

CITY OF GRAYSON

302 East Main Street
Grayson, Kentucky 41143

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

www.graysonky.net

October 15th, 2014

RECEIVED AND FILED
DATE October 22, 2014

Kandie Adkinson
Office of Secretary of State
Capital Annex
Suite T40
702 Capital Ave
Frankfort, KY 40601

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

RE: **City Boundary Correction**
East River Road/Rolling Hills

Dear Kandie,

The City of Grayson Council approved Resolution 06-2014 on October 14th, 2014 to correct the city boundary issue on East River Road and a portion of Rolling Hills. I wish to file the following documents:

1. Resolution 06-2014 with an **attached** City Clerk Letter of Certificate
2. Legal Description of the property
3. Arial map provided by Surveyor Edison Elliott
4. Exhibits 1, 2, 3
5. A copy of the 1980 November General Election vote tabulation showing the annexation was voted down. **134 votes no 21 votes yes**

If you have any concerns or comments, please do not hesitate to contact me at (606) 474-6651.

Sincerely


Cindy Stratton
City Clerk

CITY OF GRAYSON

302 East Main Street
Grayson, Kentucky 41143

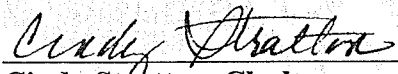
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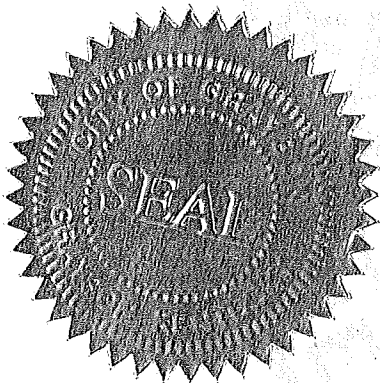
CERTIFICATION OF CLERK

I certify that I am the duly qualified Clerk of the City of Grayson, Kentucky, and the following pages of the **Resolution 06-2014** dated October 14 2014, is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on October 14th, 2014, all as appears in the official records of said City.

WITNESS, my hand and the Seal of the City, this 15th day of October , 2014.



Cindy Stratton, Clerk
City of Grayson



RECEIVED AND FILED
DATE October 22, 2014

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

RESOLUTION NO. 06-2014

**RESOLUTION CLARIFYING ORIGINAL KRS 81.045 FILINGS AND ADOPTING A
MODERN LEGAL DISCRPTION OF TERRITORY PREVIOUSLY
ANNEXED BY ORDINANCE**

Whereas, the City of Grayson, Kentucky (hereinafter, referred to as the “City”) submitted a boundary statement and other relevant information in compliance with KRS 81.045, which included: (1) a copy of an Ordinance titled, “Ordinance Annexing Additional Territory to the Corporate Limits of the City of Grayson, Kentucky Known as Green Acres Subdivision” which was enacted December 6, 1966, and a copy thereof is attached hereto as Exhibit 1; (2) a copy of an untitled Ordinance which was adopted July 11, 1957, and a copy thereof is attached hereto as Exhibit 2; and (3) a survey map dated 1977 in which a copy thereof is attached hereto as Exhibit 3. Each item attached hereto as Exhibits 1 through 3, reflect that a portion of the corporate boundary of the City was extended to and along the course of the Little Sandy River for a distance, upon adoption of the Ordinances attached as Exhibit 1 and 2 hereto;

Whereas, the Commonwealth of Kentucky, Office of Secretary of State, Land Use Division had it in its possession boundary statement information submitted by the City, including the items attached as Exhibits 1 through 3 hereto, when the Commonwealth of Kentucky, Office of Secretary of State, Land Use Division prepared its official map regarding the location of the corporate boundaries of the City;

Whereas, the Commonwealth of Kentucky, Office of Secretary of State, Land Use Division, in error, inadvertently included into its official map of the City, certain territory which was not annexed into the City which caused it to appear that a portion of the boundary of the City extended south of the Little Sandy River when it did not, which resulted in an area of

territory consisting of approximately 76.737 acres to be erroneously designated as within the boundaries of the City;

