STATE OF KENTUCKY)
(SCT.
COUNTY OF SCOTT)

I, Clerk of the City of Georgetown, Kentucky, and as such custodian of the Seal and all the records of or pertaining to said City, do hereby certify the foregoing to be a true and accurate copy of ordinance number 2024-05.

IN TESTIMONY WHEREOF, witness my hand, the Seal of said City on this the 25th day of April 2024.

Signed:

Tracie Hoffman, City Clerk -Treasure

DATE 5 4 7024

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY

CITY OF GEORGETOWN

ORDINANCE NO. 2024-05

AN ORDINANCE ANNEXING INTO THE CITY OF GEORGETOWN CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY 86.90 +/- ACRES, LOCATED AT OR AROUND 1530 PAYNES DEPOT ROAD, IN SCOTT COUNTY, KENTUCKY.

SUMMARY

- 1. Annexes into Georgetown city limits, by written consent of the property owner in accordance with KRS 81A.412, approximately 86.90 +/- acres of property located at or around 1530 Paynes Depot Road in Scott County, KY.
- 2. Provides for repeal of inconsistent laws, severability of provisions, and an effective date upon passage and publication.

The full text of Ordinance 2024-05 is available for examination in the City Clerk's Office, 629 North Broadway, Georgetown, Kentucky 40324 or at www.georgetownky.gov.

PUBLICLY INTRODUCED AND READ FIRST TIME:

February 12, 2024

PUBLICLY READ SECOND TIME AND PASSED:

February 26, 2024

APPROVED:

Burney Jenkins

Burney Jenkins, Mayor

ATTEST:

Tracie Hoffman

Tracie Hoffman, City Clerk

I, Emilee A. Buttrum, hereby certify I am an Attorney licensed to practice law in the Commonwealth of Kentucky. My office is located at 117 N. Water Street, Georgetown, Kentucky 40324. I further certify the foregoing Summary of Ordinance 2024 - 05, of the City of Georgetown, Kentucky, was prepared in accordance with the requirements of KRS 83A.060(9) and is a true and accurate summary of the contents of said Ordinance.

Emilee A. Buttrum (Feb 28, 2024 14:05 EST)

Emilee A. Buttrum

CITY OF GEORGETOWN

ORDINANCE NO. 2024 - 05

AN ORDINANCE ANNEXING INTO THE CITY OF GEORGETOWN CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY 86.90 +/- ACRES, LOCATED AT OR AROUND 1530 PAYNES DEPOT ROAD, IN SCOTT COUNTY, KENTUCKY.

SPONSORS: Greg Hampton and Connie Tackett

WHEREAS, Dudley L. Jennings, property owner of record of tract of land to be annexed, has given prior written consent to the annexation of the Property; and

WHEREAS, the Property is adjacent or contiguous to the existing city limits of the City of Georgetown and is urban in character and suitable for development for urban purposes without unreasonable delay in accordance with KRS 81A.410; and

WHEREAS, the Georgetown-Scott County Planning Commission has approved a Zoning Map Amendment (ZMA-2023-55) to rezone 30 +/- acres of the Property to B-5 (Planned Commercial Park), with a condition that the Property be annexed into the City of Georgetown, Kentucky.

NOW, THEREFORE, be it ordained by the City of Georgetown, Kentucky:

SECTION ONE

Pursuant to KRS 81A.412, the Georgetown City Council hereby annexes the following unincorporated area of Scott County into the City limits of the City of Georgetown, Kentucky:

A certain tract or parcel of real property lying and being in the County of Scott, Commonwealth of Kentucky, located southeast of the intersection of Paynes Depot Road (US Hwy #62) and McClelland Circle (U.S. Hwy #62), being a part of Property Valuation Parcel Number 141-20-088.000, and more particularly described as follows:

All bearings are referenced from grid north using the Kentucky North Zone State Plane Projection. All 5/8 inch x 18 inch iron pins set this survey are with a plastic cap stamped PLS #4119. All distances are expressed in feet. This tract of real property is subject to all easements, rights-of-way, covenants, and restrictions of record and in existence.

