CITY CLERK'S CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Flemingsburg, Kentucky, and the foregoing Ordinance No. 1-96-1 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on January 22, 1996, all as appears in the official records of said City.

WITNESS, my hand and Seal of said City, this 23rd day of March, 2015.

Joy Roark

Joy Roark, City Clerk/Treasurer

RECEIVED AND FILED
DATE March 24, 2015

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

EXHIBIT 2

CITY OF FLEMINGSBURG
ORDINANCE NO. 1-96-1

AN ORDINANCE OF THE CITY OF FLEMINGSBURG, KENTUCKY ANNEXING INTO ITS CORPORATE LIMITS THE HEREINAFTER DESCRIBED LAND LOCATED AT THE INTERSECTION OF KENTUCKY HIGHWAY 32 (ELIZAVILLE ROAD) AND BY-PASS 32.

WHEREAS, certain owners of real estate have consented in writing to the annexation of a certain parcel of its real estate located on the western 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, to be dated in February, 1996, and which will be of record in Plat Cabinet No. 1, 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 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 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; to-wit:-

Thomas Investments, Inc.; D.B. 183, Page 521, dated 09-22-95.

SECTION 3: ANNEXATION

A. The land generally 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:

BEGINNING at the intersection of the existing city limits of Flemingsburg with the West right-of-way line of Ky. Hwy. No. 11, the Flemingsburg By-Pass, said point being in the line of Thomas Investments, Inc. (D.B. 182, Page 310); thence with said right-of-way line for the following three (3) calls:
1. South 4 deg. 18 min. 00 sec. West, 73.59 feet to a 2-1/2 inch O.D. galvanized steel post;
2. Thence North 85 deg. 00 min. 43 sec. East, 45.60 feet to a 2-1/2 inch O.D. galvanized steel post;

MACDONALD & WALTON
ATTORNEYS-AT-LAW
105 N. MAIN CROSS ST.
FLEMINGSBURG, KY.
41041
TEL. (606) 845-2771

3. Thence South 15 deg. 18 min. 05 sec. East, 310.85 feet to an iron pin with I.D. cap stamped with L.S. No. 316 (found) said point a corner to said Thomas Investments and Samuel W. Gehring, III, et ux (D.B. 151, Page 742);
thence with the lines of said Thomas Investments and Gehring's for the following three (3) calls:
1. North 86 deg. 21 min. 30 sec. West, 236.09 feet to a point;
2. Thence South 6 deg. 40 min. 10 sec. West, 100.00 feet to a point;
3. Thence North 72 deg. 19 min. 54 sec. West, 412.00 feet to an iron pin with I.D. cap stamped L.S. No. 316 (found) in the line of James Lyle Dorsey (D.B. 168, Page 565);
thence with the line of said Dorsey North 3 deg. 33 min. 03 sec. East, 209.43 feet to an iron pin with I.D. cap stamped L.S. No. 316 (found), said point a corner to said Dorsey and another Samuel W. Gehring, III property (D.B. 183, Page 798);
thence with latter said Gehring property North 3 deg. 45 min. 34 sec. East, 77.92 feet to a 2-1/2 rebar with aluminum I.D. cap bearing Flemingsburg City Limits Boundary Logo (set this survey) in the aforesaid existing City Limits Boundary (as described in Flemingsburg City ordinance signed by James T. Crain, Mayor on June 1, 1964);
thence with said existing city limits North 85 deg. 13 min. 30 sec. East, 501.51 feet to the point of beginning; and containing 4.790 acres.

This is a new survey, completed by W.T. (Tommy) Carpenter, R.L.S. 2380 in February, 1996. A plat depicting that survey is on file in Plat Cabinet No. 1, Slide No. _____, Fleming County Clerk's Office.

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.

MACDONALD & WALTON
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COUNCIL ACTION
ORDINANCE NO. 1-96-1

First Reading of this Ordinance was had on December 22, 1995.

James M. Berry
James M. Berry, City Clerk

Second Reading of this Ordinance was had on January 22, 1996 and upon roll call vote was adopted by the City Council of the City of Flemingsburg, Kentucky.

