

CITY OF GRAYSON

302 East Main Street
Grayson, Kentucky 41143

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

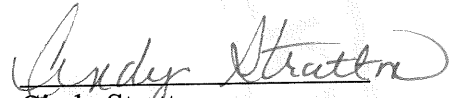
www.graysonky.net

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. 07-2014** is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on May 21st, 2014, all as appears in the official records of said City.

Witnessed, my hand this 9th day of September, 2014.


Cindy Stratton
City Clerk

RECEIVED AND FILED
DATE Sept. 11, 2014

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

ORDINANCE NO. 07-2014

ORDINANCE ANNEXING CERTAIN TERRITORY INTO THE CITY OF GRAYSON WITH THE CONSENT OF LANDOWNER

Whereas, the City of Grayson desires to annex certain territory into the City which is located on the south-side of the Little Sandy River in Carter County, Kentucky;

Whereas, the City has obtained written consent of the landowner of the land to be annexed herein, and the City enacts this Ordinance annexing the land described herein into the City of Grayson;

Whereas, the territory 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 municipality;

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, KENTUCKY, as follows:

Section 1: Annexation

The landowner of the property to be hereby annexed being the City of Grayson, Kentucky, as identified in the Deed of Conveyance dated October 23, 2013 and the Deed of Correction dated May 7, 2014 and recorded in Official Record 322, Pages 719 – 728 of the

Carter County Clerk's Office, having consented, in writing, to annexation of the property described in said Deeds as evidenced by the signatures of each City Council Member and the Mayor of the City of Grayson as reflected in Exhibit "A" of this Ordinance, the City of Grayson, pursuant to Kentucky Revised Statutes, Chapter 81A.005 *et seq.*, and specifically, KRS 81A.412 which authorizes annexation by written consent of landowners, and other applicable law, does hereby annex into the City of Grayson the territory described in the Deed of Conveyance dated October 23, 2013 and the Deed of Correction dated May 7, 2014, recorded in Official Record 322, Pages 719 – 728 of the Carter County Clerk's Office which is described with particularity in the land survey and description prepared by Edison Elliott, Professional Land Surveyor, License No. 3760, dated January 5, 2014 attached collectively hereto as Exhibit "B". Exhibits "A" and "B" to this Ordinance are incorporated by reference and made a part of this Ordinance as if set forth at length herein.

Section 2: Map

A professional survey map of the territory annexed herein is attached hereto as Exhibit "B" and is made a part of this Ordinance as if set forth at length herein. The territory annexed into the City is and shall be for all purposes designated as "Recreation Zone (R)" as described in the City's zoning regulations and it is consistent with the City's comprehensive plan.

Section 3: 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 shall become effective upon its adoption, approval, and publication as provided by law.

First reading and approval this 7th day of May, 2014.

Second reading, approval and adoption this 21st day of May, 2014.



GEORGE STEELE
MAYOR

ATTEST:

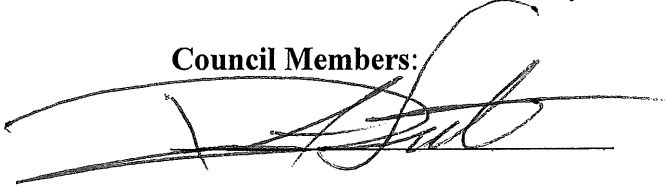


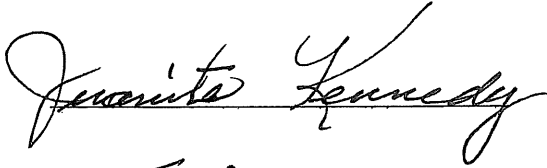
CINDY STRATTON
CITY CLERK

CONSENT TO ANNEXATION

The City of Grayson, Kentucky, a Kentucky municipal corporation, which is designated as a City of the Fourth Class, does hereby grant its consent to annexation into the City of Grayson certain City owned real property described in Deed of Conveyance dated October 23, 2013 and Deed of Correction dated May 7, 2014 recorded in Official Record 322, Pages 719 – 728 of the Carter County Clerk's Office and described with particularity in the land survey and description dated January 5, 2014, prepared by Edison Elliott, Professional Land Surveyor, License No. 3760. This 13th day of May, 2014.

Council Members:



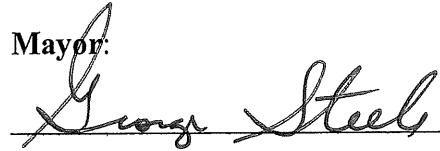








Mayor:



Attest:

City Clerk:

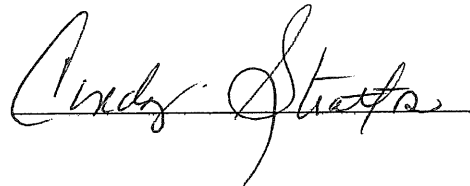


Exhibit "A"

ELLIOTT & ASSOCIATES, PLLC.