BEGINNING at an iron pin #3116 (found), located in the southwest right-of-way line of U.S. Route #62, commonly known as McClelland Circle (Commonwealth of Kentucky – Deed Book 216, Page 572), having a Kentucky North Zone state plane coordinate of 252331.05 FEET NORTH, 1545641.95 FEET EAST;

Thence, with the existing right-of-way lines of McClelland Circle, the following bearings and distances;

SOUTH 37 DEGREES 52 MINUTES 00 SECONDS EAST 301.37 FEET to an iron pin #3116 (found); SOUTH 46 DEGREES 55 MINUTES 48 SECONDS EAST 802.15 FEET to an iron pin (found); SOUTH 43 DEGREES 44 MINUTES 43 SECONDS EAST 848.29 FEET to an iron pin #3116 (found); SOUTH 38 DEGREES 21 MINUTES 00 SECONDS EAST 319.06 FEET to an iron pin (set);

Thence, leaving the southwest right-of-way line of McClelland Circle and with the Ball Homes, LLC property boundary line (Deed Book 427, Page 747 - now or formerly), the following bearings and distances;

SOUTH 57 DEGREES 25 MINUTES 08 SECONDS WEST 184.84 FEET to an iron pin #2115 (found);

SOUTH 59 DEGREES 20 MINUTES 36 SECONDS WEST 272.90 FEET to an iron pin (set); SOUTH 59 DEGREES 05 MINUTES 49 SECONDS WEST 287.33 FEET to an iron pin (set);

Thence, through and upon the parent tract of Dudley Jennings (Deed Book 252, Page 041), the following bearings and distances;

NORTH 44 DEGREES 26 MINUTES 23 SECONDS WEST 2191.85 FEET;

NORTH 74 DEGREES 59 MINUTES 05 SECONDS WEST 397.73 FEET to an iron pin (set); SOUTH 23 DEGREES 43 MINUTES 22 SECONDS WEST 1220.17 FEET to an iron pin (set); NORTH 48 DEGREES 01 MINUTE 40 SECONDS WEST 1139.44 FEET to an iron pin (set), located

in the east right-of-way line of Paynes Depot Road (Commonwealth of Kentucky - Deed Book 308, Page 178);

Thence, with the east right-of-way line of Paynes Depot Road, the following bearings and distances;

NORTH 19 DEGREES 54 MINUTES 28 SECONDS EAST 177.43 FEET to an iron pin with plastic cap stamped #3661 (found);

NORTH 14 DEGREES 38 MINUTES 34 SECONDS EAST 898.24 FEET to an iron pin (set); SOUTH 59 DEGREES 18 MINUTES 15 SECONDS EAST 43.22 FEET, crossing an existing access road, to an iron pin (set); Said iron pin also being a property boundary corner of David Scott Burke, et al (Deed Book 413, Page 743 - now or formerly);

Thence, leaving the east right-of-way line of Paynes Depot Road and with the Burke property boundary line, the following bearings and distances;

SOUTH 59 DEGREES 01 MINUTE 46 SECONDS EAST 861.07 FEET to an iron pin with plastic cap stamped #3661 (found);

NORTH 18 DEGREES 59 MINUTES 37 SECONDS EAST 124.25 FEET to an iron pin #3661 (found);

Thence, with the property boundary line of Richard and Virginia Robinson (Deed Book 137, Page 493 and Deed Book 409, Page 820- now or formerly), the following bearings and distances;

NORTH 18 DEGREES 14 MINUTES 47 SECONDS EAST 371.36 FEET to an iron pin (found); NORTH 18 DEGREES 04 MINUTES 21 SECONDS EAST 369.69 FEET to a wood fence post (found), referenced by an iron pin (set) bearing NORTH 15 DEGREES 45 MINUTES 04 SECONDS WEST 0.43 FEET;

