

CITY OF GRAYSON

302 East Main Street
Grayson, Kentucky 41143


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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. **17-2010**, is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on **December 28th, 2010**, all as appears in the official records of said City.

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


Cindy Stratton
City Clerk

RECEIVED AND FILED
DATE February 23, 2011

ELAINE N. WALKER
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Adkinson

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

Preamble

Whereas, the City of Grayson, Kentucky, adopted, approved, and enacted Ordinance No. 10-2009, whereby the City of Grayson, expressed its intent to annex the territory described in Ordinance No. 10-2009.

Whereas, the City of Grayson has satisfied the statutory notice requirements of KRS 81A.425 in connection with enactment of Ordinance No. 10-2009;

Whereas, the City of Grayson has satisfied the statutory publication requirements of KRS 83A.060 in connection with enactment of Ordinance No. 10-2009;

Whereas, the City of Grayson has satisfied the statutory publication requirements of KRS 424.130(1)(b) in connection with enactment of Ordinance No. 10-2009;

Whereas, petitions in opposition to Ordinance No. 10-2009 caused the issue of annexation to be placed on the ballot for vote in November 2010 pursuant to KRS 81A.420 and other applicable law but as a result of the election annexation of the territory was not defeated;

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. 10-2009.

Now, Therefore, Be 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. 10-2009, whereby the City of Grayson expressed its intent to annex the territory described Ordinance No. 10-2009, and the City of Grayson having satisfied all statutory requirements and conditions precedent to annexation of the unincorporated territory described in Ordinance No. 10-2009, 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, approval-and-adoption this 14th day of December, 2010.

Second Reading, approval & Adoption 28th, December 2010

George Steele
MAYOR GEORGE STEELE

ATTEST:

Cindy Stratton
CINDY STRATTON
CITY CLERK

LEGAL DESCRIPTION

Being a 53.36 acres (more or less) tract of land, situated on the watershed of Little Sandy River and lying off US Route 60, Meadowview Road and 5th Street, County of Carter, State of Kentucky and being the same property conveyed to Carter County Fiscal Court from Anna Lois Lewis, et al., deed dated August 25, 2000 and recorded in official record book 42, page 591 in the Office of the Clerk of Carter County, Kentucky and is more particularly described by metes and bounds as follows:

Beginning at a point in the center of Little Sandy River, being a point in the existing City of Grayson Boundary, a point in the center of concrete bridge over Little Sandy River bears south 10 degrees 57 minutes 32 seconds west a distance of 68.94' ;

Thence leaving the existing City of Grayson Boundary and Little Sandy River N 84 DEGREES 33 MINUTES 53 SECONDS W a distance of 54.55 feet to an iron pin found (1/2" rebar with surveyor's cap stamped "LS 3303"), being a point in the northern right of way of US Route 60 and being a corner to the land owned by Carter County, Kentucky (official record book 42, page 591);

Thence running with the land owned by Carter County, Kentucky and with the right of way of US Route 60, N 84 DEGREES 33 MINUTES 12 SECONDS W a distance of 106.94 feet to an iron pin found (1/2" rebar with surveyor's cap stamped "LS 3303), being a corner to the land owned by Woods Realty and Investment (deed book 113, page 46);

Thence leaving the right of way of US Route 60 and running with the common boundary between the land owned by Carter County, Kentucky and Woods Realty and Investment Properties N 29 DEGREES 56 MINUTES 48 SECONDS E a distance of 110.00 feet to an iron pin found (1/2" rebar with no surveyor's cap);

Thence running with the common boundary of Carter County, Kentucky, Woods Realty and Investment and Mark Kennard Properties (deed book 248, page 360) N 84 DEGREES 33 MINUTES 12 SECONDS W a distance of 360.00 feet to an iron pin found (1/2" rebar with surveyor's cap stamped "LS 2178"), being a corner to the (formerly) Carter County Emergency Ambulance Service District (deed book 220, page 254);