Whereas, the City, in an effort to correct the Commonwealth of Kentucky, Office of Secretary of State, Land Use Division's official map, caused a modern and accurate legal description and survey map to be prepared by a Professional Land Surveyor, Edison Elliott, No. 3760, which identifies and depicts the actual boundary of the City based upon information previously submitted, including the items attached as Exhibits 1 through 3 hereto, so that the official map prepared by the Commonwealth of Kentucky, Office of Secretary of State, Land Use Division may be clarified, corrected and updated; and

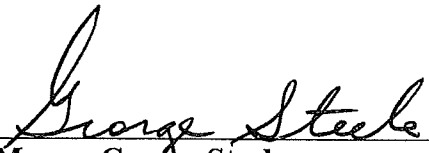
Whereas, the City does not intend hereby to replace its prior annexation Ordinances, but rather, to clarify the location of the boundaries of the City as previously annexed, and to adopt a modern legal description of the boundary of the territory previously annexed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF GRAYSON, KENTUCKY, as follows:

1. The above recitals are restated herein and made a part of this Resolution. Each Exhibit attached hereto is incorporated by reference and made a part of this Resolution as if set forth at length herein.
2. The City hereby adopts the legal description and survey map prepared by Professional Land Surveyor, Edison Elliott, No. 3760, attached collectively hereto as Exhibit 4, as a modern description of the location of the boundary of the City limits as created and established through annexation of territory into the corporate city limits by operation of City Ordinance titled, "Ordinance Annexing Additional Territory to the Corporate

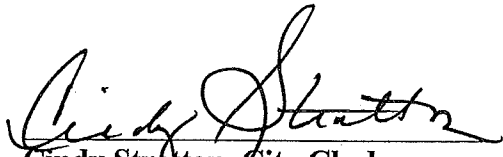
Limits of the City of Grayson, Kentucky Known as Green Acres Subdivision”, attached hereto as Exhibit 1, and the untitled Ordinance adopted by the City on July 11, 1957, attached hereto as Exhibit 2.

3. This Resolution and the attached documents shall be filed with the Commonwealth of Kentucky, Secretary of State to correct and update the map of the City’s boundaries.



Mayor, George Steele

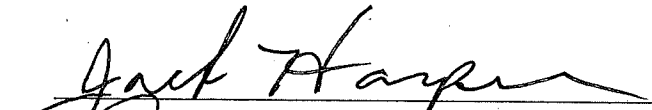
Attest:

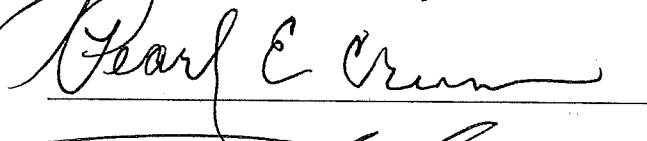


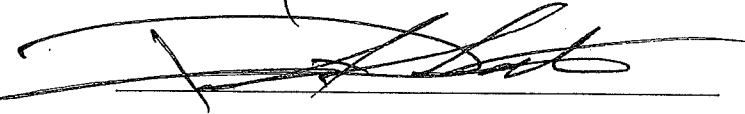
Cindy Stratton, City Clerk











October 14, 2014

ELLIOTT & ASSOCIATES, PLLC.

