

# CITY OF GRAYSON

302 East Main Street  
Grayson, Kentucky 41143


Phone: (606) 474-6651  
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www.graysonky.net

## CERTIFICATION: KRS 81A.470 FILINGS

I certify I am the duly qualified City Clerk of the City of *Grayson, Kentucky*, and the foregoing Ordinance No. **16-2010**, is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on **December 28<sup>th</sup>, 2010**, all as appears in the official records of said City.

WITNESS, my hand at  this **25th day of January, 2011**.

  
Cindy Stratton  
City Clerk

RECEIVED AND FILED  
DATE January 27, 2011

ELAINE N. WALKER  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandie Robinson

## ORDINANCE NO. 16- 2010

AN ORDINANCE ANNEXING CERTAIN TERRITORY INTO THE CITY OF  
GRAYSON, KENTUCKYPreamble

*Whereas*, the City of Grayson, Kentucky, adopted, approved, and enacted Ordinance No. 08-2009, whereby the City of Grayson, expressed its intent to annex the territory described in Ordinance No. 08-2009.

*Whereas*, the City of Grayson has satisfied the statutory notice requirements of KRS 81A.425 in connection with enactment of Ordinance No. 08-2009;

*Whereas*, the City of Grayson has satisfied the statutory publication requirements of KRS 83A.060 in connection with enactment of Ordinance No. 08-2009;

*Whereas*, the City of Grayson has satisfied the statutory publication requirements of KRS 424.130(1)(b) in connection with enactment of Ordinance No. 08-2009;

*Whereas*, there is no basis requiring the issue of annexation of the territory described in Ordinance No. 08-2009 to be placed on the ballot for a 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 of Grayson;

*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 pursuant to KRS 262.850;

*Whereas*, the territory to be annexed does not lie outside Carter County, Kentucky; and

*Whereas*, it is deemed beneficial for the welfare of the residents and property owners of the territory, and beneficial to the safety and welfare of the inhabitants of the City of Grayson to annex the territory described Ordinance No. 08-2009.

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

Section 1

The City of Grayson having adopted, approved, and enacted Ordinance No. 08-2009, whereby the City of Grayson expressed its intent to annex the territory described Ordinance No. 08-2009, and the City of Grayson having satisfied all statutory requirements and conditions precedent to annexation of the unincorporated territory described in Ordinance No. 08-2009, which is incorporated by reference as if set forth at length herein *verbatim*, 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, and the accompanying map.

Section 2

The corporate limits of the City of Grayson are hereby extended and increased so as to include and embrace within the corporate limits of the City of Grayson the territory described hereinabove and as set forth in the attached description and map.

Section 3

The map attached to this ordinance is an accurate map of the territory annexed, and such map is hereby adopted as the official map of the territory annexed, and same shall be recorded in the office of the Carter County Clerk's office along with this ordinance as the official map of the annexed territory.

Section 4

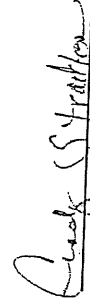
If any section, subsection, sentence, clause, or phrase or this Ordinance is held unconstitutional or otherwise invalid, such infirmities shall not affect the validity of the remaining portions of this Ordinance.

This Ordinance becomes effective upon its, adoption, approval, and publication as provided by law.

First reading this 14th day of December, 2010.  
Second reading, approval and adoption 28<sup>th</sup> day of December, 2010.

