Map 2

MACDONALD & WALTON

ATTORNEYS AT LAW

105 NORTH MAIN CROSS STREET

FLEMINGSBURG, KENTUCKY 41041-1396

(606) 845-2771

FAX (606) 849-3010

WILLIAM TODD WALTON
THOMAS L. MacDONALD
W. TODD WALTON II

LLOYD A. MacDONALD
1907-1991

December 29, 1995

RECEIVED

JAN 12 1996

SECRETARY OF STATE
COMMONWEALTH OF KY

Kentucky Secretary of State
150 State Capitol
700 Capital Avenue
Frankfort, Kentucky 40601-3493

IN RE: City of Flemingsburg, Kentucky
Filing of Annexation Map & related documents
KRS 81A.470

Enclosed please find for filing in your office an accurate map (plat) of a newly annexed area to the City of Flemingsburg, Kentucky, a fourth class city, with a copy of the City's Ordinance No. 12-95-1 which effectuated the annexation and is duly certified by the city clerk, together with a metes and bounds description of the property newly annexed. All of this is provided to you pursuant to the provisions of KRS 81A.470(1).

Thank you for your assistance in this matter.

Sincerely,

Thomas L. MacDonald

MacDonald & Walton
Flemingsburg City Attorney

TLM;gsf

Enclosures

CITY OF FLEMINGSBURG, KENTUCKY
ORDINANCE NO. 12-95-1

AN ORDINANCE OF THE CITY OF FLEMINGSBURG, KENTUCKY ANNEXING INTO ITS CORPORATE LIMITS THE HEREINAFTER DESCRIBED LAND.

WHEREAS, certain owners of real estate have consented in writing to the annexation of a certain parcel of its real estate located on the southern side of By-Pass 32 in Fleming County, Kentucky and being contiguous with the 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 W.T. (Tommy) Carpenter, R.L.S. 2380, dated 12-28-95 and which will be of record in Plat Cabinet No. 1, Slide No. 115 Fleming County Clerk's Office, and will be recorded within sixty (60) days 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 consents 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:-

Fleming County Water Association, Inc.:	D.B. 177, Page 597
Ferman Perkins and Jenny Perkins:	D.B. 178, Page 121
Hilltop Ford, Inc.:	D.B. 178, Page 294
Wayne Craft and Delores Craft:	D.B. 180, Page 345
J.C. Hendren and Anna R. Hendren:	D.B. 180, Page 341
Paul T. Reid:	D.B. 180, Page 364
Francis H. Kissick, Jr. and Wila U. Kissick:	D.B. 180, Page 364
Mary L. Sexton and David L. Sexton:	D.B. 181, Page 192
Clarence Oliver:	D.B. 142, Page 568

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:

> Property located in the vicinity of the intersection of the Flemingsburg By-Pass and the Mt. Sterling Road (Kentucky Highway #11) and on the south side of Bypass #32, and more particularly described in the various deeds above-cited in Section 2 herein.

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See the legal descriptions in the various consent documents listed in SECTION 2 herein for more particular description hereof.

D. The map of the area described in subsection C. above is being drawn and will be recorded within the time limits required by the Annexation statute.

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.

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COUNCIL ACTION
ORDINANCE NO. 12-95-1

First Reading of this Ordinance was had on December 4, 1995.

James M. Berry, City Clerk

Second Reading of this Ordinance was had on December 22, 1995 and upon roll call vote was adopted by the City Council of the City of Flemingsburg, Kentucky.

James M. Berry, City Clerk

MAYORAL APPROVAL

I hereby accept and approve the foregoing Ordinance No. 12-95-1 and direct same to be published in accordance with applicable law this 22nd day of December, 1995.

Demaree C. Todd, Mayor

ATTEST:

James M. Berry, City Clerk

PREPARED BY:

Thomas L. MacDonald
MacDonald & Walton
City Attorneys

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CITY OF FLEMINGSBURG, KENTUCKY

Following is a **metes and bounds legal description** of the newly annexed area to the City of Flemingsburg, which was accomplished by **Ordinance No. 12-95-1**, which description is supplied pursuant to the requirements of KRS 81A.470.

