

CITY OF GRAYSON

302 East Main Street
Grayson, Kentucky 41143

Phone: (606) 474-6651
Fax: (606) 474-6653

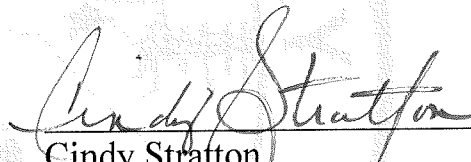
www.graysonky.net

CERTIFICATE

CITY OF GRAYSON

I, the undersigned, hereby certify that I am the duly qualified City Clerk of the City of Grayson, Kentucky, and the foregoing 3 pages of **Ordinance No. 13-2010** is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on October 12th, 2010, all as appears in the official records of said City.

WITNESS, my hand this 13th day of October, 2010.


Cindy Stratton
City Clerk

RECEIVED AND FILED
DATE November 3, 2010

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Antie Adkins

ORDINANCE NO. 13 2010

ORDINANCE ANNEXING CERTAIN TERRITORY INTO THE CITY OF
GRAYSON, KENTUCKY

Whereas, the City of Grayson, Kentucky adopted, approved and enacted an Ordinance identified as “An Ordinance Expressing the Intention to Annex Certain Territory into the City of Grayson, Kentucky” designated as Ordinance No. 09-2009, whereby the City of Grayson expressed its intent to annex the territory described in Ordinance No. 09-2009.

Whereas, the City of Grayson satisfied the statutory notice requirements of KRS 81A.425 in connection with enactment of Ordinance No. 09-2009;

Whereas, the City of Grayson satisfied the statutory publication requirements of KRS 83A.060 in connection with enactment of Ordinance No. 09-2009;

Whereas, the City of Grayson satisfied the statutory publication requirements of KRS 424.130(1)(b) in connection with enactment of Ordinance No. 09-2009;

Whereas, there was no basis requiring the issue of annexation of the territory described in Ordinance No. 09-2009 to be placed upon the ballot for vote at the next regular election in accordance with KRS 81A.420;

Whereas, the territory to be annexed is an unincorporated area, contiguous to the city;

Whereas, the territory to be annexed is suitable for development for urban purposes without unreasonable delay in accordance with KRS 81A.410;

Whereas, the territory to be annexed does not lie within the boundary of another incorporated city;

Whereas, the territory to be annexed does not lie within an agricultural district formed pursuant to KRS 262.850; and

Whereas, the territory to be annexed does not lie outside Carter County, Kentucky.

NOW, THEREFORE, be it Ordained by the City Council of the City of Grayson, Kentucky, as follows:

Section 1

The City Council having adopted, approved and enacted Ordinance No. 09-2009, and the City of Grayson having satisfied all statutory requirements and conditions precedent to annexation of the unincorporated territory described in Exhibit A, attached hereto, which is incorporated by reference as if set forth at length herein, the same constituting part of this Ordinance, the City Council, pursuant to Kentucky Revised Statutes, Chapter 81A.005 *et seq.*, and all applicable law does hereby annex into the City of Grayson the territory described in Exhibit A hereto.

Section 2

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

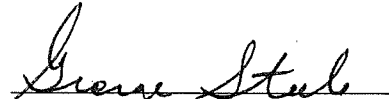
Section 3

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 4

This Ordinance shall become effective upon its passage, approval, and publication.

First reading, adoption, and approval this 12th ^{October} day of ~~September~~, 2010.


