

# CITY OF GRAYSON

302 East Main Street  
Grayson, Kentucky 41143

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

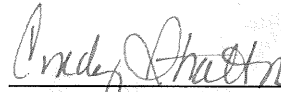
www.graysonky.net

## 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 forgoing document, **Ordinance No. 01-2014** is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on January 16<sup>th</sup>, 2014, all as appears in the official records of said City.

Witnessed, my hand this 9<sup>th</sup> day of September, 2014.



*Cindy Stratton*

Cindy Stratton  
City Clerk

RECEIVED AND FILED

DATE Sept. 11, 2014

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Janice Adkinson

ORDINANCE NO. 01-2014

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

*Whereas*, the City of Grayson desires to annex certain territory into the City which is located on the north-side of Midland Trail and east of Interstate Drive in Carter County, Kentucky;

*Whereas*, as the City of Grayson enacted Ordinance No. 11-2013, titled "An Ordinance Stating The City Of Grayson's Intent To Annex Certain Territory Into The City" whereby the City expressed its intent to annex territory into the City which is located on the north-side of Midland Trail and east of Interstate Drive in Carter County, Kentucky and described with particularity in Ordinance No. 11-2013;

*Whereas*, as more than sixty (60) days have elapsed from the date Ordinance No. 11-2013 was enacted;

*Whereas*, no petition in opposition of Ordinance No. 11-2013 was filed by an person or entity;

*Whereas*, all conditions precedent and each requirement of law necessary for the enactment of this Ordinance have been duly satisfied;

*Whereas*, the territory proposed to be annexed is contiguous to the City of Grayson;

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

*Whereas*, the territory to be annexed is not part of an agricultural district formed pursuant to KRS 262.850; and

Whereas, the territory to be annexed is suitable for development for urban purposes without reasonable delay due to population density, commercial, institutional or governmental use of land, or subdivision of land.

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

Section 1

Each recital above is incorporated herein and made a part of this Ordinance as if set forth at length herein.

Section 2

The City of Grayson having adopted, approved and enacted Ordinance No. 11-2013, whereby the City expressed its intent to annex into the City the territory described in Ordinance No. 11-2013, and the City having satisfied all statutory and legal requirements and conditions precedent to annexation of the unincorporated territory described in Ordinance No. 11-2013, which is incorporated by reference as if set forth at length herein *verbatim*, the same constituting part of this Ordinance, pursuant to Kentucky Revised Statutes, Chapter 81A *et seq.* and all other applicable law, the City does hereby annex into the City of Grayson the property located on the north-side of Midland Trail and east of Interstate Drive in Carter County, Kentucky, described with particularity in the legal description attached hereto as Exhibit "A" which is incorporated by reference and made a part of this Ordinance. The territory is annexed along and inclusive of a corridor of land which runs to the above described territory, and the corridor is defined by and consists of the dimensions of a certain water utility service line extending from the City to the above described territory.

Section 3

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, the territory described in Section 2 of this Ordinance and as also further illustrated in the map referred to in Section 4 of this Ordinance and attached hereto as Exhibit "B".

Section 4

A professional survey map of the territory annexed herein is attached hereto as Exhibit "B" and is made a part of this Ordinance. The territory annexed herein shall be and is designated for purposes of zoning and land use regulation as "Highway Business" and the City's comprehensive plan and zoning map are hereby amended accordingly.

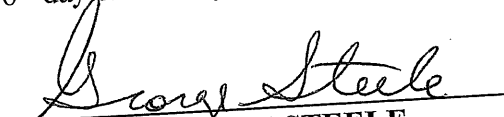
Section 5: Severability

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.

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

First reading and approval this 14<sup>th</sup> day of January, 2014.

Second reading, approval and adoption this 16<sup>th</sup> day of January, 2014.

  
MAYOR GEORGE STEELE

ATTEST:

  
CINDY STRATTON

**LEGAL DESCRIPTION**

Being a 1.441 acres tract of land, lying on the north side of Midland Trail, County of Carter, State of Kentucky and being the same property conveyed to William C. Fowler and Deborah L. Fowler and from Horton, Goebel, and Johnson, Inc., deed dated October 17, 2012 and filed with the Carter County Clerk's Office in official record book 295, page 110 and also being a 30 feet wide utility easement strip commencing at the existing City of Grayson Boundary and running to the parcel owned by William C. Fowler, et ux, see attached plat for further reference and is more particularly described by metes and bounds as follows:

Beginning at a point in the southern right of way of 30' wide utility easement, also being a point in the existing City of Grayson Boundary per ordinance 17 ~ 2003; Thence leaving the existing city limits and running along the southern right of way of utility easement N 55°25'11" E a distance of 44.51' to a point in the land owned by William C. Fowler, et ux (official record book 295, page 110);