  
MAYOR GEORGE STEELE

ATTEST:

  
CINDY STRATTON  
CITY CLERK

## LEGAL DESCRIPTION

Being a 2.53 acres (more or less) tract of land, situated on the water shed of Barretts Creek and lying on Kentucky Route 1947, County of Carter, State of Kentucky and being the same property conveyed to Most Reverend Richard H. Ackerman, S.T.D., Roman Catholic Bishop of the Diocese of Covington, Kentucky, his successors in office, for the use and benefit of Saints John and Elizabeth Mission of Grayson, Kentucky from Elizabeth Waggoner Littleton and Raymond Littleton, deed dated September 6, 1969 and recorded in deed book 146, page 436 in the Office of the Clerk of Carter County, Kentucky and being the same property conveyed to Most Reverend Richard H. Ackerman, S.T.D., Roman Catholic Bishop of the Diocese of Covington, Kentucky, his successors in office, for the use and benefit of Saints John and Elizabeth Mission of Grayson, Kentucky from James Calyton Mauk and Nellie Childers and Clarence Childers, deed dated November 25, 1975 and recorded in deed book 169, page 425 in the Office of the Clerk of Carter County, Kentucky and being a portion of the right of way of Kentucky Route 1947 is more particularly described by metes and bounds as follows:

Beginning at a concrete marker found in the southern right of way of Kentucky Route 1947, being a common corner to the land owned by Timothy Ross Shaffer (official record book 195, page 840) and to the land owned by Most Reverend Richard H. Ackerman, S.T.D., Roman Catholic Bishop of the Diocese of Covington, Kentucky (deed book 169, page 425);

Thence leaving the right of way of Kentucky Route 1947 and running with the common boundary between Shaffer and Ackerman S 15 DEGREES 30 MINUTES 00 SECONDS E a distance of 178.31 feet to a 1" iron pipe found in right of way of I-64;

Leaving the land owned by Shaffer and running with the land owned by Ackerman (deed book 169, page 425 and deed book 146, page 436), running with the right of way of I-64 the following (3) calls:

1. Thence N 88 DEGREES 16 MINUTES 42 SECONDS E a distance of 368.73 feet to a corner fence post;
2. Thence N 85 DEGREES 38 MINUTES 10 SECONDS E a distance of 235.76 feet to a corner fence post;
3. Thence N 03 DEGREES 57 MINUTES 22 SECONDS E a distance of 97.94 feet to an iron pin set in the southern right of way of Kentucky Route 1947;

Thence leaving the land owned by Ackerman and running with the southern right of way of Kentucky Route 1947, S 86 DEGREES 02 MINUTES 38 SECONDS E a distance of 247.23 feet to a point in the existing city boundary of Grayson, Kentucky of Ordinance 15, 1980;

Thence leaving the southern right of way of Kentucky Route 1947 and running with the existing city of boundary of Grayson, Kentucky of Ordinance 15, 1980, N 55 DEGREES 27 MINUTES 08 SECONDS W a distance of 50.55 feet to a point in the center of concrete bridge over Barretts Creek, being a corner to the existing boundary of Grayson, Kentucky of Ordinance 15, 1995;

Thence leaving the existing boundary of the City of Grayson, Kentucky and running with the center of Kentucky Route 1947, N 86 DEGREES 01 MINUTES 34 SECONDS W a distance of 872.63 feet to a point;

Thence leaving the center of Kentucky Route 1947, S 15 DEGREES 30 MINUTES 00 SECONDS E a distance of 28.01 feet to a concrete marker, which is the point of beginning and containing 2.53 acres, more or less.

All iron pin sets are 3/4" rebar 24" long with surveyor's cap stamped "E. Elliott KY, PLS 3760"

Field Survey Date: 10/04/2010 preliminary 12/13/2010 final

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 Saints John and Elizabeth Mission Property for the purpose to annex territory in the City of Grayson, Kentucky, situated on the water shed of Barretts Creek and lying on Kentucky Route 1947, County of Carter, State of Kentucky" job number 0932010KC, dated December 13, 2010 by Elliott and Associates, PLLC, Professional Land Surveying, Edison Elliott, Professional Land Surveyor, No. 3760.