Thence, with the property boundary line of Cynthia Jennings Nettles (Deed Book 169, Page 614 - now or formerly), **SOUTH 56 DEGREES 16 MINUTES 18 SECONDS EAST 1207.21 FEET** to the corner of the beginning, containing 86.90 **ACRES**, more or less, as described by an

Annexation Survey completed February 9, 2024, by Stephen M. Flinchum, Professional Surveyor #4119, being a part of the same tract of real property conveyed by deed to Dudley L. Jennings from Cynthia J. Nettles, as Executrix of the Estate of Victor Lewis Jennings, duly recorded in Deed Book 252, Page 41, of record in the Scott County Court Clerk's office, Georgetown, Kentucky.

SECTION TWO

If any section, subsection, sentence, clause or phrase of this ordinance is held unconstitutional or otherwise invalid, such infirmity shall not affect the validity of the remaining portions of this ordinance.

SECTION THREE

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION FOUR

This ordinance shall be subject to the passage and effectiveness of the ordinance changing the zoning classification of approximately 30 +/- acres of the Property from A-1 to B-5 and shall take effect after the passage and publication of this ordinance and the "Zoning Ordinance" according to law.

SECTION FIVE

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION SIX

This Ordinance shall be in full force and effect upon passage and publication.

PUBLICLY INTRODUCED AND READ FIRST TIME:

February 12, 2024

PUBLICLY READ SECOND TIME AND PASSED:

February 26, 2024

APPROVED:

Burney Jenkins

Rurney leaking Feb 28 2024 13:56 EST

Burney Jenkins, Mayor

ATTEST:

Tracie Hoffman
Tracie Hoffman (Feb 29, 2024 12:58 FS

Tracie Hoffman, City Clerk

CONSENT TO ANNEXATION

THIS CONSENT TO ANNEXATION, made and entered into this 7 day of February, 20 ZH, by and between Order Tennos, whose address is 1530 Runes Depot ("Grantor") and the CITY OF CEORGETOWN, KENTUCKY ("Grantee") 100 N. Court Street, Georgetown, KY 40324;

WHEREAS, Grantor has requested Grantee to provide municipal services and/or water sewer services, as they become available, to Grantor's property located on Isao Ruce by (the "Property"), more specifically described below, into the City of Georgetown, Kentucky; and

WHEREAS, in consideration of the Grantee's providing of future municipal services and/or water sewer services to the Property, Grantor has requested Grantee to annex the Property; and

WHEREAS, in further consideration of the Grantee's providing future municipal services and/or water sewer services to the Property, Grantor acknowledges that the Property may not be assigned a zoning designation in accordance with Grantor's wishes and Grantor releases Grantee from any liability associated with the annexation and zoning of the Property.

IT IS THEREFORE AGREED AS FOLLOWS:

- Grantor hereby requests and consents to annexation of the Property into the City of Georgetown, Kentucky pursuant to KRS 81A.412. Grantor shall be prohibited from opposing said annexation. In the event Grantor executes a remonstrance petition opposing said annexation, its signature shall be deemed invalid and of no effect pursuant to KRS 81A.420.
- 2. Grantor hereby releases the City of Georgetown ("Grantee"), the Georgetown-Scott County Planning Commission, Georgetown Municipal Water and Sewer Service, and their respective agents, officers, employees and representatives, from any and all claims arising out of or related in any way to the annexation and zoning of the Property.

3. The Property is more particularly described as follows:

See Exhibit A.