PROFESSIONAL LAND SURVEYING

KENTUCKY ★ WEST VIRGINIA

TENNESSEE ★ OHIO

office: (606) 286-0302 ~ mobile: (606) 316-0856

www.easurveying.com

210 South Sand Ridge ★ Olive Hill, Kentucky 41164



DESCRIPTION

Being a 5.468 acres (more or less) tract of land, situate and lying on Little Sandy River and lying on the north side of East River Road, County of Carter, State of Kentucky and being a portion of the same land conveyed to David McDavid and Kaye McDavid from J. W. McDavid, et al, deed dated February 21, 1984 and filed with the Carter County Clerk's Office in deed book 189, page 231 and is more particularly described by metes and bounds as follows:

Beginning at an iron pin set in the northerly right of way (15') from center of East River Road and in the northerly right of way (15') from center of Peaceful River Lane (unimproved), an iron pin found (1/2") rebar with orange surveyor's cap stamped "LS 3303" bears south 42 degrees 58 minutes 38 seconds west a distance of 706.47', being a common corner to the land owned by David McDavid, et ux (deed book 189, page 231) and a corner to Lot Number 26 of Phase 2 of Peaceful River Village (plat cabinet 1 ~ Sleeve 299);

Leaving the right of way of East River Road and running with the northerly right o a way of Peaceful River Lane the following (4) calls:

1. Thence with a curve turning to the right with an arc length of 35.32', with a radius of 20.55', with a chord bearing of S 86°38'27" W, with a chord length of 31.13', to an iron pin set;
2. Thence N 44°17'34" W a distance of 254.17' to an iron pin set;
3. Thence with a curve turning to the left with an arc length of 93.03', with a radius of 165.00', with a chord bearing of N 58°36'46" W, with a chord length of 91.80', to an iron pin set;
4. Thence N 81°44'46" W a distance of 42.05' to an iron pin set
5. Thence S 85°54'12" W a distance of 87.58' to an iron pin set in the northerly right of way (15' from center) of an unnamed and unimproved roadway;

Leaving the right of way of Peaceful River Lane and running with the northerly right of way of unnamed and unimproved roadway the following (5) calls:

1. Thence with a curve turning to the right with an arc length of 9.52', with a radius of 20.00', with a chord bearing of N 80°27'22" W, with a chord length of 9.43', to an iron pin set;
2. Thence N 66°48'55" W a distance of 270.10' to an iron pin set;

3. Thence N 60°34'39" W a distance of 93.60' to an iron pin set;
4. Thence N 55°09'51" W a distance of 211.94' to an iron pin set;
5. Thence N 55°09'51" W a distance of 72.64' to a point at the low water mark of Little Sandy River;

Leaving the northerly right of way of unnamed and unimproved roadway and running with the low water mark of Little Sandy River the following (8) calls:

1. Thence N 66°20'25" E a distance of 117.89';
2. Thence S 83°43'38" E a distance of 188.24';
3. Thence S 77°04'30" E a distance of 278.34', an iron pin set bears south 18 degrees 24 minutes 47 seconds west a distance of 30.00';
4. Thence S 62°14'15" E a distance of 294.80';
5. Thence S 54°58'26" E a distance of 208.97';
6. Thence S 67°38'05" E a distance of 77.04';
7. Thence S 84°37'47" E a distance of 65.36';
8. Thence N 75°13'21" E a distance of 16.94';

Thence leaving the low water mark of Little Sandy River and with a severance line through the land owned by David McDavid, et ux (deed book 189, page 231) S 28°10'09" E a distance of 22.78' to an iron pin set;

Thence S 28°10'09" E a distance of 48.87' to an iron pin set in the northerly right of way of East River Road, being (15' from the center);

Running with the northerly right of way of East River Road the following (2) calls;

1. Thence S 52°45'43" W a distance of 159.61';
2. Thence with a curve turning to the left with an arc length of 91.99', with a radius of 686.12', with a chord bearing of S 48°50'41" W, with a chord length of 91.92', to an iron pin set, which is the point of beginning and containing 5.468 acres, more or less.

All iron pin sets are 5/8" rebar 24" long with surveyor's cap stamped "E. Elliott KY, PLS 3760"

Reference Meridian Basis: Kentucky North Zone State Plane Coordinate System

Completion Date of Boundary Survey: 01/05/2013

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 Boundary Survey portion of David McDavid, et ux Property", situate and lying on Little Sandy River and lying on the north side of East River Road, County of Carter, State of Kentucky, dated January 5, 2013 by Elliott and Associates, PLLC, Professional Land Surveying, Edison Elliott, Professional Land Surveyor, No. 3760.