PROFESSIONAL LAND SURVEYING

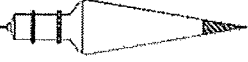
KENTUCKY ★ WEST VIRGINIA

TENNESSEE ★ OHIO

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

www.easysurveying.com

210 South Sand Ridge ★ Olive Hill, Kentucky 41164



DESCRIPTION

Beginning at a point in the center of Little Sandy River (North Zone Kentucky State Plane Coordinate N: 304750.99621, E: 2017082.76168), being a point in the existing city boundary of Grayson, Kentucky (see ordinance number KRS 81.045 for further reference) and also being a corner to city boundary of Grayson, Kentucky per Kentucky Secretary of State Map;

Leaving the existing city boundary of Grayson, Kentucky and Little Sandy River and running with the city boundary per Kentucky Secretary of State Map the following (2) calls:

1. Thence S 08°22'01" W a distance of 2062.69' to a point (no monument set), (North Zone Kentucky State Plane Coordinate N: 302710.25757, E: 2016782.61821);
2. Thence N 83°45'13" W a distance of 1783.46' to a point in the center of Little Sandy River, also being a point in the existing city boundary of Grayson, Kentucky;

Leaving the boundary per Secretary of Kentucky and running with the center of Little Sandy River and the existing city boundary of Grayson, Kentucky the following (20) calls:

1. Thence N 15°08'42" E a distance of 161.90';
2. Thence N 25°23'49" E a distance of 666.85';
3. Thence N 21°19'31" E a distance of 179.03';
4. Thence N 15°01'28" E a distance of 202.10';
5. Thence N 07°56'18" E a distance of 194.69';
6. Thence N 00°23'19" W a distance of 332.31';
7. Thence N 09°03'14" E a distance of 195.63';
8. Thence N 22°00'59" E a distance of 141.77';
9. Thence N 43°36'11" E a distance of 145.97';
10. Thence N 65°55'11" E a distance of 120.57';
11. Thence N 85°29'25" E a distance of 110.42';
12. Thence S 71°42'38" E a distance of 135.25';
13. Thence S 83°20'48" E a distance of 98.26';
14. Thence S 87°40'44" E a distance of 55.27';
15. Thence S 72°26'51" E a distance of 134.03';
16. Thence S 59°57'08" E a distance of 274.73';
17. Thence S 62°32'29" E a distance of 135.63';
18. Thence S 62°32'29" E a distance of 96.85';

19. Thence S 86°32'41" E a distance of 172.62';
20. Thence N 69°31'18" E a distance of 184.03' to a point in the city boundary of Grayson, Kentucky per Kentucky Secretary of State Map, which is the point of beginning and containing 76.737 acres.

Reference Meridian Basis: Kentucky North Zone State Plane Coordinate System

Completion Date of Boundary Survey: 01/10/2013

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 "Drawing of Partial Boundary of Existing City Boundary of Grayson, Kentucky", Lying on Little Sandy River and Jane Lane, off Woodmill Lane and East River Road, County of Carter, State of Kentucky, dated January 10, 2013 by Elliott and Associates, PLLC, Professional Land Surveying, Edison Elliott, Professional Land Surveyor, No. 3760.



Edison Elliott

01-10-2013

#11
Exhibit 1

*West of
area to be
removed*

ORDINANCE ANNEXING ADDITIONAL
TERRITORY TO THE CORPORATE
LIMITS TO THE CITY OF GRAYSON,
KENTUCKY, KNOWN AS THE GREEN
ACRES SUBDIVISION

THE CITY COUNCIL OF THE CITY OF GRAYSON, KENTUCKY, DOES ORDAIN
AS FOLLOWS:

WHEREAS, the City Council of the City of Grayson, Kentucky,
at its regular meeting, October, 1966, making an ordinance proposing
to annex certain additional territory to the corporate limits to
the City of Grayson, Kentucky, and,

WHEREAS, said ordinance was duly published in the Journal-
Enquirer, a newspaper of general circulation, published in the
City of Grayson, Kentucky, as required by law, and,

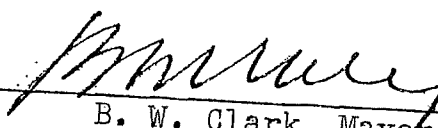
WHEREAS, no action has been filed in the Carter Circuit
Court protesting the annexation of said territory;