GEORGE STEELE
MAYOR

ATTEST:


CINDY STRATTON
CITY CLERK

LEGAL DESCRIPTION

Being a 10.46 acres (more or less) tract of land, situated on the water shed of Stinson Creek and lying on the south side of Kentucky Route 3297 (Midland Trail), County of Carter, State of Kentucky and being the same property conveyed to Community Presence Inc. from Timothy Johnston and Precious Johnston (a/k/a Tammy Kay Johnston), deed dated February 15, 2002 and recorded in official record book 72, page 400 and also being the same property conveyed to Community Presence Inc. from Timothy Johnston and Precious Johnston (a/k/a Tammy Kay Johnston), deed dated February 14, 2002 and recorded in official record book 72, page 397 in the Office of the Clerk of Carter County, Kentucky and is more particularly described by metes and bounds as follows:

Beginning at an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289") in the south right of way of Kentucky Route 3297 (Midland Trail), being a common corner to the land owned (now or formerly) by Glen E. Wentz, et ux (deed book 188, page 266) and a corner to the land owned by Community Presence Inc. (deed book 72, page 397 – 400);

Thence leaving the right of way of Kentucky Route 3297 and running with the land owned by (now or formerly) Glen E. Wentz, et ux and the land owned by William G. Wentz, et ux (deed book 173, page 316) S 47 DEGREES 27 MINUTES 30 SECONDS W a distance of 844.33' to an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289") on hillside, being a point in the lands owned by City of Grayson (deed book 181, page 130);

Thence leaving the land owned by Wentz, et ux and running with the common boundary between Community Presence Inc., J.P. Fankell, et ux (deed book 94, page 254) and the City of Grayson Properties N 68 DEGREES 03 MINUTES 49 SECONDS W a distance of 570.05' to an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289"), being a point in the land owned by J.P. Fankell, et ux (aforementioned);

Thence running down the hill with the common boundary line between Fankell, et ux and Community Presence Inc. Properties N 22 DEGREES 56 MINUTES 11 SECONDS E a distance of 88.00' to ; an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289") ;

Thence N 29 DEGREES 42 MINUTES 37 SECONDS E a distance of 100.34' to an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289");

Thence N 30 DEGREES 26 MINUTES 01 SECONDS E a distance of 45.66' to a point in the center of Stinson Creek, being a corner to the land owned by James H. Fankell, et ux (deed book 223, page 842, deed book 231, page 269 and misc. book 41, page 228);

Thence running with the center of Stinson Creek and running with the common boundary between James H. Fankell, et ux and Community Presence Inc. Properties S 71 DEGREES 08 MINUTES 50 SECONDS E a distance of 30.06' to a point;

Thence leaving Stinson Creek and continue running with the common boundary between Fankell, et ux and Community Presence Inc. Properties N 29 DEGREES 24 MINUTES 20 SECONDS E a distance of 559.87' to an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289") in the right of way of Kentucky Route 3297;

Thence leaving the land owned by Fankell, et ux and running with the right of way of Kentucky Route 3297 S 66 DEGREES 08 MINUTES 00 SECONDS E a distance of 7.45' to an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289"), being a corner to the land (now or formerly) owned by Robert E. Tussey, et ux (deed book 233, page 620 and official record book 6, page 754);

Thence leaving the right of way of Kentucky Route 3297 and running with the common boundary between Community Presence Inc and Tussey, et ux Properties S 29 DEGREES 14 MINUTES 20 SECONDS W a distance of 139.23' to an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289");

Thence S 55 DEGREES 20 MINUTES 28 SECONDS E a distance of 235.94' to an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289"), being a corner to the land owned by J.R. Elam (official record book 168, page 255);

Thence running with the common boundary between Community Presence Inc. and Elam, et ux Properties S 25 DEGREES 34 MINUTES 42 SECONDS W a distance of 80.18' to an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289");

Thence S 64 DEGREES 50 MINUTES 17 SECONDS E a distance of 168.49' to an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289");

Thence N 24 DEGREES 46 MINUTES 06 SECONDS E a distance of 266.71' to an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289") in the right of way of Kentucky Route 3297;

Thence leaving the Elam, et ux Property and running with the right of way of Kentucky Route 3297, S 66 DEGREES 07 MINUTES 51 SECONDS E a distance of 413.22' to an iron pin found (1/2" rebar with surveyor's cap stamped "LPK LS 2289"), which is the point of beginning and containing 10.46 acres, more or less.

Being subject to all restrictions, right of ways, easements, utilities, covenants, exceptions, conveyances, leases, and exclusions previously imposed and appearing of record, and those not of record.