*Edison Elliott*

12-13-2010

**GENERAL NOTES:**

1. THIS PLAT REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN.
2. SOURCES OF TITLE:  
 MOST REVEREND RICHARD H. ACKERMAN, S.T.D., ROMAN CATHOLIC BISHOP OF DIOCESE OF COVINGTON, KENTUCKY HIS SUCCESSORS IN OFFICE FOR THE USE AND BENEFIT OF SAINT JOHN AND ELIZABETH MISSION OF GRAYSON, CARTER COUNTY, KENTUCKY FROM ELIZABETH WAGGONER LITTLETON AND RAYMOND LITTLETON, DEED DATED SEPTEMBER 6, 1969 AND FILED WITH THE CARTER COUNTY CLERK'S OFFICE IN DEED BOOK 146, PAGE 436.  
  
 MOST REVEREND RICHARD H. ACKERMAN, S.T.D., ROMAN CATHOLIC BISHOP OF DIOCESE OF COVINGTON, KENTUCKY HIS SUCCESSORS IN OFFICE FOR THE USE AND BENEFIT OF SAINT JOHN AND ELIZABETH MISSION OF GRAYSON, CARTER COUNTY, KENTUCKY FROM JAMES CALYTON MAUK AND NELLIE CHILDERS, ET VIR, DEED DATED NOVEMBER 25, 1975 AND FILED WITH THE CARTER COUNTY CLERK'S OFFICE IN DEED BOOK 169, PAGE 425.
3. CLIENT PROPERTY ADDRESS:  
 CITY OF GRAYSON  
 302 EAST MAIN STREET, 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: 10/04/2010 PRELIMINARY 12/13/2010 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: DEED BOOK 169, PAGE 425
10. GENERAL MAP SYMBOLS AND LINES:

- IRON PIN SET ~ 3/4" x 24" REBAR WITH SURVEYOR'S CAP MARKED "E.ELLIOTT KY P.L.S. 3760"
- IRON PIPE FOUND ~ 1" DIAMETER
- POINT IN CENTER OF KENTUCKY ROUTE 1947
- × POINT ON CENTER OF CONCRETE BRIDGE OVER BARRETTS CREEK
- CONCRETE MONUMENT FOUND
- ◎ RIGHT OF WAY FENCE POST

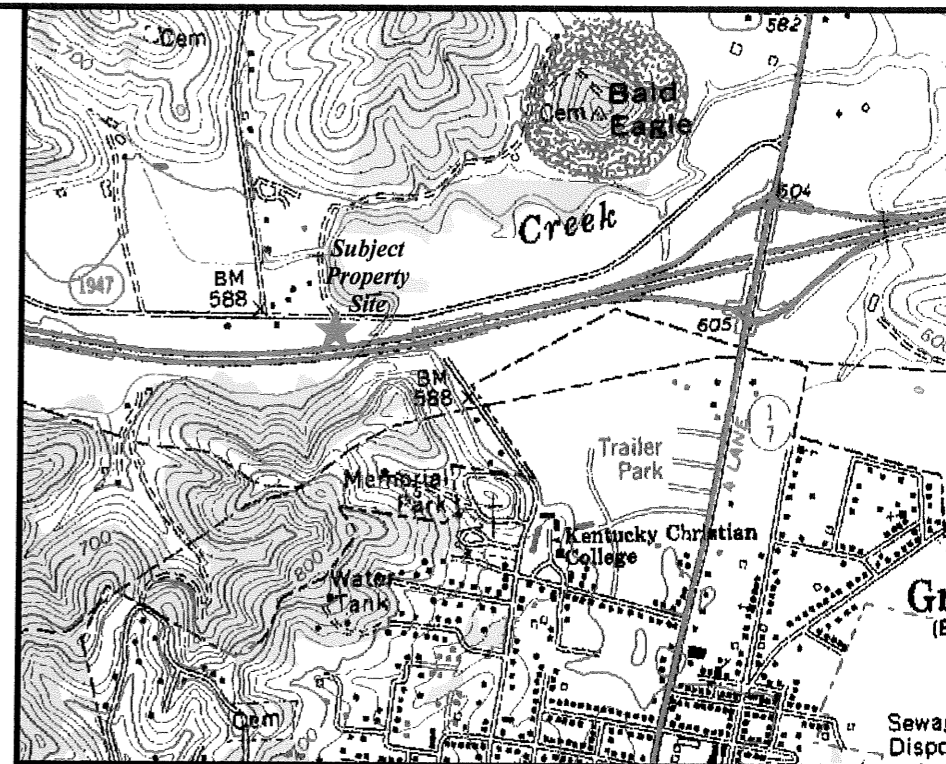
- p.o.b. POINT OF BEGINNING
- BOUNDARY LINE
- - - - TRACT / DEED LINE
- - - - EXISTING CITY BOUNDARY

