CERTIFICATION
for
Kentucky Secretary of State

I, **Joy Roark**, Clerk of the City of Flemingsburg do hereby certify that the attached copy of a ORDINANCE 09-01-4 dated 9-17-01 and identified as Exhibit 2 to Resolution No. 13-7-2, is a true and correct copy as was presented to the City Council of the City of Flemingsburg at a meeting held on the 8TH day of July, 20 13.

Given under my hand this 6th day of September, 2013.

Joy Roark
Joy Roark, City Clerk

(SEAL)

RECEIVED AND FILED
DATE Sept 6, 2013

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kardie Atkinson

CITY OF FLEMINGSBURG, KENTUCKY
ORDINANCE NO. 09-01-4

AN ORDINANCE OF THE CITY OF FLEMINGSBURG, KENTUCKY ANNEXING INTO ITS CORPORATE LIMITS THE HEREINAFTER DESCRIBED LAND LOCATED ON THE EASTERN SIDE OF KY. HWY. NO. 11 (FLEMINGSBURG BY-PASS).

WHEREAS, the owner of certain real estate has consented in writing to the annexation of a certain parcel of its real estate located on the eastern side of Kentucky Highway No. 11 (Flemingsburg By-Pass) 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 8-25-00 and which will be of record in Plat Cabinet No. 2, Slide No. ___ 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 written consent to annexation executed, acknowledged and delivered to the City of Flemingsburg, Kentucky by the Commonwealth of Kentucky, Department of Highways pursuant to KRS 81A.412 and of record in D.B. 209, Page 101 in the office of the Fleming County Clerk is hereby acknowledged and accepted by the City of Flemingsburg, Kentucky for all intents and purposes expressed therein; said consent to annexation is made a part of this ordinance by reference.

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:

A certain area of real estate proposed for Annexation into the city limits of Flemingsburg, Fleming County, Kentucky, located and lying on the East side of Ky. Hwy. No. 11 (Flemingsburg By-Pass) adjacent to the current Flemingsburg city limits and more specifically described as follows:

Beginning at a 3 inch O.D. galvanized steel post in the Easterly Control of Access line of Ky. Hwy. No. 11 (Flemingsburg By-Pass) at or near the common corner of Elmer R. Doyle, et al (D.B. 131, P. 366) and the Commonwealth of Kentucky (C.D.B. 6, P. 24, Parcel No. 34A); thence along the current city limits and with said Commonwealth of Kentucky property North 11 deg. 49 min. 04 sec. East, 247.91 ft. to a point; thence continuing along the current city limits and with said Commonwealth property and another Commonwealth of Kentucky property (D.B. 130, P. 318 and C.D.B. 5, P. 82) for the following two (2) calls:

(1) North 20 deg. 53 min. 34 sec. East, 592.92 ft. to a point;

(2) Thence North 34 deg. 41 min. 07 sec. East, 501.84 ft. to a 3 inch O.D. galvanized steel post at or near the corner of Eugene Woodford Crain, II (D.B. 171, P. 201; D.B. 174, P. 350; D.B. 177; P. 21; D.B. 181, P. 372; and D.B. 184, P. 414); thence with the line of Crain and the existing chain link fence South 72 deg. 12 min. 31 sec. East, 334.00 ft. to a 3 inch O.D. galvanized steel post; thence continuing with the lines of said Crain for the following two (2) calls:

(1) South 8 deg. 49 min. 48 sec. West, 816.23 ft. to an existing wood fence post, said point witnessed by a 2-1/2 inch O.D. galvanized steel pipe (found) at South 14 deg. 05 min. 45 sec. East, 0.70 ft.;

(2) Thence South 47 deg. 34 min. 19 sec. East, 708.45 ft. to an existing wood fence post, said point a common corner to said Crain, aforesaid Commonwealth of Kentucky, Adrian Doyle, et ux (D.B. 119, P. 489) and another Commonwealth of Kentucky property (D.B. 119, P. 155); thence along an existing chain link fence with

the latter said Commonwealth property (D.B. 119, P. 155), aforesaid Doyles property and first said Commonwealth property (C.D.B. 6, P. 24) North 82 deg. 00 min. 38 sec. West, passing a 3 inch O.D. galvanized steel post at 6.98 ft., for a total distance of 1275.84 ft. to the Point of Beginning; **Containing 18.98 Acres.**

This description was prepared in conjunction with a Class "A" survey field completed on July 9, 2000, by William T. (Tommy) Carpenter, P.L.S. 2380. A plat depicting that survey (Drawing No. 000-042) is on file in Plat Cabinet No. 2, Slide No. _____, Fleming County Clerk's Office. The bearings stated in this description are referenced to the Magnetic Meridian as noted on said plat.

Being a part of the same real estate conveyed to the Commonwealth of Kentucky, Department of Highways by deed from Marvin W. Suit, Special Commissioner of the Fleming Circuit Court, dated the 3rd day of November, 1971, and of record in Commissioner's Deed Book 5, Page 82. Also being all of the same real estate conveyed the Commonwealth of Kentucky, Department of Highways by deed from J.B. Lathram, widower, dated the 17th day of June, 1970, and of record in D.B. 130, Page 318. Further being a part of the same real estate (and being all of "PARCEL NO. 34A" therein) conveyed the Commonwealth of Kentucky, Department of Highways by deed from Lloyd A. MacDonald, Master Commissioner, dated the 10th day of April, 1981, and of record in Commissioner's Deed Book 6, Page 24. All citations to the office of the Fleming County Clerk.

D. The map of the area described in subsection "C." above is 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.

x x x

x x x

COUNCIL ACTION
ORDINANCE NO. 09-01-4

First Reading of this Ordinance was had on September 10th, 2001.

Joy S. Roark
Joy S. Roark, City Clerk

Second Reading of this Ordinance was had on the 17th day of September, 2001, and upon roll call vote was adopted by the City Council of the City of Flemingsburg, Kentucky.

Joy S. Roark
Joy S. Roark, City Clerk

MAYORAL APPROVAL (#9-01-4)

I hereby accept and approve the foregoing Ordinance No. 09-01-4 and direct same to be published in accordance with applicable law this 17th day of September, 2001.

Demaree C Todd
Demaree C. Todd, Mayor

ATTEST:

Joy S. Roark
Joy S. Roark, City Clerk

PREPARED BY:

Thomas L. MacDonald
MacDonald, Walton & Razor, PLLC
City Attorneys

CERTIFICATION
for
Kentucky Secretary of State

I, **Joy Roark**, Clerk of the City of Flemingsburg do hereby certify that the attached copy of a Plat dated 7-30-2000 and identified as Exhibit 3 to Resolution No. 13-7-2, is a true and correct copy as was presented to the City Council of the City of Flemingsburg at a meeting held on the 8TH day of July, 20 13.

Given under my hand this 6th day of September, 2013.

Joy Roark
Joy Roark, City Clerk

(SEAL)

RECEIVED AND FILED
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ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Karla Gilbreath

OVERSIZE MAP INCLUDED WITH SUBMISSION.

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