

ORDINANCE NO. 17 - 2003

AN ORDINANCE DE-ANNEXING CERTAIN TERRITORY WITHIN  
THE CORPORATE BOUNDARIES OF THE CITY OF GRAYSON  
AND RE-ANNEXING A PORTION THEREOF

PREAMBLE

Whereas, an agreement in writing was presented to the City Council of the City of Grayson resulting in the adoption of Ordinance No. 1-1998 annexing certain properties to the City of Grayson; and

Whereas, said agreement of the property owners giving rise to said ordinance provided, among other things, for the prohibition by the City of Grayson to subject said property to land use regulation; and

Whereas, subsequent thereto the City of Grayson adopted a zoning ordinance in November of 2001; and

Whereas, the earlier agreement further provided for the possibility of de-annexing the property; and

Whereas, a dispute has arisen concerning land use regulation affecting said property; and

Whereas, a subsequent agreement has been presented to the City of Grayson executed by the land owners of the property about which Ordinance No. 1-1998 was adopted, which agreement is dated September 2003; and

Whereas, said agreement provides for the re-annexing of certain property as described in the exhibit attached to the agreement; and

RECEIVED AND FILED  
DATE October 2, 2006

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Archie Adkins

Whereas, an order to obtain the benefits to the City of Grayson by the land use regulation for the re-annexed property; and

Whereas, the re-annexation of such property is deemed necessary for the welfare of the residents and property owners and of the City as a whole; and

Whereas, it is beneficial to the safety and welfare of the inhabitants of the City to re-annex the property mentioned in said September 2003 agreement;

*Now, Therefore, Be It Ordained By the City Council of the City of Grayson, County of Carter, State of Kentucky, as follows:*

Section 1: De-Annexation of Property

There is hereby de-annexed from the City of Grayson the property described in that legal description attached to Ordinance No. 1-1998 and, as such, Ordinance No. 1-1998 is repealed in its entirety and the legal description of the approximate 143.20 acres as being annexed be, and the same hereby is, de-annexed by the City of Grayson.

Section 2: Re-Annexation of Property

There is hereby re-annexed to the City of Grayson, County of Carter, State of Kentucky, and hereby incorporated within the corporate boundaries thereof, the territory described in the attached legal description styled "Exhibit 1" and "Exhibit 1 – Continued" and being more particularly described on a plat of said property further attached hereto and embraced within the black printed lines on the plat attached hereto, reference to which is hereby made the same as if set forth herein *verbatim*.

## DESCRIPTION

A certain tract of land in the community of Grayson, in Carter County, Kentucky, more particularly described as follows:

BEGINNING at a point in the northerly R/W of Midland Trail and the easterly R/W of Interstate Drive; thence leaving the R/W of Interstate Drive and with the northerly R/W of Midland Trail and being 25' from the center N 52°44'57" E, 250.22'; thence leaving Midland Trail N 34°52'21" W, 562.59'; thence N 15°01'03" W, 72.25'; thence N 04°48'47" E 167.60'; thence N 01°28'41" W, 920.41' to a point in the southerly R/W of an unnamed roadway (being a spur off of Interstate Drive) and being 25' from the center of the road); thence with the southerly R/W of the roadway S 74°54'09" W, 243.50'; thence continuing with the R/W and with a curve to the left having a radius of 45.83', an arc length of 25.73' and a chord of S 32°21'28" W, 25.39' to a point in the easterly R/W of Interstate Drive; thence with the R/W of Interstate Drive S 01°52'06" E, 961.68'; thence S 05°20'52" E, 84.66'; thence S 15°01'03" E, 138.33'; thence S 34°52'21" E, 616.73' to the POINT OF BEGINNING.

*Michael Back* 05-28-06



DESCRIPTION

A certain tract of land in the community of Grayson, in Carter County, Kentucky, more particularly described as follows:

BEGINNING at a point in the easterly R/W of Interstate Drive and being a corner to the Arby's Restaurant property; thence along the easterly R/W of Interstate Drive and 25' from the center N 26°06'08" E, 128.06'; thence N 50°37'33" E, 196.26' to an iron pin, being the corner to the William Murray property (see official record bk. 22, pg. 356 for reference); thence continuing along the R/W of Interstate Drive and the frontage line of the Murray property N 53°42'50" E, 68.92'; thence N 46°25'43" E, 331.86' to an iron pin; thence S 64°42'53" E, 5.00' to an iron pin, being a corner to the Kelly Newland property (see official record bk. 100, pg. 658 for reference); thence N 47°19'55" E, 272.40' to an iron pin, being a corner to the Phoenix Corp. property (see official record bk. 95, pg. 531 for reference); thence continuing with the R/W and along the frontage line of the Phoenix Corporation's property N 47°15'20" E, 11.19'; thence N 60°46'25" E, 141.47' to an iron pin; thence leaving the Phoenix Corporation's boundary and continuing with the R/W of Interstate Drive N 65°45'44" E, 63.84'; thence N 74°18'12" E, 247.82' to an iron pin; thence continuing N 74°18'12" E, 362.98'; thence N 73°15'47" E, 520.67'; thence with curve to the right having an arc length of 25.68', a radius of 29.02', and a chord of S 44°44'50" E, 24.85'; thence S 01°28'41" E, 824.95'; thence S 04°48'47" E, 203.21'; thence S 15°01'03" E, 151.75'; thence S 34°52'21" E, 629.24' to an iron pin at the R/W of Midland Trail, and being the southeasterly corner of the Pathways, Inc. property (see official record bk. 62, pg. 802 for reference); thence leaving Interstate Drive and with the R/W of Midland Trail S 52°26'57" W, 249.96' to a point; thence leaving Midland Trail N 34°53'56" W, 636.48'; thence N 29°55'44" W, 47.65'; thence N 19°59'15" W, 47.65'; thence N 14°38'29" W, 169.82'; thence N 04°56'51" W, 232.76'; thence N 01°27'51" W, 535.72'; thence S 73°24'33" W, 820.93'; thence S 56°29'06" W, 215.30' to a point in the aforementioned Kelly Newland boundary; thence with the Newland line S 11°29'41" W, 60.45' to an iron pin, being the corner to the aforementioned William Murray property; thence leaving the Newland property and with the Murray boundary S 07°44'07" E, 67.78' to an iron pin; thence S 11°15'20" E, 171.70' to an iron pin; thence S 08°13'22" W, 53.79' to an iron pin; thence S 31°20'15" W, 104.06' to an iron pin; thence S 31°20'15"

W; 24.92' to an iron pin; thence N 83°21'48" W, 15.23' to an iron pin; thence  
N 63°49'01" W, 311.38'; thence leaving the Murray property S 51°29'24" W,  
269.05'; thence N 78°32'00" W, 250.00' to the POINT OF BEGINNING.

CERTIFICATION: KRS 81A.470 FILINGS

I certify I am the duly qualified City Clerk of the City of Grayson, Kentucky,  
and the foregoing 584-588 pages of Ordinance No. 4 is a true, correct and  
complete copy duly adopted by the City Commission at a duly convened meeting held on  
Nov. 4, 2003, all as appears in the official records of said City.

WITNESS, my hand and (Seal or the Seal of said City), this 2nd day of  
August, 2005.

Martha LeMaster  
Signature of City Clerk

Seal (Notarial or City Seal)

**DESCRIPTION**  
**AREA "A" TO BE DEANNEXED**

A certain tract of land in the community of Grayson in Carter County, Kentucky, being located on the westerly side of Interstate Drive and the northerly side of Midland Trail, and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 1/2" rebar pin, twenty four (24") in length, with a orange plastic cap stamped "M. Back, P.L.S. #2178". All bearings stated herein are referred to the deed meridian as observed between existing monuments found along the southwesterly side of that property of Official Record Book 100, Page 658 on the date of this survey.

**BEGINNING** at a point being S 52°26'57" W a distance of 249.96' from an iron pin (1/2" rebar with cap stamped "LS 2178") at the intersection of the westerly R/W of Interstate Drive and the northerly R/W of Midland Trail; thence with a line parallel to and 250' from Interstate Drive N 34°53'56" W a distance of 636.48'; thence N 29°55'44" W a distance of 47.65'; thence N 19°59'15" W a distance of 47.65'; thence N 14°38'29" W a distance of 169.82'; thence N 04°56'51" W a distance of 232.76'; thence N 01°27'51" W a distance of 535.72'; thence S 73°24'33" W a distance of 820.93'; thence S 56°29'06" W a distance of 215.30' to an iron pin (1/2" rebar with cap stamped "LS 2178"), being a corner to the Kelly Newland property (see OR. 100, PG. 658); thence S 11°29'41" W a distance of 60.45' to an iron pin (1/2" rebar with cap stamped "LS 2178"), being a corner to the William Murray property (see OR. 22, PG. 356); thence S 07°44'07" E a distance of 67.78'; thence S 11°15'20" E a distance of 171.70'; thence S 08°13'22" W a distance of 53.79'; thence S 31°20'15" W a distance of 104.06'; thence S 31°20'15" W a distance of 24.92'; thence N 83°21'48" W a distance of 15.23'; thence N 63°49'01" W a distance of 311.38'; thence S 51°29'24" W a distance of 269.05'; thence S 77°32'18" E a distance of 606.91' to an iron pin (1/2" rebar with cap stamped "LS 2178"), being a corner to the 4<sup>th</sup> Leaf, Inc. property (see OR. 29, PG. 219); thence S 08°37'16" W a distance of 596.05' to an iron pin (1/2" rebar with cap stamped "LS 2178"), being a point in the intersection of Bowen Street and Willis Street; thence with the R/W of Bowen Street S 77°39'22" E a distance of 60.10'; thence S 77°21'51" E a distance of 565.42'; thence S 77°07'30" E a distance of 123.80'; thence S 02°22'43" E a distance of 389.30' to the R/W of Midland Trail; thence with the R/W of Midland Trail N 52°26'56" E a distance of 940.79' to the **POINT OF BEGINNING** and **CONTAINING 43.572 Acres** more or less, according to a survey by Michael Back, P.L.S. #2178, with Turning Point Surveying, LLC on May 21, 2005 and being a portion of the same property conveyed to Johnson & Goebel, Inc., deed dated November 17, 2003, which is of record in Official Record Book 115, Page 129 in the records of Carter County, Kentucky.