NOW THEREFORE, pursuant to the provisions of KRS 81.230,
the City Council of the City of Grayson, Kentucky, does ordain
that the following described unincorporated territory be annexed
to the City of Grayson, Kentucky, said territory lying South and
East of the present City boundary and more particularly described
as follows:

BEGINNING at the cattle guard at the former railroad
right-of-way of the Eastern Kentucky Railroad as shown on the plat;
thence, North 85° East 1,287 feet, passing through the property of
Bagby Lumber Company, Bott's Heirs, Pete Brown, Prichard High School
and Earl McGuire to a Locust post on the banks of the Little Sandy

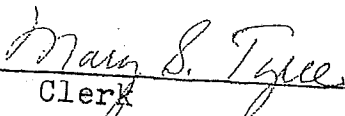
East McQuire's property 90 feet, to the center of U. S. 60 (Main Street) thence, with the center line of U. S. 60 South 70° 30' East 400 feet; thence South 81° East 1,280 feet to the center of concrete bridge over Little Sandy River; thence, upstream with the center West 650 feet; thence, South 24° West 1,000 feet to the confluence of Town Branch and Little Sandy River; thence, up Town Branch South 84° West 725 feet; thence, North 14° East 1,000 feet; thence, North 77° West 380 feet to a stake of the center of the Old Railroad Right-of-way about 50 feet above culvert; thence, North 21° East 907.5 feet with old Railroad to place of beginning, containing 48.36 acres.

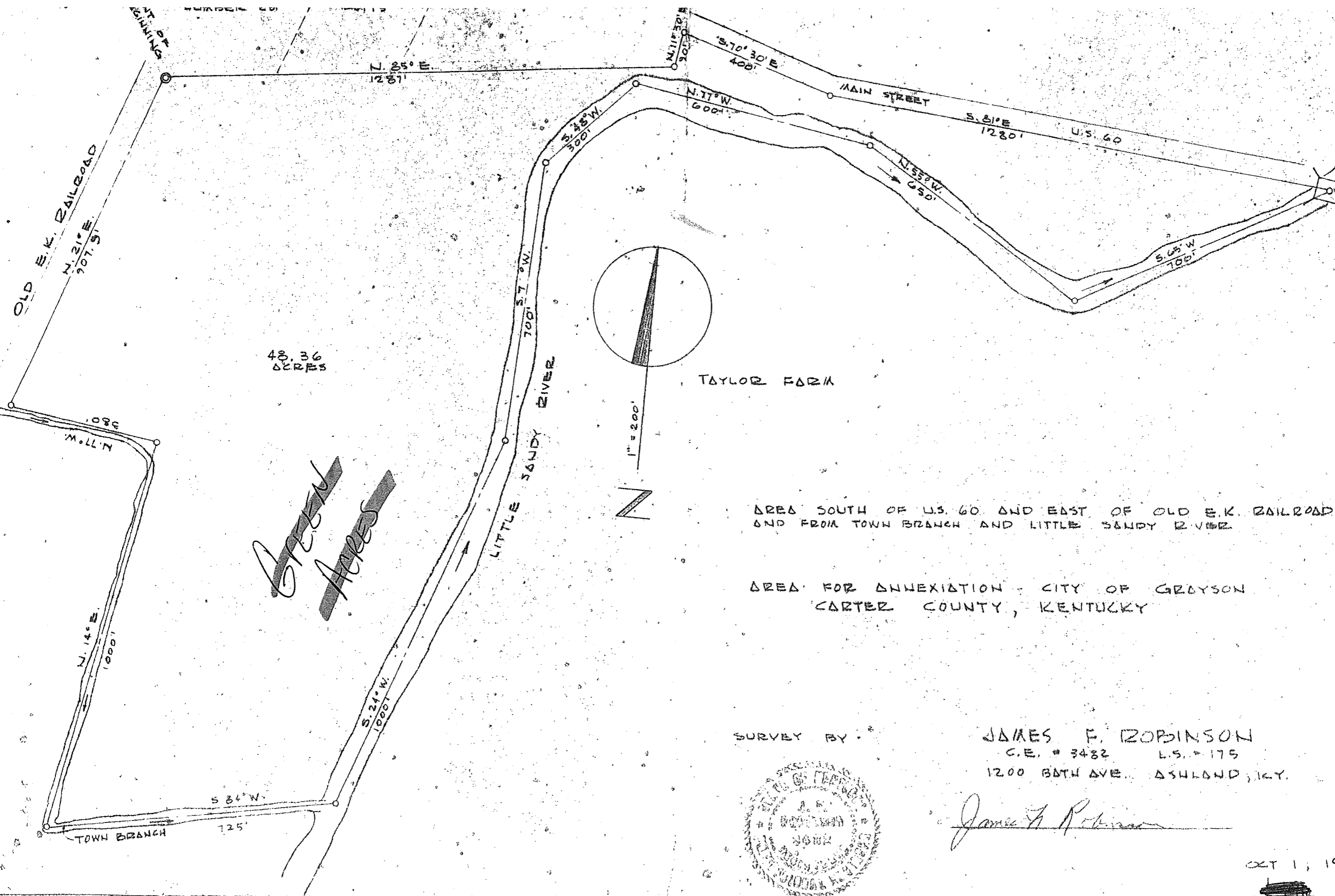
Published
October 13, 1966
October 21, 1966
October 27, 1966