- 4. This Consent to Annexation shall be perpetual and shall run with the Property, and shall be binding upon Grantor, and its heirs and assigns.
- 5. Grantor certifies that the Property is not a part of an agricultural district established pursuant to KRS 262.850 and that the Property will not be included hereafter in an agricultural district. In the event Grantor executes a petition to include the Property in an agricultural district, its signature shall be deemed invalid and of no effect, and the Property shall not be included in the agricultural district.
- 6. In the event that the Property is in an agricultural district, this document "Consent to Annexation" will serve as written authorization to decertify and/or remove the Property as described herein from any agricultural district established by KRS 262.850, latest revisions. At the Grantee's request, the Grantor shall provide a letter requesting decertification of said agricultural district.
- 7. Grantor shall not execute this form unless an accurate and legal description of the property to be annexed is provided in Section 3.
- 8. Any existing non-conforming uses or structures waived from the application of said applicable Ordinances are identified as the following: ______.
- 9. Grantor hereby authorizes the City of Georgetown ("Grantee"), the Georgetown-Scott County Planning Commission, Georgetown Municipal Water and Sewer Service, their employees, officers, agents and representatives the right of entry onto the property described in Subsection 3 above to perform the necessary task and functions to accomplish the annexation, i.e., field survey work.
- 10. Grantor hereby acknowledges that it is in receipt of a copy of Chapter 44 of the Georgetown Code of Ordinances, entitled "Zoning and Land Use."
- 11. Prior to the Annexation of the property, Grantor shall comply with Chapter 44 of the Georgetown Code of Ordinances entitled "Zoning and Land Use," and all amendments thereto, if the Property is or subsequently becomes a part of Georgetown Municipal Water and Sewer Service's water/sewer service areas.

GRANTOR: Jenning

STATE OF KENTUCKY)

SCOTT COUNTY

Subscribed and swom to before me by <u>Dudley Tennings</u> and , this <u>7th</u> day of <u>February</u>, 2021

(SEAL)

HALEY RUTH LOGSDON Notary Public-State at Large KENTUCKY - Notary ID # KYNP29002 My Commission Expires 05-03-2025 NOTARY PUBLIC
My Commission expires: 05-03-9025

	CHTY OF GEORGETOWN:
	Solver
STATE OF KENTUCKY)	
SCOTT COUNTY)	
Subscribed and swom to before	
Mayer	(title), this THO day of Teffruary, 2024
<i>(</i>	Wender Junale Robenson J/K/a/
(SEAL)	NOTARY POBLIC My Commission expires: 10/7/2025 While Xuale
	38252
THIS INSTRUMENT PREPARED BY:	

(signature)

Emilee Bultrum, City Attorney (print)

100 N Court St

(address)

Georgetown, Ky 40324 (address)

(SUZ) 863-9800 (phone number)

EXHIBIT A

ANNEXATION DESCRIPTION: 86.90 ACRES

A certain tract or parcel of real property lying and being in the County of Scott, Commonwealth of Kentucky, located southeast of the intersection of Paynes Depot Road (US Hwy #62) and McClelland Circle (U.S. Hwy #62), being a part of Property Valuation Parcel Number 141-20-088.000, and more particularly described as follows:

All bearings are referenced from grid north using the Kentucky North Zone State Plane Projection. All 5/8 inch x 18 inch iron pins set this survey are with a plastic cap stamped PLS #4119. All distances are expressed in feet. This tract of real property is subject to all easements, rights-of-way, covenants, and restrictions of record and in existence.

BEGINNING at an iron pin #3116 (found), located in the southwest right-of-way line of U.S. Route #62, commonly known as McClelland Circle (Commonwealth of Kentucky – Deed Book 216, Page 572), having a Kentucky North Zone state plane coordinate of 252331.05 FEET NORTH, 1545641.95 FEET EAST;

Thence, with the existing right-of-way lines of McClelland Circle, the following bearings and distances;

SOUTH 37 DEGREES 52 MINUTES 00 SECONDS EAST 301.37 FEET to an iron pin #3116 (found);

SOUTH 46 DEGREES 55 MINUTES 48 SECONDS EAST 802.15 FEET to an iron pin (found); **SOUTH 43 DEGREES 44 MINUTES 43 SECONDS EAST 848.29 FEET** to an iron pin #3116 (found);

SOUTH 38 DEGREES 21 MINUTES 00 SECONDS EAST 319.06 FEET to an iron pin (set);