This parcel is more fully shown on a plat titled "Plat of Survey of Community Presence Inc. Property for the purposed to annex territory in the City of Grayson, Kentucky, situated on the water shed of Stinson Creek and lying on the south side of Kentucky Route 3297 (Midland Trail), County of Carter, State of Kentucky" job number 0612010KC, dated August 18, 2010 by Elliott and Associates, PLLC, Professional Land Surveying, Edison Elliott, Professional

Land Surveyor, No. 3760.

Edison Elliott 08-18-2010

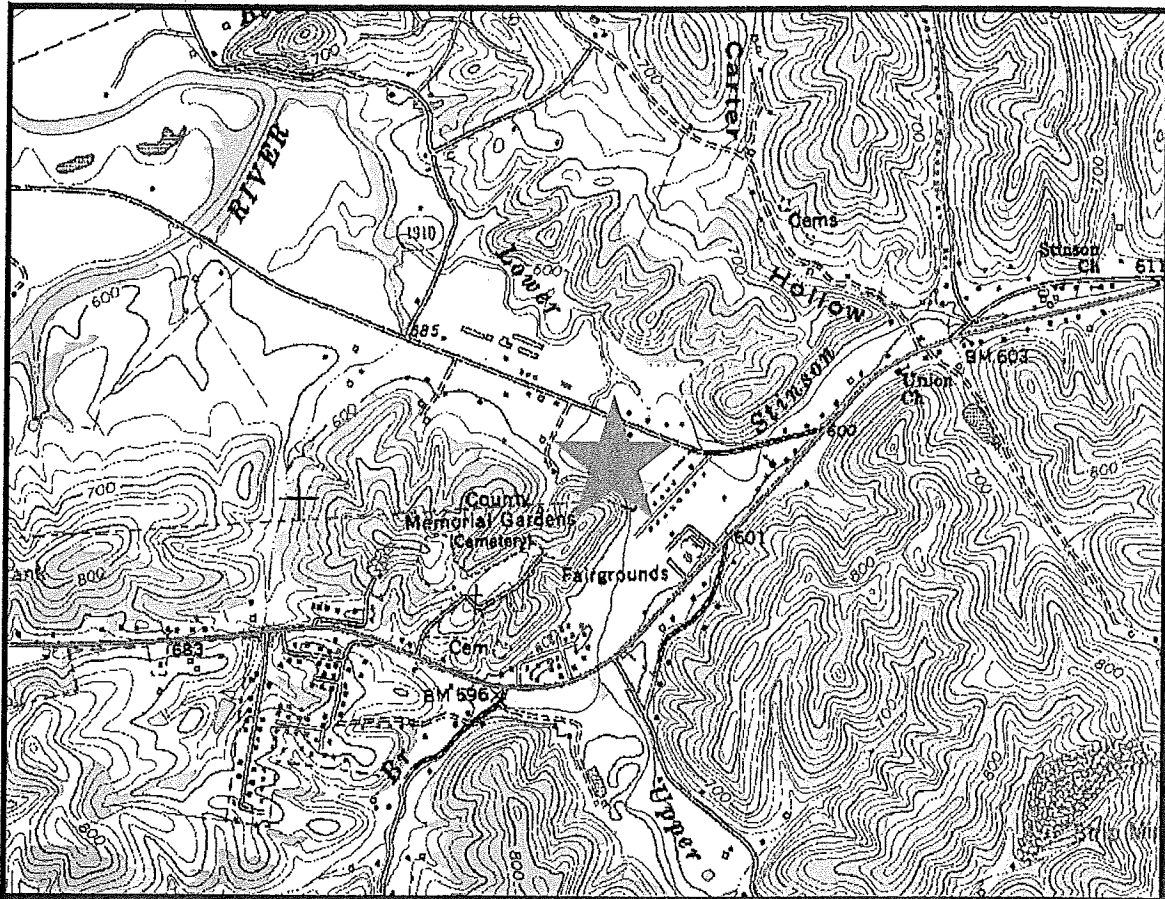
(Signature)

(Date)



