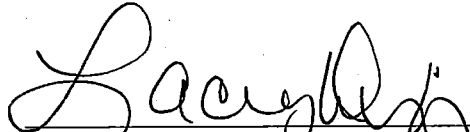


CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Greenup, Kentucky, and the following 3 pages of Ordinance No. 1 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on February 15, 2022, all as appears in the official records of said City.

WITNESS, my hand and (*Seal or the Seal of said City*), this 15 day of February, 2022.



Lacey Dixon, Clerk City of Greenup, Kentucky

(Seal)

RECEIVED AND FILED
DATE March 30, 2022

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Adkins

ORDINANCE NO. 1-2022

AN ORDINANCE ANNEXING UNINCORPORATED TERRITORY ADJOINING THE CITY OF GREENUP, KENTUCKY, LOCATED IN GREENUP COUNTY, KENTUCKY, BY AGREEMENT WITH THE OWNER AND WITH THE OWNER'S PERMISSION, AND BEING MORE PARTICULARLY DESCRIBED BY THE ATTACHED EXHIBIT "A" TO THE ORDINANCE.

WHEREAS, the City of Greenup, Kentucky, has authority pursuant to KRS 81A.400, et seq. to annex unincorporated territory into its city limits; and,

WHEREAS, the owner of certain property which is located in an unincorporated area of Greenup County, Kentucky, said owner being Prasha Real Estate, LLC, has expressed its intent and agreement in writing to allow its property to be annexed into and within the City of Greenup, Kentucky, and the City having found that said property is of an urban character which is suitable for developmental purposes without unreasonable delay; and

WHEREAS, the City of Greenup has determined that no part of the area to be annexed is included in the boundary of another City; and

WHEREAS, the owner of said property has agreed to and acquiesced to the annexation of the real estate in question in writing; and

WHEREAS, all notices required by Kentucky Revised Statutes have been provided and/or published according to law;

NOW, THEREFORE, BE IT ORDAINED by the City of Council of the City of Greenup, Kentucky that the City of Greenup hereby ratifies the Mayor's signature upon and approves any and all documents necessary to effectuate the intent of this ordinance the City hereby annexes the following described unincorporated area and makes it a part of the City of Greenup, Kentucky:

SEE PROPERTY DESCRIPTION ATTACHED AS EXHIBIT "A" AND
INCORPORATED HEREIN BY REFERENCE

This ordinance shall take effect upon its passage, approval, and publication. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed. This property shall be zoned highway commercial.

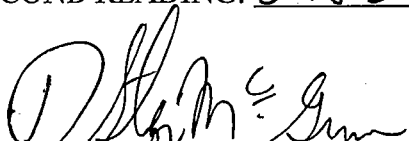

MAYOR, CITY OF GREENUP, KENTUCKY

ATTEST:


CITY CLERK-TREASURER

FIRST READING: 2-8-2022

SECOND READING: 2-15-2022


PREPARED BY:
CITY ATTORNEY, R. STEPHEN MCGINNIS

Annexation Description

Being a survey of the Prasha Real Estate LLC. property, (D.B. 633 PG. 579), Located on U.S. 23 near the City of Greenup, Greenup County, Kentucky.

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 1/2" rebar, twenty-four inches (24") in length, with a surveyor's cap stamped "Howerton, P.L.S. #3582". All bearings stated herein are per Kentucky State Plane North NAD83.

Beginning at a 1/2" iron pin found, (AAK #3662) whose state plane coordinates is N 388644.99 E 2053477.06 and being at U.S. 23 Highway Station 1044+06.81, 110.00' Right. Said iron pin is a common corner to the Adair Holding LLC. property (D.B. 650 PG. 530).

Thence, with the south Right-of-Way line of U.S. 23, bearing S 62-48-35 E a distance of 46.98' to a P.K. Nail and Shiner set.

Thence, along a curve to the RIGHT, having a radius of 7529.440 a length of 112.394, and whose long chord bears S 62-22-56 E a distance of 112.39' to a P.K. Nail and Shiner set. Being a common corner to the Blackhills property (D.B. 483 PG. 460). Whose state plane coordinates is N 388571.42 E 2053618.43.

Thence, leaving said Highway and with the Blackhills property, bearing S 27-15-27 W a distance of 200.00' to a 1/2" iron pin found (AAK #3662). Said iron pin is a common corner to the Adair Holding LLC. Property (D.B. 650 PG. 530).

Thence, with the Adair Holding LLC. Property, bearing N 62-29-59 W a distance of 154.20' to a 1/2" iron pin found (AAK #3662),

Thence, bearing N 27-15-27 E a distance of 195.45' to a P.K. Nail found. Passing a P.K. Nail found on line at a distance of 109.59'.

Thence, bearing N 21-26-06 W a distance of 6.89' to the point of beginning, containing 0.71 Acres.

The above-described parcel is subject, however, to the rights of way and public utility easements, if any, that may be on legal recording covering said premises.

For a more detailed description, see plat #1483 of survey, by: Richard L. Howerton PLS # 3582 of Howerton Engineering & Surveying PLLC in Greenup, KY dated January 19, 2022.

Richard L. Howerton PLS # 3582

Portsmouth

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Portsmouth, OH 45662
P: 740 • 354 • 3684
F: 740 • 354 • 3680

www.howertoneng.com
richard.howerton@howertoneng.com

Greenup

404 Main Street
Greenup, KY 41144
P: 606 • 473 • 5684
F: 606 • 473 • 5682

AN ORDINANCE ANNEXING UNINCORPORATED TERRITORY ADJOINING THE CITY OF GREENUP, KENTUCKY, LOCATED IN GREENUP COUNTY, KENTUCKY, BY AGREEMENT WITH THE OWNER AND WITH THE OWNER'S PERMISSION, AND BEING MORE PARTICULARLY DESCRIBED BY THE ATTACHED EXHIBIT "A" TO THE ORDINANCE.