Thence, leaving the southwest right-of-way line of McClelland Circle and with the Ball Homes, LLC property boundary line (Deed Book 427, Page 747 - now or formerly), the following bearings and distances;

SOUTH 57 DEGREES 25 MINUTES 08 SECONDS WEST 184.84 FEET to an iron pin #2115 (found);

SOUTH 59 DEGREES 20 MINUTES 36 SECONDS WEST 272.90 FEET to an iron pin (set); SOUTH 59 DEGREES 05 MINUTES 49 SECONDS WEST 287.33 FEET to an iron pin (set);

Thence, through and upon the parent tract of Dudley Jennings (Deed Book 252, Page 041), the following bearings and distances;

NORTH 44 DEGREES 26 MINUTES 23 SECONDS WEST 2191.85 FEET;

NORTH 74 DEGREES 59 MINUTES 05 SECONDS WEST 397.73 FEET to an iron pin (set); SOUTH 23 DEGREES 43 MINUTES 22 SECONDS WEST 1220.17 FEET to an iron pin (set); NORTH 48 DEGREES 01 MINUTE 40 SECONDS WEST 1139.44 FEET to an iron pin (set), located in the east right-of-way line of Paynes Depot Road (Commonwealth of Kentucky - Deed Book 308, Page 178);

Thence, with the east right-of-way line of Paynes Depot Road, the following bearings and distances; **NORTH 19 DEGREES 54 MINUTES 28 SECONDS EAST 177.43 FEET** to an iron pin with plastic cap stamped #3661 (found);

NORTH 14 DEGREES 38 MINUTES 34 SECONDS EAST 898.24 FEET to an iron pin (set); SOUTH 59 DEGREES 18 MINUTES 15 SECONDS EAST 43.22 FEET, crossing an existing access road, to an iron pin (set); Said iron pin also being a property boundary corner of David Scott Burke, et al (Deed Book 413, Page 743 - now or formerly);

Thence, leaving the east right-of-way line of Paynes Depot Road and with the Burke property boundary line, the following bearings and distances:

SOUTH 59 DEGREES 01 MINUTE 46 SECONDS EAST 861.07 FEET to an iron pin with plastic cap stamped #3661 (found);

NORTH 18 DEGREES 59 MINUTES 37 SECONDS EAST 124.25 FEET to an iron pin #3661 (found);

Thence, with the property boundary line of Richard and Virginia Robinson (Deed Book 137, Page 493 and Deed Book 409, Page 820- now or formerly), the following bearings and distances; **NORTH 18 DEGREES 14 MINUTES 47 SECONDS EAST 371.36 FEET** to an iron pin (found); **NORTH 18 DEGREES 04 MINUTES 21 SECONDS EAST 369.69 FEET** to a wood fence post (found), referenced by an iron pin (set) bearing NORTH 15 DEGREES 45 MINUTES 04 SECONDS WEST 0.43 FEET;

Thence, with the property boundary line of Cynthia Jennings Nettles (Deed Book 169, Page 614 - now or formerly), **SOUTH 56 DEGREES 16 MINUTES 18 SECONDS EAST 1207.21 FEET** to the corner of the beginning, containing 86.90 **ACRES**, more or less, as described by an Annexation Survey completed February 9, 2024, by Stephen M. Flinchum, Professional Surveyor #4119, being a part of the same tract of real property conveyed by deed to Dudley L. Jennings from Cynthia J. Nettles, as Executrix of the Estate of Victor Lewis Jennings, duly recorded in Deed Book 252, Page 41, of record in the Scott County Court Clerk's office, Georgetown, Kentucky.