AREA 1

Beginning at an iron pin (found) in the south Control of Access and R/W of the Flemingsburg By-Pass said point a corner to Ray Davenport (D.B. 149, Pg. 639 and D.B. 159, Pg. 469);

thence with the said line of Davenport and D. Johnson (D.B. 172, Pg. 522) South 14 degrees 20 minutes 15 seconds West, 609.38 feet to an iron pin (found) corner to said Johnson and Bobby Corbin (D.B. 167, Pg. 725);

thence the said Corbin line North 85 degrees 41 minutes 02 seconds West, 200.25 feet to an iron pin (found) corner to Corbin and Lucy Hawkins (D.B. 175, Pg. 263);

thence with Lucy Hawkins the following three calls:

South 83 degrees 01 minutes 51 seconds West, 764.94 feet to an iron pin (set this survey);

thence North 3 degrees 56 minutes 57 seconds East, 1017.65 feet to an iron pin (found);

thence North 38 degrees 41 minutes 06 seconds East, 50.88 feet to an iron pin (found) said point being in said Control of Access and R/W of the Flemingsburg By-Pass;

thence with said Control of Access and R/W line the following five calls:

South 70 degrees 45 minutes 47 seconds East 485.03 feet to an iron pin (found);

thence South 69 degrees 04 minutes 14 seconds East, 57.24 feet to an iron pin (found);

thence South 69 degrees 23 minutes 57 seconds East, 286.88 feet to an iron pin (found);

thence South 72 degrees 08 minutes 40 seconds East, 153.39 feet to an iron pin (found);

thence South 54 degrees 28 minutes 08 seconds East, 100.80 feet to the point of beginning.

The above described "Area 1" contains 19.327 acres.

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AREA 2

Beginning at a point in the South Control of Access and R/W line of the Flemingsburg By-Pass corner to Terry Manning (D.B. 161, Pg. 528 and D.B. 162, Pg. 392) and Ferman Perkins (D.B. 165, Pg. 370);

thence with Perkins and Manning line the following two calls:

South 3 degrees 23 minutes 27 seconds West, 87.69 feet to a wood fence post;

thence South 3 degrees 23 minutes 27 seconds West 864.18 feet to an iron pin (found) in the line of Ronald Reeder (D.B. 179, Pg. 437);

thence with Reeder line North 87 degrees 26 minutes 11 seconds West, 588.85 feet to an iron pin (found) in the line of B.F. Smith Subdivision (D.B. 131, Pg. 661);

thence with the line of B.F. Smith Subdivision and the southerly line of said Perkins for the following thirteen calls:

North 4 degrees 22 minutes 22 seconds East, 434.19 feet to iron pin (set this survey);

thence North 49 degrees 35 minutes 52 seconds West, 284.88 feet to an iron pin (found);

thence North 37 degrees 20 minutes 37 seconds West, 34.67 feet to an iron pin (found);

thence North 48 degrees 38 minutes 00 seconds West, 309.40 feet to wood fence post;

thence North 44 degrees 07 minutes 46 seconds West, 273.04 feet to an iron pin (found);

thence North 38 degrees 50 minutes 39 seconds West, 174.81 feet to an iron pin (found);

thence North 48 degrees 53 minutes 21 seconds East, 10.30 feet to an iron pin (found);

thence North 45 degrees 50 minutes 56 seconds West, 125.88 feet to wood fence post;

thence North 67 degrees 45 minutes 54 seconds West, 10.87 feet to an iron pin (found);

thence North 41 degrees 17 minutes 11 seconds West, 125.51 feet to an iron pin (found);

thence South 63 degrees 25 minutes 51 seconds West, 4.75 feet to a fence post;

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thence North 41 degrees 08 minutes 00 seconds West, 251.75 feet to a fence post;

thence North 44 degrees 55 minutes 58 seconds East, 39.75 feet to a fence post;

thence North 42 degrees 46 minutes 22 seconds West, 84.96 feet to a fence post corner to Hilltop Ford, Inc. (D.B. 165, Pg. 580);

thence with the line of Hilltop Ford, Inc. the following two calls:

North 38 degrees 45 minutes 22 seconds West, 30.80 feet to a point;

thence North 39 degrees 51 minutes 22 seconds West, 150.00 feet to the corner of M. Sexton, D.B.A. Mamas Kitchen (D.B. 181, Pg. 1);

thence with Mamas Kitchen North 65 degrees 14 minutes 22 seconds West, 200.00 feet to a point;

thence North 65 degrees 14 minutes 22 seconds West, 90.00 feet crossing Ky. 11 to an iron pin (set this survey);

thence North 16 degrees 33 minutes 41 seconds East, 166.63 feet to an iron pin (set this survey) corner to Ray Davenport (D.B. 149, Pg. 639 and D.B. 159, Pg. 469) and Clarence Oliver (D.B. 142, Pg. 565 and D.B. 151, Pg. 682);

thence with the line of said Davenport and Oliver North 41 degrees 36 minutes 46 seconds West, 412.33 feet to an iron pin (set this survey) in the south Control of Access and R/W of the Flemingsburg By-Pass;

thence along said Control of Access and R/W line the following ten calls:

South 68 degrees 44 minutes 07 seconds East, 344.24 feet to a point;

thence South 67 degrees 30 minutes 51 seconds East, 132.68 feet to a point;

thence South 67 degrees 30 minutes 51 seconds East, 69.34 feet to a 2-1/2" O.D. steel post;

thence South 59 degrees 55 minutes 23 seconds East, 145.28 feet to a 2-1/2" O.D. steel post;

thence South 75 degrees 01 minutes 33 seconds East, 199.37 feet to a 2-1/2" O.D. steel post;

thence South 59 degrees 31 minutes 50 seconds East, 451.45 feet to a 2-1/2" O.D. steel post;

thence South 48 degrees 59 minutes 43 seconds East, 390.79 feet to

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a 2-1/2" O.D. steel post;

thence South 61 degrees 39 minutes 51 seconds East, 447.25 feet to a 2-1/2" O.D. steel post;

thence South 41 degrees 10 minutes 15 seconds East, 290.65 feet to a 2-1/2" O.D. steel post;

thence South 51 degrees 10 minutes 18 seconds East, 342.18 feet to the point of beginning.

The above described "Area 2" contains 42.128 acres.

This is a new survey, completed by W.T. (Tommy) Carpenter, R.L.S. 2380 in December, 1995. A plat depicting that survey is recorded in Plat Cabinet No. 1, Slide No. 115, Fleming County Clerk's Office.

The iron pins described as set this survey are 1/2 inch rebars topped with Flemingsburg City Boundary logo and bear the initials W.T.C., R.L.S. 2380.

The total area annexed to the City of Flemingsburg by Ordinance No. 12-95-1 is 61.455 acres.

I, James M. Berry, City Clerk of the City of Flemingsburg, Kentucky, do hereby certify that the above metes and bounds description required by KRS 81A.470(1) is true and correct to the best of my knowledge and belief, this 28th day of December, 1995.

James M. Berry

JAMES M. BERRY, City Clerk

STATE OF KENTUCKY
COUNTY OF FLEMING

Subscribed and sworn to before me by James M. Berry in his official capacity as City Clerk for the City of Flemingsburg, Kentucky, this 28th day of December, 1995.

Notary Public, State at Large

My Comm. Exp.: 9-26-96

Prepared By:

Thomas L. MacDonald
MacDonald & Walton
City Attorney

MACDONALD & WALTON
ATTORNEYS-AT-LAW

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CERTIFICATION OF ORDINANCE COPY

The undersigned, in his capacity at City Clerk for the City of Flemingsburg, Kentucky, does hereby certify that attached hereto is a true and correct copy of City of Flemingsburg Ordinance No. 12-95-1, an annexation ordinance passed, adopted and apptroved by the City Council aqnd Mayor of the City of Flemingsburg, Kentucky at a special meeting of the Flemingsburg City Council held on December 22, 1995, and being 3 pages in length.

City of Flemingsburg

By:

James M. Berry

James M. Berry, City Clerk

COMMONWEALTH OF KENTUCKY

COUNTY OF FLEMING

Before me personally appeared James M. Berry in his official capacity as City Clerk for the City of Flemingsburg, Kentucky, who produced, signed and acknowledged the foregoing Certification of Ordinance Copy to be his free act and deed for the purposes expressed therein this 28th day of December, 1995.

Notary Public, State at Large

My Comm. Expires: 9-26-96

Prepared By:

Thomas L. MacDonald
MacDonald & Walton
City Attorney

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OVERSIZE MAP INCLUDED WITH SUBMISSION.

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