B. W. Clark, Mayor

Final vote December 6, 1966

Attest:


Clerk



*GREEN
ACRES*

TAYLOR FARM

AREA SOUTH OF U.S. 60 AND EAST OF OLD E.K. RAILROAD
AND FROM TOWN BRANCH AND LITTLE SANDY RIVER.

AREA FOR ANNEXATION - CITY OF GRAYSON
CARTER COUNTY, KENTUCKY

SURVEY BY

JAMES F. ROBINSON
C.E. # 3482 L.S. # 175
1200 BATH AVE. ASHLAND, KY.



James F. Robinson

OCT 1, 1964

Exhibit 2

Main St. to
River
above Green
Acres

ORDINANCE

WHEREAS certain property owners adjoining and adjacent to the City of Grayson, Ky., have asked that their property be annexed to the City of Grayson, Kentucky, a city of the fifth class, and,

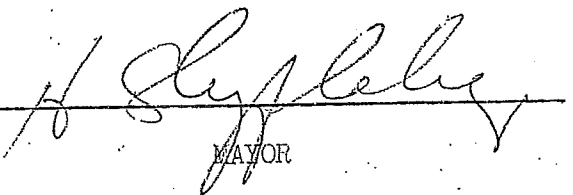
WHEREAS the City Council of the City of Grayson deem it desirable to annex said territory to the said City of Grayson, BE IT ORDAINED BY THE CITY OF COUNCIL OF THE CITY OF GRAYSON, KY.

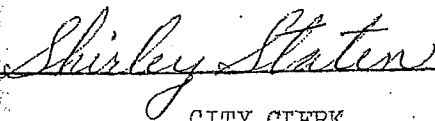
SECTION I.*- That the following described lands adjoining or touching the limits of the City of Grayson, Kentucky are hereby added to, taken into, and annexed to the City of Grayson, to wit:

BEGINNING at a point in the present City boundary in the rear of the house occupied by E. R. Mc Guire and running east with the low watermark of Little Sandy River to the west end of the bridge crossing Little Sandy River on New U.S. Highway No. 60 east of Grayson; thence a northerly direction across U.S. Highway #60 to the North east corner of Ralph Woods property thence North with Woods line 110 feet to Woods North East corner; thence due west to a point the present city Limits at George Waggoner property.

SECTION 2- That this ordinance shall be published in four weekly issues of the Journal-Enquirer, a weekly newspaper published in the City of Grayson, Ky., and shall take effect and in force from and after its passage and publication as aforesaid.