ANNEXATION DESCRIPTION: 86.90 ACRES

A certain tract or parcel of real property lying and being in the County of Scott, Commonwealth of Kentucky, located southeast of the intersection of Paynes Depot Road (US Hwy #62) and McClelland Circle (U.S. Hwy #62), being a part of Property Valuation Parcel Number 141-20-088.000, and more particularly described as follows:

All bearings are referenced from grid north using the Kentucky North Zone State Plane Projection. All 5/8 inch x 18 inch iron pins set this survey are with a plastic cap stamped PLS #4119. All distances are expressed in feet. This tract of real property is subject to all easements, rights-of-way, covenants, and restrictions of record and in existence.

BEGINNING at an iron pin #3116 (found), located in the southwest right-of-way line of U.S. Route #62, commonly known as McClelland Circle (Commonwealth of Kentucky – Deed Book 216, Page 572), having a Kentucky North Zone state plane coordinate of 252331.05 FEET NORTH, 1545641.95 FEET EAST;

Thence, with the existing right-of-way lines of McClelland Circle, the following bearings and distances;

SOUTH 37 DEGREES 52 MINUTES 00 SECONDS EAST 301.37 FEET to an iron pin #3116 (found);

SOUTH 46 DEGREES 55 MINUTES 48 SECONDS EAST 802.15 FEET to an iron pin (found); SOUTH 43 DEGREES 44 MINUTES 43 SECONDS EAST 848.29 FEET to an iron pin #3116 (found);

SOUTH 38 DEGREES 21 MINUTES 00 SECONDS EAST 319.06 FEET to an iron pin (set);

Thence, leaving the southwest right-of-way line of McClelland Circle and with the Ball Homes, LLC property boundary line (Deed Book 427, Page 747 - now or formerly), the following bearings and distances;

SOUTH 57 DEGREES 25 MINUTES 08 SECONDS WEST 184.84 FEET to an iron pin #2115 (found);

SOUTH 59 DEGREES 20 MINUTES 36 SECONDS WEST 272.90 FEET to an iron pin (set); SOUTH 59 DEGREES 05 MINUTES 49 SECONDS WEST 287.33 FEET to an iron pin (set);

Thence, through and upon the parent tract of Dudley Jennings (Deed Book 252, Page 041), the following bearings and distances;

NORTH 44 DEGREES 26 MINUTES 23 SECONDS WEST 2191.85 FEET;

NORTH 74 DEGREES 59 MINUTES 05 SECONDS WEST 397.73 FEET to an iron pin (set); SOUTH 23 DEGREES 43 MINUTES 22 SECONDS WEST 1220.17 FEET to an iron pin (set); NORTH 48 DEGREES 01 MINUTE 40 SECONDS WEST 1139.44 FEET to an iron pin (set), located in the east right-of-way line of Paynes Depot Road (Commonwealth of Kentucky - Deed Book 308, Page 178);

Thence, with the east right-of-way line of Paynes Depot Road, the following bearings and distances; **NORTH 19 DEGREES 54 MINUTES 28 SECONDS EAST 177.43 FEET** to an iron pin with plastic cap stamped #3661 (found);

NORTH 14 DEGREES 38 MINUTES 34 SECONDS EAST 898.24 FEET to an iron pin (set); SOUTH 59 DEGREES 18 MINUTES 15 SECONDS EAST 43.22 FEET, crossing an existing access road, to an iron pin (set); Said iron pin also being a property boundary corner of David Scott Burke, et al (Deed Book 413, Page 743 - now or formerly);

Thence, leaving the east right-of-way line of Paynes Depot Road and with the Burke property boundary line, the following bearings and distances;

SOUTH 59 DEGREES 01 MINUTE 46 SECONDS EAST 861.07 FEET to an iron pin with plastic cap stamped #3661 (found);

NORTH 18 DEGREES 59 MINUTES 37 SECONDS EAST 124.25 FEET to an iron pin #3661 (found);

Thence, with the property boundary line of Richard and Virginia Robinson (Deed Book 137, Page 493 and Deed Book 409, Page 820- now or formerly), the following bearings and distances; **NORTH 18 DEGREES 14 MINUTES 47 SECONDS EAST 371.36 FEET** to an iron pin (found); **NORTH 18 DEGREES 04 MINUTES 21 SECONDS EAST 369.69 FEET** to a wood fence post (found), referenced by an iron pin (set) bearing NORTH 15 DEGREES 45 MINUTES 04 SECONDS WEST 0.43 FEET;