Signed: \_\_\_\_\_

*Michael Back*

Date: 08/30/2006



**DESCRIPTION  
AREA "B" TO BE ANNEXED**

A certain tract of land in the community of Grayson in Carter County, Kentucky, being located on the westerly side of Interstate Drive, and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 1/2" rebar pin, twenty four (24") in length, with a orange plastic cap stamped "M. Back, P.L.S. #2178". All bearings stated herein are referred to the deed meridian as observed between existing monuments found along the southwesterly side of that property of Official Record Book 100, Page 658 on the date of this survey.

**BEGINNING** at an iron pin (1/2" rebar with cap stamped "L.S. #2178") at the southeast corner of the Pathways, Inc. property (see OR. 62, PG. 802) and being a point at the intersection of the westerly R/W of Interstate Drive and the northerly R/W of Midland Trail; thence leaving Interstate Drive and with the R/W of Midland Trail **S 52°26'57" W** a distance of **249.96'**; thence leaving Midland Trail and with a line parallel to and 250' from Interstate Drive **N 34°53'56" W** a distance of **636.48'**; thence **N 29°55'44" W** a distance of **47.65'**; thence **N 19°59'15" W** a distance of **47.65'**; thence **N 14°38'29" W** a distance of **169.82'**; thence **N 04°56'51" W** a distance of **232.76'**; thence **N 01°27'51" W** a distance of **535.72'**; thence **S 73°24'33" W** a distance of **820.93'**; thence **S 56°29'06" W** a distance of **215.30'** to an iron pin (1/2" rebar with cap stamped "L.S. #2178"), being a corner to the Kelly Newland property (see OR. 100, PG. 658); thence **S 11°29'41" W** a distance of **60.45'** to an iron pin (1/2" rebar with cap stamped "L.S. #2178"), being a corner to the William Murray property (see OR. 22, PG. 356); thence with the Murray line **S 07°44'07" E** a distance of **67.78'**; thence **S 11°15'20" E** a distance of **171.70'**; thence **S 08°13'22" W** a distance of **53.79'**; thence **S 31°20'15" W** a distance of **104.06'**; thence **S 31°20'15" W** a distance of **24.92'**; thence **N 83°21'48" W** a distance of **15.23'**; thence **N 63°49'01" W** a distance of **311.38'** to an iron pin (1/2" rebar with cap stamped "L.S. #2178"); thence leaving the Murray boundary **S 51°29'24" W** a distance of **269.05'**; thence **N 78°32'00" W** a distance of **250.00'** to the southerly R/W of Interstate Drive; thence with the R/W of Interstate Drive **N 26°06'08" E** a distance of **128.06'**; thence **N 50°37'33" E** a distance of **196.26'**; thence **N 53°42'50" E** a distance of **68.92'**; thence **N 46°25'43" E** a distance of **331.86'**; thence **S 64°42'53" E** a distance of **5.00'**; thence **N 47°19'55" E** a distance of **272.40'**; thence **N 47°15'20" E** a distance of **11.19'**; thence **N 60°46'25" E** a distance of **141.47'**; thence **N 64°55'06" E** a distance of **63.49'**; thence **N 74°18'12" E** a distance of **247.82'**; thence **N 74°18'12" E** a distance of **362.98'**; thence **N 73°15'47" E** a distance of **520.67'**; thence with a curve turning to the right with an **arc length** of **25.68'**, with a **radius** of **29.02'**, having a **chord bearing** of **S 44°44'50" E**, with a **chord length** of **24.85'**, thence **S 01°28'41" E** a distance of **824.95'**; thence **S 04°48'47" E** a distance of **203.21'**; thence **S 15°01'03" E** a distance of **151.75'**; thence **S 34°52'21" E** a distance of **629.24'** to the **POINT OF BEGINNING** and **CONTAINING 23.666 Acres** more or less, according to a survey by Michael Back, P.L.S. #2178, with Turning Point Surveying, LLC on May 21, 2005 and being a portion of the same property

conveyed to Johnson & Goebel, Inc., deed dated November 17, 2003, which is of record in Official Record Book 115, Page 129 in the records of Carter County, Kentucky.