Edison Elliott
01-05-2013

ELLIOTT & ASSOCIATES, PLLC.

PROFESSIONAL LAND SURVEYING

KENTUCKY ★ WEST VIRGINIA

TENNESSEE ★ OHIO

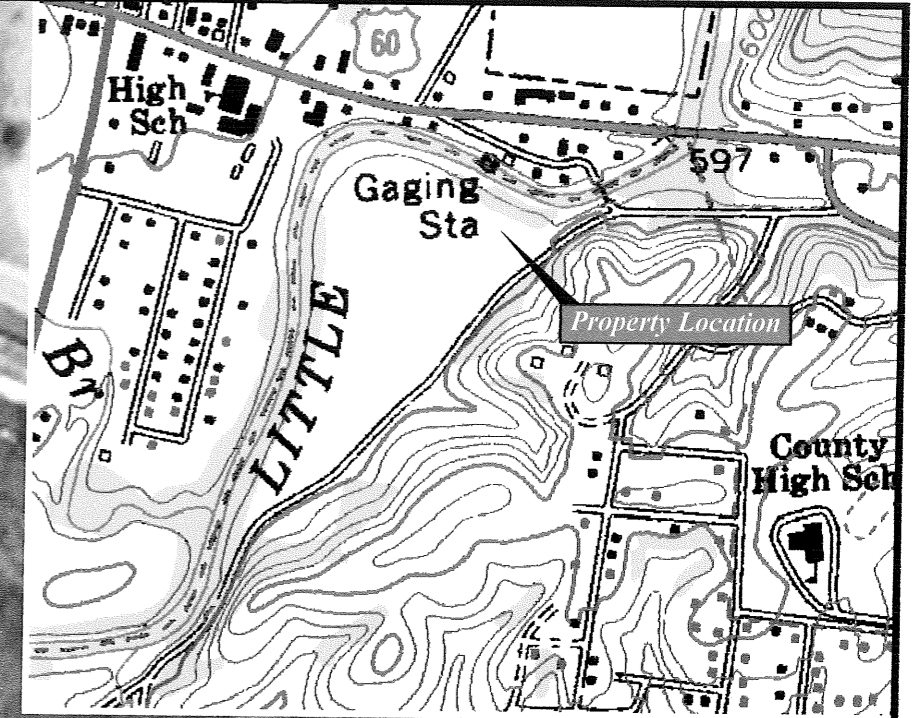
office: (606) 286-0302 ~ mobile: (606) 316-0856

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210 South Sand Ridge ★ Olive Hill, Kentucky 41164

~ Plat of Boundary Survey - portion of ~
DAVID C. MCDAVID, et ux
Property

Situate and lying on Little Sandy River and lying on the north side
of East River Road, County of Carter, State of Kentucky



7.5' USGS Grayson Quadrangle (n.t.s.)

Exhibit "B"



GENERAL NOTES:

1. THIS PLAT REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN AND COMPLIES WITH 201 KAR 18-150.
2. RECORD SOURCE OF TRACT SURVEYED:
BEING A PORTION OF LAND CONVEYED TO DAVID C. MCDAVID AND KAYE MCDAVID FROM J.W. MCDAVID, ET AL., DEED DATED FEBRUARY 21, 1984 AND FILED WITH THE CARTER COUNTY CLERK'S OFFICE IN DEED BOOK 189, PAGE 231.
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. COMPLETION DATE OF BOUNDARY SURVEY: 1/05/2013 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. REFERENCE MERIDIAN BASIS: KENTUCKY NORTH ZONE STATE PLANE COORDINATE SYSTEM
10. GENERAL MAP SYMBOLS AND LEGENDS:

- IRON PIN SET ~ 5/8" x 24" REBAR WITH SURVEYOR'S CAP MARKED "E. ELLIOTT KY P.L.S. 3760"
- POINT (NO MONUMENT SET) AT LOW WATER MARK
- POINT (NO MONUMENT SET) IN ROADWAY RIGHT OF WAY
- p.o.b. POINT OF BEGINNING
- G — 6" GAS MAIN
- BOUNDARY LINE
- - - TRACT/DEED LINE

STATE OF KENTUCKY
EDISON ELLIOTT
3760
LICENSED PROFESSIONAL LAND SURVEYOR

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: 22,436 AND WAS NOT ADJUSTED. THE SURVEY SHOWN HEREON IS A URBAN CLASS SURVEY.

Edison Elliott
EDISON ELLIOTT P.L.S. NO. 3760 1/05/2013 (DATE SIGNED)