Passed by the City Council of the City of Grayson, Ky., this 11 day of July 1957.


MAYOR


CITY CLERK

EDISON ELLIOTT, PLS
PROFESSIONAL LAND SURVEYOR
 KENTUCKY ★ WEST VIRGINIA
 TENNESSEE ★ OHIO
 mobile: (606) 316-0856
 edison@easurveying.com
 210 South Sand Ridge ★ Olive Hill, Kentucky 41164

Plat of Boundary Survey, Division of W
DAVID C. MCDAVID, ET AL
 Property

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



LOT 17
 Peaceful River Village
 Plat Cabinet 1 ~ Sleeve 296 B
 Plat Cabinet 1 ~ Sleeve 299

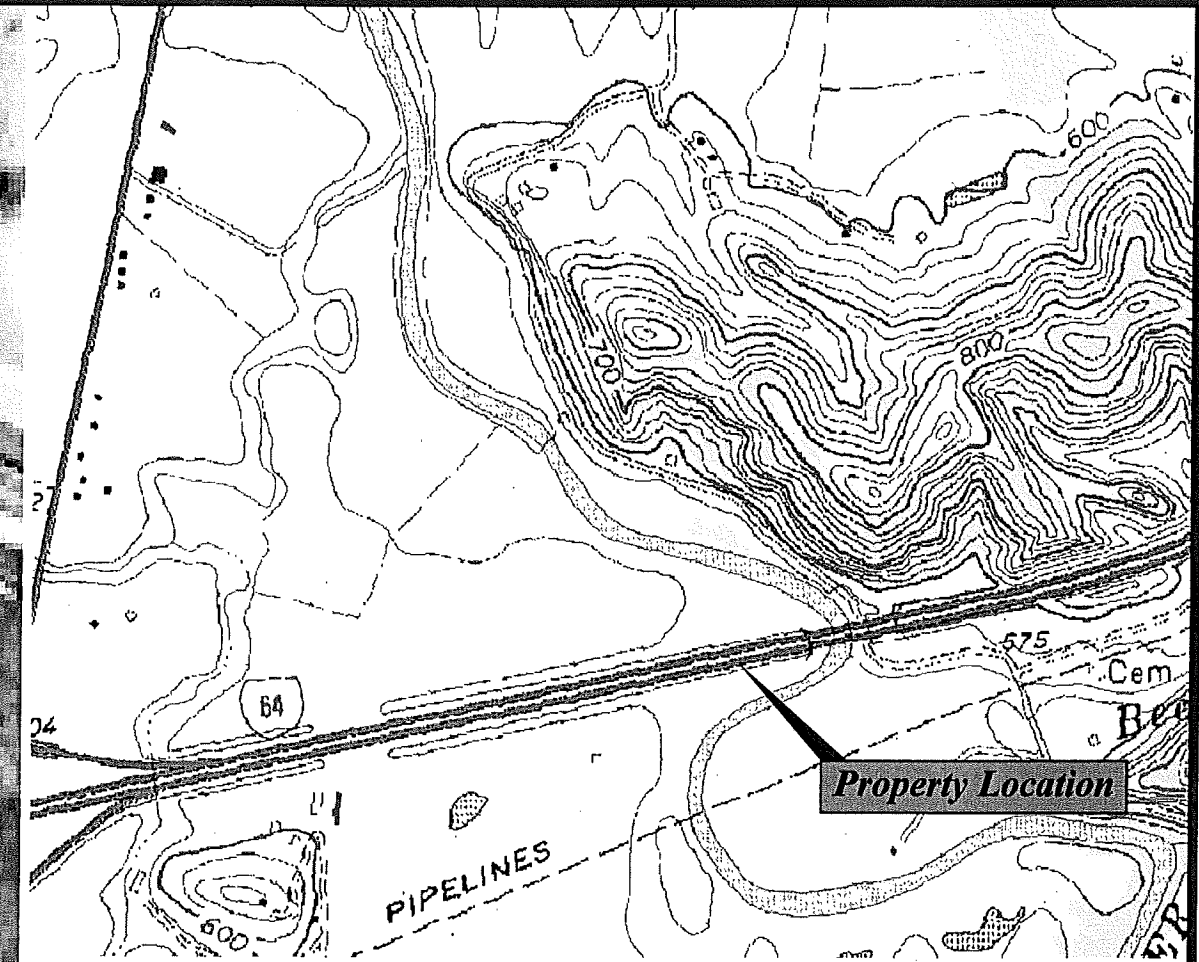
GENERAL NOTES:

1. THIS PLAT REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN AND COMPLIES WITH 301 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.

Plan of Boundary Survey Division 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.)



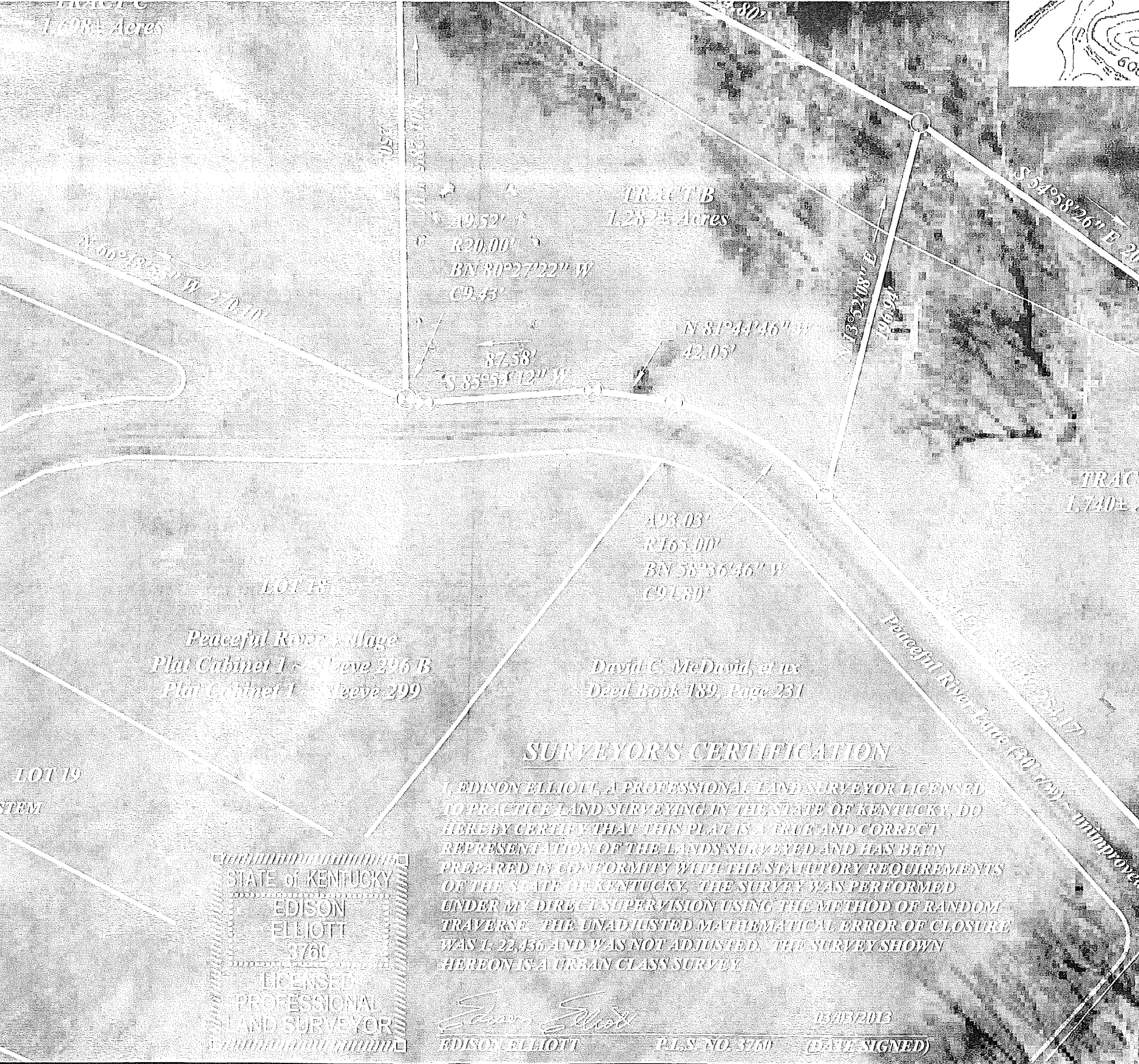
OWN
DAVID C. MCDAVID
FILED WITH THE
Y 41143
PRESSION
VEY AND DOES
IMPLIED.