~ Plan
COMMUNITY

Situated on the water
 on the south side of Kentucky Route 3297
 for the purpose
CITY OF GRA



GENERAL NOTES

1. THIS PLAN REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN
2. SOURCES OF TITLE
 Community Presence Inc. from Timothy Johnston and Precious Johnston (a/k/a Tammy Kay Johnston), deed dated February 15, 2002 and filed with the Carter County Clerk's Office in Office Record Book 72, Page 400.
 Community Presence Inc. from Timothy Johnston and Precious Johnston (a/k/a Tammy Kay Johnston), deed dated February 14, 2002 and filed with the Carter County Clerk's Office in Office Record Book 72, Page 397.

J.P. Fankell, et al
 Deed Book 94, Page 254

Community Presence Inc.
 Official Record Book 72, Page 397
 3.01± Acres

Combined acreage of both parcels
 10.46± Acres

William G. Winters
 Deed Book 173, P
 City of

Plat of Survey - of -
COMMUNITY PRESENCE INC.

Property

Situated on the water shed of Sinson Creek and lying
on the south side of Kentucky Route 3297 (Midland Trail), County of Carter State of Kentucky
for the purposed to annex territory in the

CITY OF GRAYSON, KENTUCKY

25 USGS GRAYSON QUADRANGLE MAP
VICINITY MAP (A)

James H. Fankell, et ux
Deed Book 223, Page 842
Deed Book 231, Page 269
Misc. Book 41, Page 228

Robert E. Inssey, et ux
Deed Book 233, Page 620
Official Record Book 6, Page 754

S 25° 34' 42" W
80.18'