Signed: Michael Back Date: 08/30/2006



**DESCRIPTION  
AREA "C" TO BE ANNEXED**

A certain tract of land in the community of Grayson in Carter County, Kentucky, being located on the easterly side of Interstate Drive, and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set ½" rebar pin, twenty four (24") in length, with a orange plastic cap stamped "M. Back, P.L.S. #2178". All bearings stated herein are referred to the deed meridian as observed between existing monuments found along the southwesterly side of that property of Official Record Book 100, Page 658 on the date of this survey.

**BEGINNING** in the north R/W of Midland Trail and the east R/W of Interstate Drive; thence N 52°44'57" E a distance of 250.22'; thence with a severance line through the Horton, Goebel, and Johnson, Inc. property N 34°52'21" W a distance of 562.59'; thence N 15°01'03" W a distance of 72.25'; thence N 05°08'58" W a distance of 159.46'; thence N 01°26'59" W a distance of 928.60'; thence S 74°54'09" W a distance of 243.50'; thence with a curve turning to the left with an arc length of 25.73', with a radius of 45.83', having a chord bearing of S 32°21'28" W, with a chord length of 25.39' to the East R/W of Interstate Drive, thence S 01°52'06" E a distance of 961.68'; thence S 05°20'52" E a distance of 84.66'; thence S 15°01'03" E a distance of 138.33'; thence S 34°52'21" E a distance of 616.73' to the **POINT OF BEGINNING** and **CONTAINING 10.11 Acres** more or less, according to a survey by Michael Back, P.L.S. #2178, with Turning Point Surveying, LLC on May 21, 2005 and being a portion of the same property conveyed to Johnson & Goebel, Inc., deed dated November 17, 2003, which is of record in Official Record Book 115, Page 129 in the records of Carter County, Kentucky.

Signed: Michael Back Date: 08/30/2006



**DESCRIPTION  
AREA "D" TO BE DE-ANNEXED**

A certain tract of land in the community of Grayson in Carter County, Kentucky, being located on the easterly side of Interstate Drive, and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set ½" rebar pin, twenty four (24") in length, with a orange plastic cap stamped "M. Back, P.L.S. #2178". All bearings stated herein are referred to the deed meridian as observed between existing monuments found along the southwesterly side of that property of Official Record Book 100, Page 658 on the date of this survey.

**BEGINNING** at a point in the north R/W line of Midland Trail (25' from the centerline); thence with a severance line through the Horton, Goebel, & Johnson, Inc. property (see Deed Book 234, Page 741 for reference) N 34°52'21" W a distance of 562.59'; thence N 15°01'03" W a distance of 72.25'; thence N 05°08'58" W a distance of 159.46'; thence N 01°26'59" W a distance of 928.60'; thence N 01°26'59" W a distance of 49.33' to the south R/W of Interstate 64; thence N 74°48'47" E a distance of 615.91'; thence N 74°46'36" E a distance of 701.45'; thence N 74°23'38" E a distance of 278.26'; thence N 74°37'36" E a distance of 119.52'; thence N 78°29'19" E a distance of 494.33'; thence S 52°28'51" W a distance of 419.95'; thence S 03°24'16" E a distance of 731.56'; thence S 20°54'28" W a distance of 360.61'; thence S 79°21'56" W a distance of 274.78'; thence S 04°24'02" E a distance of 468.47' to the north R/W Midland Trail; thence with a curve turning to the left with an arc length of 1188.01', with a radius of 1947.77', having a chord bearing of S 71°09'18" W, with a chord length of 1169.68' to the **POINT OF BEGINNING** and **CONTAINING 64.38 Acres** more or less, according to a survey by Michael Back, P.L.S. #2178, with Turning Point Surveying, LLC on May 21, 2005 and being a portion of the same property conveyed to Johnson & Goebel, Inc., deed dated November 17, 2003, which is of record in Official Record Book 115, Page 129 in the records of Carter County, Kentucky.

Signed: Michael Back Date: 08/30/2006



OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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