LOT 17
 Peaceful River Village
 Plat Cabinet 1 ~ Sleeve 296 B
 Plat Cabinet 1 ~ Sleeve 299

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5. COMPLETION DATE OF BOUNDARY SURVEY: 1/05/2013 FINAL 03/03/2013 REVISED
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 TERMS:

- ⊙ IRON PIN SET ~ 5/8" x 2 1/2" REBAR WITH SURVEYOR'S CAP MARKED "E. ELLIOTT KY P.L.S. 3760"
- POINT (NO MONUMENT) AT LOW WATER MARK
- POINT (NO MONUMENT) IN ROADWAY RIGHT OF WAY
- p.o.b. POINT OF BEGINNING
- G 6" GAS MAIN
- BOUNDARY LINE
- TRACT / DEED LINE



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 1:22,156 AND WAS NOT ADJUSTED. THE SURVEY SHOWN HERON IS A URBAN CLASS SURVEY.

STATE OF KENTUCKY
 EDISON
 ELLIOTT
 3760
 LICENSED
 PROFESSIONAL
 LAND SURVEYOR

Edison Elliott
 EDISON ELLIOTT
 03/03/2013
 P.L.S. NO. 3760 (DATE SIGNED)

This stays in

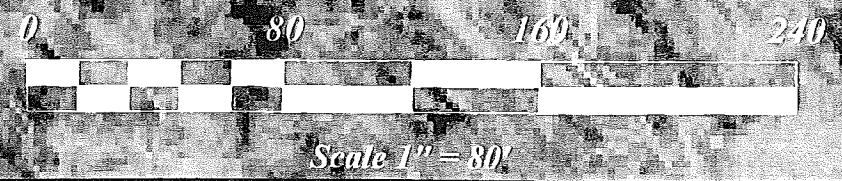


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Edison Elliott
 EDISON ELLIOTT P.L.S. NO. 3760 03/05/2013
 (DATE SIGNED)

STATE OF KENTUCKY
 EDISON ELLIOTT
 3760
 LICENSED PROFESSIONAL LAND SURVEYOR



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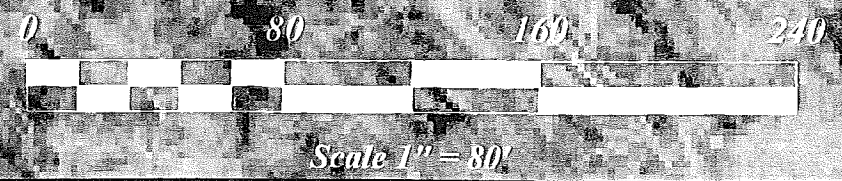


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Edison Elliott
 EDISON ELLIOTT P.L.S. NO. 3760 03/05/2013
 (DATE SIGNED)

STATE OF KENTUCKY
 EDISON ELLIOTT
 3760
 LICENSED PROFESSIONAL LAND SURVEYOR



This stays in