Combined acreage of both parcels
10.46± Acres

Community Presence Inc.
Official Record Book 12, Page 400
7.45± Acres

Community Presence Inc.
Official Record Book 72, Page 397
3.01± Acres

Clayton Wente, et ux
Deed Book 188, Page 266

William E. Wente, et ux
Deed Book 175, Page 316

Corporation, Inc. et ux
Clayton Grayson, et ux
County, Kentucky

William E. Wente, et ux
Deed Book 187, Page 266

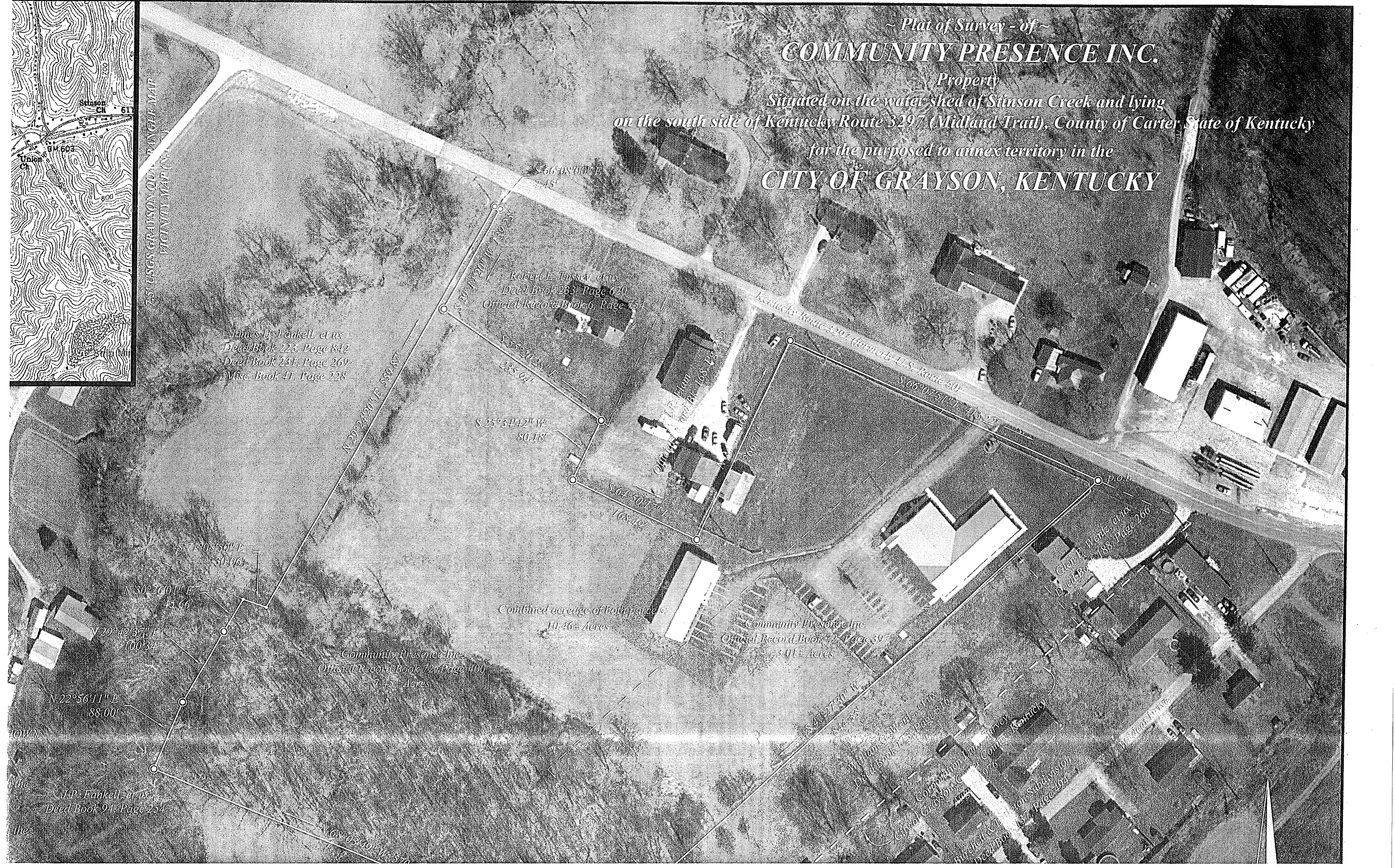
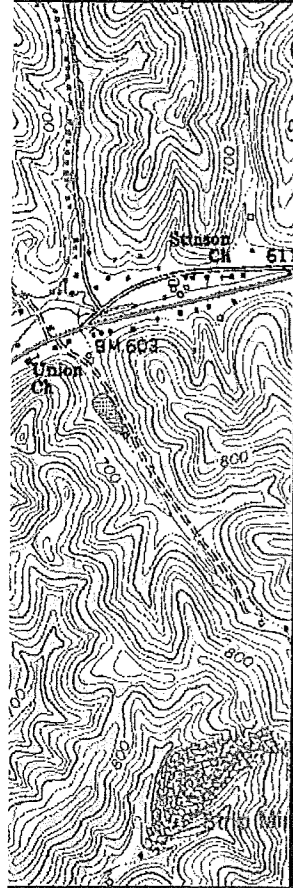
N 71° 08' 50" E
30.06'

N 30° 26' 01" E
13.66'

N 29° 42' 37" E
100.24'

N 22° 56' 11" E
88.00'

J.P. Fankell, et ux
Deed Book 94, Page 254



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1. THIS PLAT REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN

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3. CLIENT PROPERTY ADDRESS

CITY OF GRAYSON
302 EAST MAIN STREET, GRAYSON, KENTUCKY 41143

SUBJECT PROPERTY ADDRESS

1756 EAST MIDLAND TRAIL, GRAYSON, KENTUCKY 41143

4. THE WORD CERTIFY AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED

5. DATE OF FIELD WORK: 06/12/2010 PRELIMINARY 08/18/2010 FINAL

6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ELLIOTT & ASSOCIATES, PLLC. PROFESSIONAL LAND SURVEYING TO DETERMINE OWNERSHIP AND EASEMENTS OF RECORD

7. FOR ALL INFORMATION REGARDING RIGHT-OF-WAYS, EASEMENTS, TITLE OF RECORD AND SUBJECT PROPERTY LINES WE RELIED UPON THE CARTER COUNTY CLERK'S OFFICE