~ Plat of Survey - of ~  
**SAINTS JOHN and ELIZABETH MISSION**  
 Property  
 Situated on the water shed of Barretts Creek and lying  
 on Kentucky Route 1947, County of Carter, State of Kentucky  
 for the purpose to annex territory in the  
**CITY OF GRAYSON, KENTUCKY**

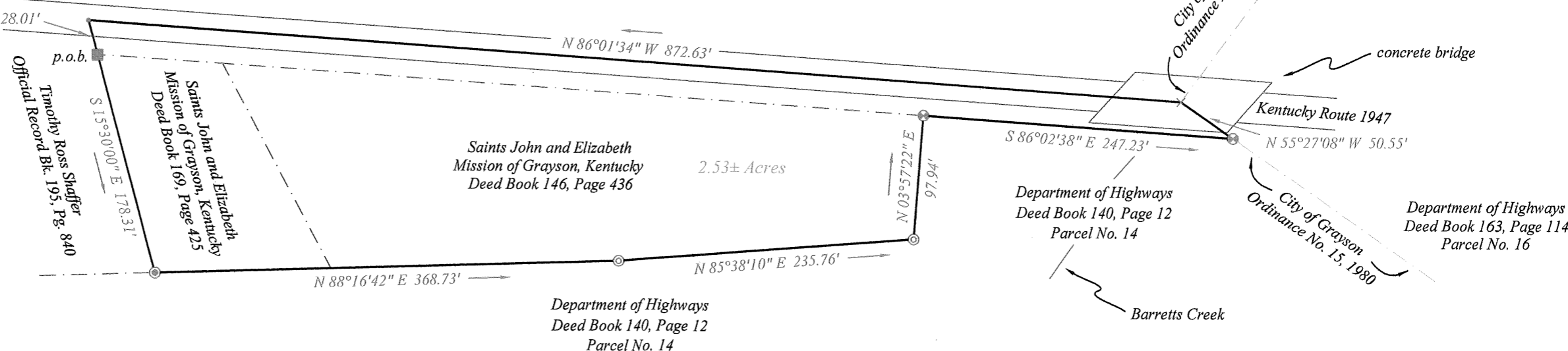
SURVEYOR'S CERTIFICATION

I, EDISON ELLIOTT, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF KENTUCKY, DO HEREBY CERTIFY THAT THIS PLAT 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 TRAVERSE. THE UNADJUSTED MATHEMATICAL ERROR OF CLOSURE WAS 1: 18,736 AND WAS NOT ADJUSTED. THE SURVEY SHOWN HEREON IS A CLASS "A" SURVEY.

*Edison Elliott* 12-13-2010  
 EDISON ELLIOTT P.L.S. NO. 3760 (DATE SIGNED)



STATE OF KENTUCKY  
 EDISON  
 ELLIOTT  
 3760  
 LICENSED  
 PROFESSIONAL  
 LAND SURVEYOR



**ELLIOTT & ASSOCIATES, PLLC.**

PROFESSIONAL LAND SURVEYING  
 KENTUCKY ★ WEST VIRGINIA

★ TENNESSEE ★

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Scale 1" = 100'