Thence running with the common line between Carter County, Kentucky and the (formerly) Carter County Emergency Ambulance Service District Properties N 84 DEGREES 11 MINUTES 55 SECONDS W a distance of 90.00 feet to a P.K. Nail set;

Thence S 30 DEGREES 00 MINUTES 07 SECONDS W a distance of 109.77 feet in the right of way of US Route 60;

Thence leaving the land owned by the (formerly) Carter County Emergency Ambulance Service District and running with the right of way of US Route 60, N 85 DEGREES 56 MINUTES 30 SECONDS W a distance of 16.46 feet to P.K. Nail found, being a corner to the land owned by Arnold Collier (deed book 100, page 304);

Thence leaving the right of way of US Route 60 and running with the common boundary of Carter County, Kentucky and Collier Properties N 29 DEGREES 52 MINUTES 52 SECONDS E a distance of 109.92 feet to an iron pin set;

Thence running with the common boundary of Carter County, Kentucky, Collier and the land owned by Raymond Burton (deed book 188, page 155) N 85 DEGREES 06 MINUTES 33 SECONDS W a distance of 465.46 feet to an iron pin found (1/2" rebar with surveyor's cap stamped "LS 3303"), being a corner to the land owned by Darrell Vincent (deed book 199, page 272);

Running with the common boundary between Carter County, Kentucky and the Addition to Meadowview Subdivision and Meadowview Subdivision the following (8) calls:

1. Thence N 31 DEGREES 22 MINUTES 02 SECONDS E a distance of 142.98 feet to an iron pin found (1/2" rebar with no surveyor's cap);
2. Thence N 31 DEGREES 33 MINUTES 15 SECONDS E a distance of 20.51 feet to an iron pin found (1/2" rebar with surveyor's cap stamped "LS 3303");
3. Thence N 30 DEGREES 37 MINUTES 11 SECONDS E a distance of 75.35 feet to an iron pin found (1/2" rebar with surveyor's cap stamped "LS 2178");
4. Thence N 30 DEGREES 26 MINUTES 48 SECONDS E a distance of 74.82 feet to an iron pin found (1/2" rebar with surveyor's cap stamped "LS 2178");
5. Thence N 30 DEGREES 32 MINUTES 57 SECONDS E a distance of 75.25 feet to an iron pin found (1/2" rebar with surveyor's cap stamped "LS 2178");
6. Thence N 30 DEGREES 16 MINUTES 04 SECONDS E a distance of 26.62 feet to an iron pin found (5/8" rebar with surveyor's cap stamped "LS 2630");
7. Thence N 30 DEGREES 36 MINUTES 01 SECONDS E a distance of 116.22 feet to an iron pin found (5/8" rebar with surveyor's cap stamped "LS 2630");
8. Thence N 30 DEGREES 30 MINUTES 14 SECONDS E a distance of 617.86 feet to an iron pin found (1/2" rebar with surveyor's cap stamped "LS 3303");

Thence running with the common boundary between Carter County, Kentucky, Meadowview Subdivision and Brown's Mobile Homes, Inc Properties (plat cabinet 1, sleeve 260B) N 79 DEGREES 19 MINUTES 22 SECONDS W a distance of 297.00 feet to a Chain-Link Fence Corner, being a corner to the land owned by City of Grayson (deed book 193, page 498);

Thence running with the common boundary between Carter County, Kentucky and City of Grayson, N 05 DEGREES 44 MINUTES 59 SECONDS E a distance of 234.25 feet to a Chain-Link Fence Corner;

Thence N 87 DEGREES 33 MINUTES 23 SECONDS W a distance of 503.01 feet to a Chain-Link Fence Corner;

Thence N 02 DEGREES 09 MINUTES 35 SECONDS E a distance of 38.97 feet to a Chain-Link Fence Corner;

Thence N 87 DEGREES 51 MINUTES 02 SECONDS W a distance of 75.57 feet to a Chain-Link Fence Corner in the right of way of 5th Street;

Thence running with the right of way of 5th Street N 04 DEGREES 51 MINUTES 02 SECONDS W a distance of 37.61 feet to an iron pin found (5/8" rebar with surveyor's cap stamped "LS 2630");

