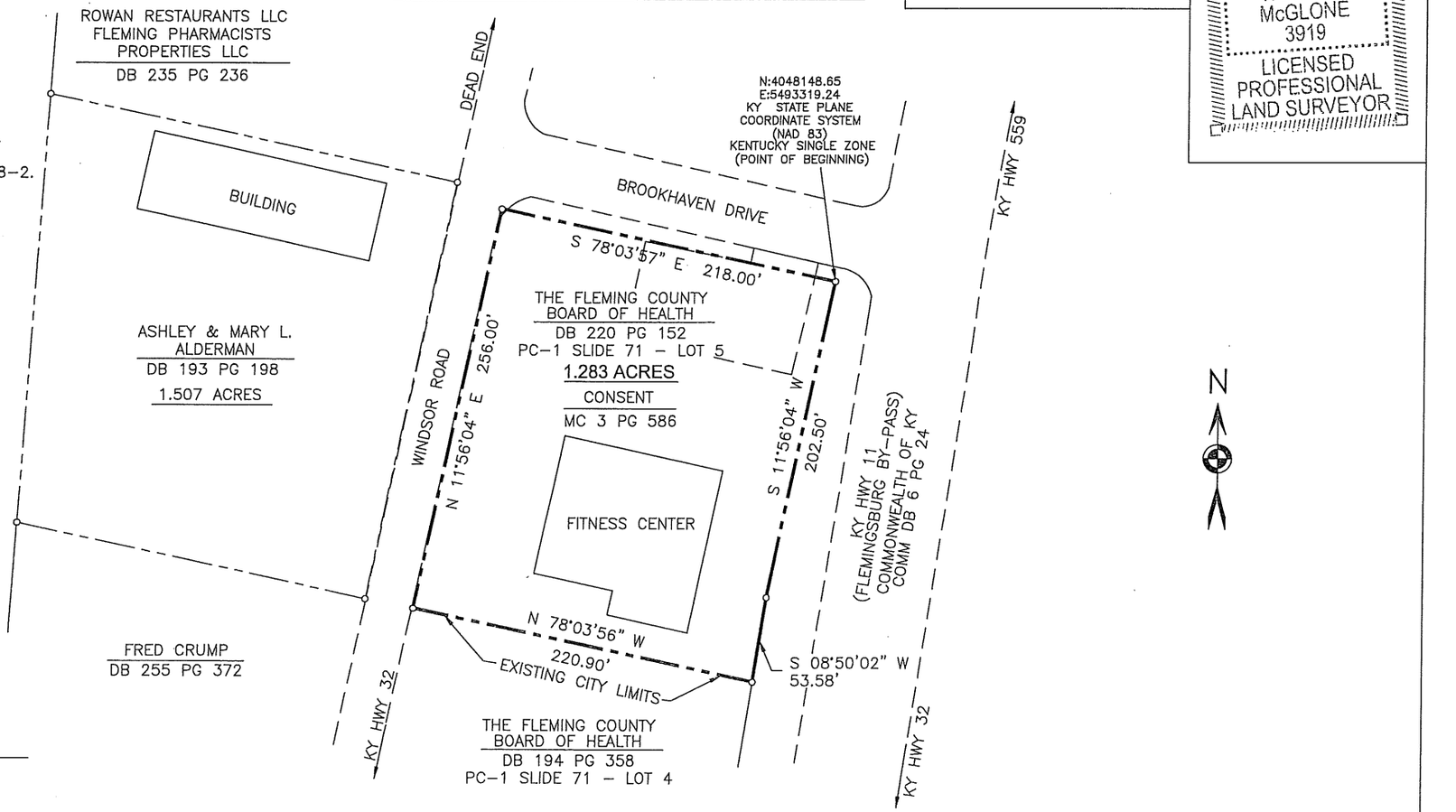
BEARINGS COORDINATED TO THE KY STATE PLANE COORDINATE SYSTEM (SINGLE ZONE) (NAD 83) PER GPS OBSERVATIONS ON DATE OF SURVEY 1/24/2018.

THIS PLAT OF SURVEY DOES NOT REPRESENT A BOUNDARY SURVEY, ONLY FITTED DEED PLOTS AND PRIOR PLATS. SOME DEEDS WERE ADJUSTED FOR CLOSURE AND WERE ORIENTED WITHIN THE KENTUCKY SINGLE ZONE STATE PLANE COORDINATE SYSTEM.

PURPOSE OF PLAT IS TO MORE ACCURATELY DEFINE THE BOUNDARY DESCRIBED IN THE CITY OF FLEMINGSBURG ORDINANCE 2-18-2.

ALL DEED SOURCES SHOWN ACCORDING TO INFORMATION COLLECTED AT THE FLEMING COUNTY CLERK'S OFFICE AND FLEMING COUNTY PROPERTY VALUATION ADMINISTRATION AND WERE NOT FIELD VERIFIED.

PURPOSE OF REVISION IS TO SHOW THE EXISTING CITY LIMITS.



COUNTY CLERK CERTIFICATION

I hereby certify that this subdivision plat was presented to me and accepted for recording in the office of the County Clerk and Recorder of Fleming County at the City of Flemingsburg, Kentucky on this _____ day of _____, 20__ at _____(time).

SIGNATURE OF FLEMING COUNTY CLERK/RECORDED RECEPTION NO.

RECORDED IN PLAT CABINET 4 SLIDE _____