Thence leaving the utility easement and running with the land owned by Fowler, et ux S 31°44'34" E a distance of 15.21' to an iron pin found (5/8" rebar with surveyor's cap stamped "M. Back LS 2178") in the northern right of way of Midland Trail;

Running with the northern right of way of Midland Trail the following (5) calls:

1. Thence N 58°14'35" E a distance of 60.80';
2. Thence N 60°01'31" E a distance of 51.29';
3. Thence N 61°43'58" E a distance of 45.83';
4. Thence N 63°03'35" E a distance of 44.39';
5. Thence N 63°56'30" E a distance of 31.06' to an iron pin found (5/8" rebar with surveyor's cap stamped "M. Back LS 2178");

Thence leaving the right of way of Midland Trail N 26°03'30" W a distance of 250.00' to an iron pin found (5/8" rebar with surveyor's cap stamped "M. Back LS 2178");

Thence S 63°56'30" W a distance of 32.98' to an iron pin found (5/8" rebar with surveyor's cap stamped "M. Back LS 2178");

Thence S 63°03'35" W a distance of 49.21' to an iron pin found (5/8" rebar with surveyor's cap stamped "M. Back LS 2178");

Thence S 61°43'58" W a distance of 52.45' to an iron pin found (5/8" rebar with surveyor's cap stamped "M. Back LS 2178");

Thence S 60°01'31" W a distance of 58.90' to an iron pin found (5/8" rebar with surveyor's cap stamped "M. Back LS 2178");

Thence S 58°14'36" W a distance of 64.70' to an iron pin found (5/8" rebar with surveyor's cap stamped "M. Back LS 2178");

Thence S 31°45'27" E a distance of 204.75' to a point in the northern right of way of 30' wide utility easement;

Thence leaving the land owned by Fowler, et ux and running with the northern right of way of utility easement S 55°25'11" W a distance of 44.51' to a point in the existing city limits;

Thence S 31°45'24" E a distance of 30.04', which is the point of beginning and containing 1.441 acres.

Field Survey Date: 11/16/2013

Basis for Bearings: Kentucky State Plane North Zone

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 William C. Fowler Property", lying on the north side of Midland Trail, County of Carter, State of Kentucky" dated November 19, 2013 by Edison Elliott, Professional Land Surveyor, No. 3760.



*Edison Elliott*  
11-19-2013

# Exhibit "B"

**EDISON ELLIOTT, PLS**

**PROFESSIONAL LAND SURVEYOR**

KENTUCKY ★ WEST VIRGINIA

TENNESSEE ★ OHIO

mobile: (606) 316-0856

edison@eaasurveying.com

210 South Sand Ridge ★ Olive Hill, Kentucky 41164

## 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: 30,496 AND WAS NOT ADJUSTED. THE SURVEY SHOWN HEREON IS A URBAN CLASS SURVEY.

*Edison Elliott*

11/19/2013

EDISON ELLIOTT

P.L.S. NO. 3760

(DATE SIGNED)

## GENERAL NOTES:

1. THIS PLAT REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN.
2. SOURCE OF TITLE:  
WILLIAM C. FOWLER AND DEBORAH L. FOWLER FROM HORTON, GOEBEL & JOHNSON, INC. DEED DATED OCTOBER 17, 2012 AND FILED WITH THE CARTER COUNTY CLERK'S OFFICE IN OFFICIAL RECORD BOOK 295, PAGE 110.
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: 11/19/2013
6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ELLIOTT & ASSOCIATES, PLLC. PROFESSIONAL LAND SURVEYING TO DETERMINE OWNERSHIP AND EASEMENTS 30' wide utility strip 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: KENTUCKY STATE PLAIN NORTH ZONE
10. GENERAL MAP SYMBOLS AND LINES:

● IRON PIN FOUND - 5/8" REBAR WITH SURVEYOR'S CAP STAMPED "LS 2178"