Thence S 88 DEGREES 31 MINUTES 32 SECONDS E a distance of 112.64 feet to an iron pin found (5/8" rebar with surveyor's cap stamped "LS 2630");

Thence S 87 DEGREES 40 MINUTES 57 SECONDS E a distance of 106.91 feet to an iron pin found (5/8" rebar with surveyor's cap stamped "LS 2630");

Thence S 36 DEGREES 28 MINUTES 07 SECONDS E a distance of 75.20 feet to an iron pin found (5/8" rebar with surveyor's cap stamped "LS 2630");

Thence S 87 DEGREES 36 MINUTES 17 SECONDS E a distance of 244.32 feet to an iron pin found (1/2" rebar with surveyor's cap stamped "LS 3303");

Thence N 05 DEGREES 47 MINUTES 48 SECONDS W a distance of 83.72 feet to an iron pin found (1/2" rebar with no surveyor cap) being a corner to Carter County Board of Education Properties (deed book 238, page 132 and deed book 197, page 374);

Thence N 50 DEGREES 50 MINUTES 09 SECONDS E a distance of 290.90 feet to an iron pin found;

Thence N 34 DEGREES 46 MINUTES 19 SECONDS E a distance of 362.20 feet to an iron pin found;

Thence N 23 DEGREES 05 MINUTES 44 SECONDS E a distance of 266.96 feet to an iron pin found (5/8" rebar with no surveyor's cap) being a corner to the land owned by Pennco Inc. (deed book 148, Page 582);

Thence running with the common boundary between Pennco Inc and Carter County, Kentucky S 81 DEGREES 22 MINUTES 37 SECONDS E a distance of 479.75 feet to a point in the center of deep ditch;

Thence S 84 DEGREES 53 MINUTES 37 SECONDS E a distance of 549.49 feet to an iron pin found (1/2" rebar with surveyor's cap stamped "LS 3303") on the bank of Little Sandy River;

Thence leaving the land owned by Carter County, Kentucky and Pennco Inc, S 84 DEGREES 53 MINUTES 37 SECONDS E a distance of 54.14 feet to a point in the center of Little Sandy River, being a corner to the existing boundary of City of Grayson;

Leaving the existing boundary of the City of Grayson and following the center of Little Sandy River the following (10) calls:

1. Thence S 08 DEGREES 37 MINUTES 17 SECONDS E a distance of 62.36 feet;
2. Thence S 01 DEGREES 26 MINUTES 09 SECONDS E a distance of 164.75 feet;
3. Thence S 07 DEGREES 03 MINUTES 12 SECONDS W a distance of 319.65 feet;
4. Thence S 10 DEGREES 31 MINUTES 52 SECONDS W a distance of 159.37 feet;
5. Thence S 17 DEGREES 55 MINUTES 20 SECONDS W a distance of 68.46 feet;
6. Thence S 29 DEGREES 10 MINUTES 29 SECONDS W a distance of 229.78 feet;
7. Thence S 42 DEGREES 05 MINUTES 36 SECONDS W a distance of 91.82 feet;
8. Thence S 47 DEGREES 24 MINUTES 52 SECONDS W a distance of 539.37 feet;
9. Thence S 19 DEGREES 34 MINUTES 22 SECONDS W a distance of 118.44 feet;
10. Thence S 10 DEGREES 57 MINUTES 32 SECONDS W a distance of 681.06 feet;

which is the point of beginning and containing 56.36 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: 12/01/2010 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 Carter County, Kentucky Property", situated on the watershed of Little Sandy River and lying off US Route 60, Meadowview Road and 5th Street, County of Carter, State of Kentucky for the purpose to annex territory into the City of Grayson, Kentucky" job number 0942010KC, dated December 13, 2010 by Elliott and Associates, PLLC, Professional Land Surveying, Edison Elliott, Professional Land Surveyor, No. 3760.



Edison Elliott

12-13-2010

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OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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