8. BEING SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, RIGHT OF WAYS, EASEMENTS, UTILITIES, COVENANTS, EXCEPTIONS, CONVEYANCES, LEASES AND EXCLUSIONS PREVIOUSLY IMPOSED AND APPEARING OF RECORD AND THOSE NOT OF RECORD

9. BASIS OF BEARINGS: OFFICIAL RECORD BOOK 72, PAGE 400

10. GENERAL MAP SYMBOLS AND LINES

○ IRON PIN FOUND ~ 1/2" REBAR WITH SURVEYOR'S CAP STAMPED

"L.P.K. No. 2289"

• POINT AT NORTH END OF 42" RCP UNDER DRIVEWAY

p.o.b. POINT OF BEGINNING

BOUNDARY LINE

TRACT DEED LINE

S 1°08'50"E 30.06'

N 30°26'01"E 45.66'

N 29°42'37"E 100.34'

N 22°56'11"E 88.00'

J.P. Fankell, et al
Deed Book 94, Page 254

Community Presence Inc.
Official Record Book 72, Page 400
7.45 Acres

Combined acreage of both parcels
10.46 Acres

Community Presence Inc.
Official Record Book 72, Page 397
3.01 Acres

Corporation Limit Survey
City of Grayson, Carter County, Kentucky
August 1976

City of Grayson
Deed Book 131, Page 130



ELLIOTT & ASSOCIATES, PLLC.

PROFESSIONAL LAND SURVEYING

KENTUCKY WEST VIRGINIA

★ TENNESSEE ★

Phone: (606) 475-3301 Fax: (606) 475-0171

www.easurveying.com

P.O. Box 576 ★ Grayson, Kentucky 41143



$S 71^{\circ}08'50'' E$ 30.06'
 $N 30^{\circ}26'01'' E$ 45.66'
 $N 29^{\circ}42'37'' E$ 100.34'
 $N 22^{\circ}56'11'' E$ 88.00'
 J.P. Fankell, et ux
 Deed Book 94, Page 254

Community Presence Inc
 Official Record Book 72, Page 400
 7.45± Acres

Combined acreage of both parcels
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 Official Record Book 72, Page 397
 3.01± Acres

Corporation Limit Survey
 City of Grayson, Carter County, Kentucky
 August 1976

City of Grayson
 Deed Book 181, Page 130

Walton G. Wenz et ux
 Deed Book 175, Page 276

Community Presence Inc
 Official Record Book 72, Page 397

Bluffton & Bluffton
 Deed Book 194, Page 194

STATE OF KENTUCKY
 EDISON ELLIOTT
 3760
 LICENSED PROFESSIONAL LAND SURVEYOR

ELLIOTT & ASSOCIATES, PLLC

PROFESSIONAL LAND SURVEYING

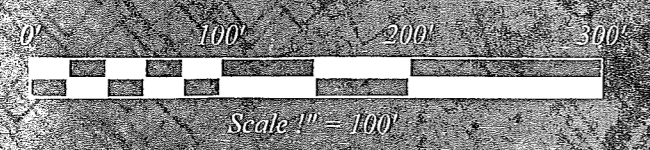
KENTUCKY ★ WEST VIRGINIA

★ TENNESSEE ★

phone (606) 475-3301 fax (606) 475-0171

www.eaasurveying.com

P.O. Box 576 ★ Grayson, Kentucky 41143



SURVEYOR'S CERTIFICATION

I, EDISON ELLIOTT, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF KENTUCKY, DO HEREBY CERTIFY THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE STATUTORY REQUIREMENTS OF THE STATE OF KENTUCKY. THE SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION USING THE METHOD OF RANDOM TRAILER. THE UNADJUSTED MATHEMATICAL ERROR OF CLOSURE WAS 1/36.12 AND WAS NOT ADJUSTED. THE SURVEY SHOWN THEREON IS A CLASS "A" SURVEY.

Edison Elliott
 EDISON ELLIOTT

08/18/10

P.L.S. NO. 3760

(DATE SIGNED)