James M. Berry
James M. Berry, City Clerk

MAYORAL APPROVAL

I hereby accept and approve the foregoing Ordinance No. 1-96-1 and direct same to be published in accordance with applicable law this 1st day of February, 1996.

Demaree C. Todd
Demaree C. Todd, Mayor

ATTEST:

James M. Berry
James M. Berry, City Clerk

PREPARED BY:

Thomas L. MacDonald

MacDonald & Walton
City Attorney

MACDONALD & WALTON
ATTORNEYS-AT-LAW

105 N. MAIN CROSS ST.
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41041

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CITY OF FLEMINGSBURG, KENTUCKY
CITY ANNEXATION 1996
TOTAL AREA 4.790 ACRES

TO ELIZAVILLE

C.L. KY. 32

TO FLEMINGSBURG

NOTE:
MAGNETIC NORTH FOR THIS SURVEY ADOPTED FROM RESURVEY OF ORIGINAL SQUARE MILE OF FLEMINGSBURG, KENTUCKY S 49° 30' E SURVEY PERFORMED BY H.K. BELL, ASSOC.

MAGNETIC NORTH

COMMONWEALTH OF KENTUCKY

C.L. FLEMINGSBURG BY-PASS

APPROX. 0.07 MILE

EXISTING CITY LIMITS

THOMAS INVESTMENTS INC.
D.B. 182, PG. 310

SAMUEL W. GEHRING, III
D.B. 183, PG. 798

EXISTING CITY LIMITS

P.L.

N 85°13'30" E
601.61'

N 5°43'34" E
77.82'

S 4°18'08" W
75.85'

STA. 237+50

165'

N 85°30'43" E
46.86'

STA. 239+50

120'

N 5°33'52" E
209.47'

S 85°30'43" E
46.86'

N 85°21'50" W
236.00'

N 79°16'41" W
413.00'

S 4°40'10" W
400.00'

4.790 ACRES

JANES LYLE DORSEY
D.B. 168, PG. 565

NEW CITY LIMITS

NEW CITY LIMITS

P.L.

SAMUEL W. GEHRING, III ET UX
D.B. 151, PG. 742

COMMONWEALTH OF KENTUCKY

TO MOREHEAD

0' 30' 60' 100'
GRAPHIC SCALE

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT DEPICTS A SURVEY, MADE BY ME, OR UNDER MY DIRECTION, BY THE METHOD OF RANDOM TRAVERSE, THE BEARINGS AND DISTANCES SHOWN HEREON HAVE BEEN ADJUSTED FOR CLOSURE. THIS SURVEY AND PLAT MEETS OR EXCEEDS THE MINIMUM STANDARDS OF GOVERNING AUTHORITIES. THE UNADUSTED ERROR OF CLOSURE WAS 1'25,372'

William T. (Tommy) Carpenter — 2-10-96

REG. LAND SURVEYOR, L.S. #2380 — DATE

LEGEND

- EXISTING FENCE
- ½" RE-BAR WITH ALUMINUM I.D. CAP BEARING FLEMINGSBURG CITY LIMITS BOUNDARY LOGO (SET THIS SURVEY)
- 2 ½" O.D. GALVANIZED STEEL POST
- IRON PIN (FOUND) L.S. #316
- WOOD FENCE POST
- CONTROL OF ACCESS FENCE
- P.L. PROPERTY LINES
- ANNEXED AREA
- POINT ON RIGHT-OF-WAY NO MONUMENT SET

CITY OF FLEMINGSBURG
FLEMING COUNTY, KENTUCKY

MAP OF
1996 ANNEXATION

W.T. CARPENTER, R.L.S.
700 SHADY BROOK LANE
FLEMINGSBURG, KY. 41041

DRAWN BY	CHECKED BY	DATE	SCALE
ROY A. WRIGHT	W.T. (TOMMY) CARPENTER	2-7-96	1"=50'

STATE OF KENTUCKY
W. T. (TOMMY) CARPENTER
L. S. 2380
REGISTERED
LAND SURVEYOR

2-10-96

EXHIBIT B