Thence, with the property boundary line of Cynthia Jennings Nettles (Deed Book 169, Page 614 - now or formerly), **SOUTH 56 DEGREES 16 MINUTES 18 SECONDS EAST 1207.21 FEET** to the corner of the beginning, containing 86.90 **ACRES**, more or less, as described by an Annexation Survey completed February 9, 2024, by Stephen M. Flinchum, Professional Surveyor #4119, being a part of the same tract of real property conveyed by deed to Dudley L. Jennings from Cynthia J. Nettles, as Executrix of the Estate of Victor Lewis Jennings, duly recorded in Deed Book 252, Page 41, of record in the Scott County Court Clerk's office, Georgetown, Kentucky.

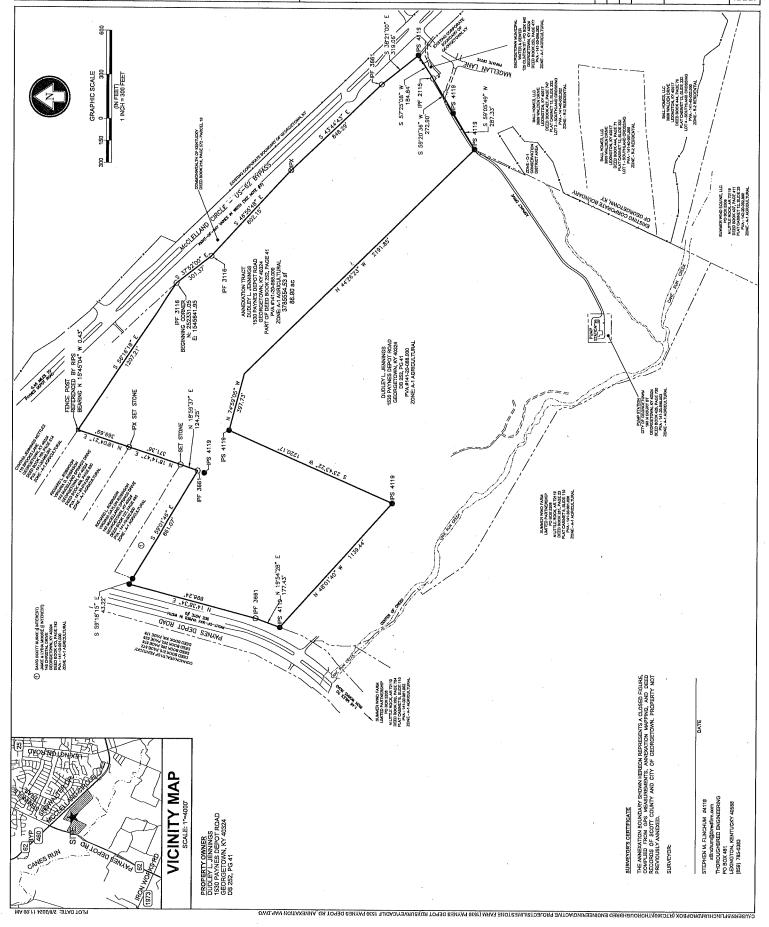


P.O. BOX 481 LEXINGTON, KY 40588
P.O. BOX 481 LEXINGTON, KY 40588
PRICHIECTURE, CIVIL DESGIN, LAMB SURVICES, CANCEL CONSTRUCTON, CANCEL CONSTRUCTOR, CANCEL CONSTRUCTO



асодд солиду, сеовсетоwи, ку 40324 тазо ручиез регот коло ОПОТЕУ L. JENNINGS

ANDEXATION EXHIBIT GEORGETOWN KY, 40324



OVERSIZE MAP INCLUDED WITH SUBMISSION.

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