○ POINT IN EXISTING CITY LIMITS AND 30' WIDE UTILITY STRIP

p.o.b. POINT OF BEGINNING

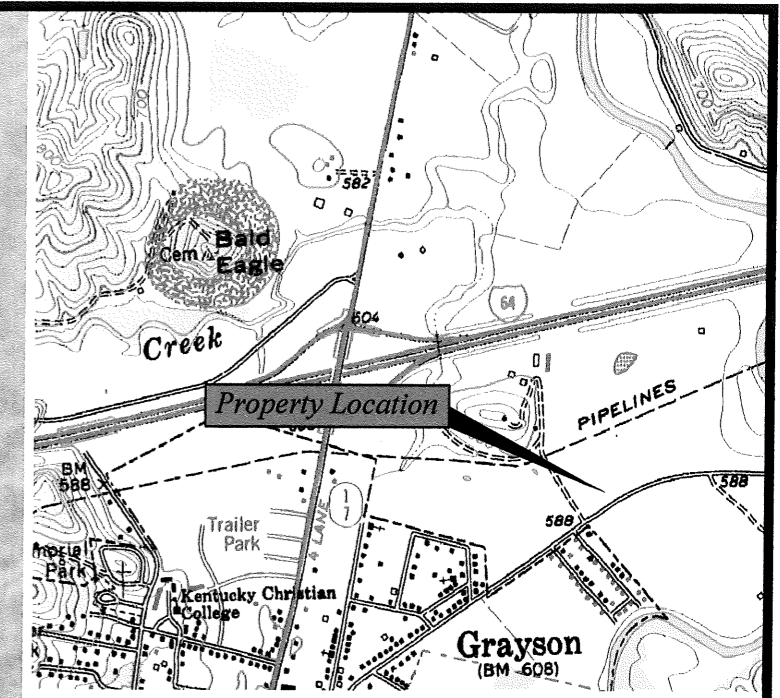
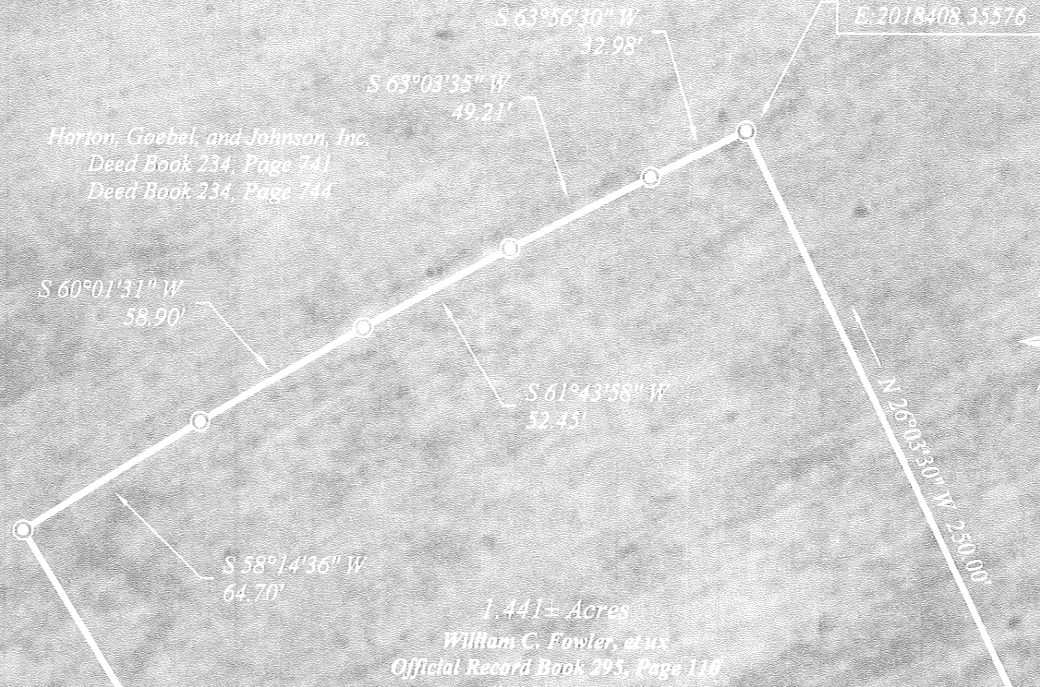
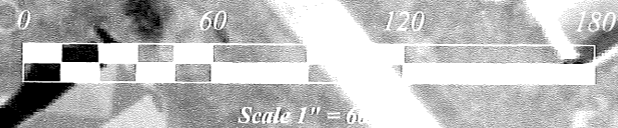
— BOUNDARY LINE

- - - TRACT/DEED LINE

- - - EXISTING CITY BOUNDARY

existing City of Grayson Boundary  
Ordinance 17-2003

STATE OF KENTUCKY  
**EDISON ELLIOTT**  
3760  
LICENSED  
PROFESSIONAL  
LAND SURVEYOR



N: 309169.43075  
E: 2018518.17688

~ Plat of ~  
**WILLIAM C. FOWLER, ET UX**  
Property  
Lying on the north side of Midland Trail  
County of Carter, State of Kentucky  
for the purpose to annex territory in the  
**CITY OF GRAYSON, KENTUCKY**