CERTIFICATION

This is to certify that the above caption and Ordinance is titled as set forth above and has been reviewed by the undersigned, who is an attorney licensed to practice law in the Commonwealth of Kentucky.

R. Stephen McGinnis
 HON. R. STEPHEN MCGINNIS
 PHONE: (606) 473-7303
 WWW.MCGINNISLESLIE.COM

ADOPTED ON THE 15th day of February, 2022, by the City Council of the City of Greenup, Kentucky.

Luke May
 MAYOR, CITY OF GREENUP, KENTUCKY

ATTEST:

Lucy Davis
 CITY CLERK

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For a more detailed description, see plat #1483 of survey, by Richard L. Howerton PLS # 3582 of Howerton Engineering & Surveying PLLC in Greenup, KY dated January 19, 2022.

Richard L. Howerton PLS # 3582

**HOWERTON
ENGINEERING &
SURVEYING PLLC**

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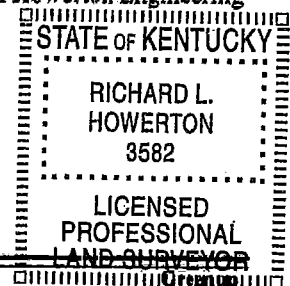
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Richard L. Howerton 2/22/2022

Richard L. Howerton PLS # 3582



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STATION=1044+06.81
 OFFSET=-110.00R
 NORTHING=388644.99
 EASTING=2053477.06

REFER TO CITY OF GREENUP
 ORDINANCE 1, DATED 2022
 FOR THIS ANNEXATION

KENTUCKY DEPARTMENT OF
 HIGHWAYS U.S. 23
 RICHARD L. HOWERTON
 3582
 LICENSED PROFESSIONAL
 LAND SURVEYOR

P.O.B. THIS SURVEY
 IRON PIN FOUND
 (AAK 3662)

GPS CERTIFICATE
 THIS BOUNDARY SURVEY WAS PERFORMED USING GPS EQUIPMENT.
 THE ACCURACY AND PRECISION OF ALL MEASUREMENTS MADE WITH THAT EQUIPMENT MEETS ALL OTHER ACCURACY AND PRECISION STANDARDS REQUIRED OTHERWISE BY LAW OR RULE UNDER SECTION 7(5) OF THE STATUTORY REQUIREMENTS OF THE STATE OF KENTUCKY. TYPE OF GPS EQUIPMENT USED: MANUFACTURER: TOPCON MODEL: HIPERLITE+ SINGLE-DUAL FREQUENCY RECEIVERS WERE USED. TYPE OF SURVEY THAT WAS PERFORMED: STATIC, REAL TIME KINEMATIC (RTK) NETWORK ADJUSTED REAL TIME KINEMATIC. RELATIVE POSITIONAL ACCURACY: 8X: 0.04(M) Y: 0.04(M) VECTOR CLOSURE: N/A HORIZONTAL DATUM: SPCS(160) KY N VERTICAL DATUM: NAVD83 GEOID MODEL: GEOID09

NOTE: SEE PLAT OF SURVEY BY
 HOWELL KNIPP, DATED 06-18-1999

ADAIR HOLDING LLC.
 D.B. 650 PG. 530

P.K. NAIL & SHINER
 FOUND (AAK 3662)

ASPHALT AREA

GAS PUMP CANOPY

GAS STATION
 BUILDING

PRASHA REAL ESTATE LLC
 D.B. 633 PG. 579
 0.71 ACRES THIS SURVEY

BLACKHILLS
 D.B. 483 PG. 460

IRON PIN FOUND
 (AAK 3662)

ADAIR HOLDING LLC
 D.B. 650 PG. 530

BLACKHILLS
 D.B. 483 PG. 460

L=112.394, R=7529.440
 S62° 22' 56" E 112.39'

STATION=1045+67.83
 OFFSET=-110.00R
 NORTHING=388571.42
 EASTING=2053618.43

OWNERS CERTIFICATE
 I do hereby certify that I am the owner of record of the property shown hereon, as recorded in D.B. 633 Pg. 579 in the GREENUP county clerks office, and hereby adopt this survey.

NAME _____ DATE _____

This area of annexation shown is on the Prasha Real Estate LLC, property obtained from a previous survey by the American Datum. The datum shown is based on the American Datum.

Richard L. Howerton
 RICHARD L. HOWERTON

NOTE: SEE THE KENTUCKY DEPARTMENT OF HIGHWAYS FOR THE RIGHT-OF-WAY

GRAPHIC SCALE



(IN FEET)
 1 inch = 30 ft.

PLAT OF ANNEXATION PROPERTY, (D.B. 633 PG. 579) TO THE CITY OF GREENUP

Date: 01-19-22
 Scale: 1"=30'

404-A MAIN STREET
 GREENUP, KENTUCKY

PROJECT NUMBER: 85
 DRAWING NAME: 8506

THIS PLAT REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150.

SURVEYOR CERTIFICATE

In my opinion, 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 direction using the method of random traverse. The unadjusted mathematical error of closure is 1 in 27,500. Direction and distance are based on an unadjusted traverse. This plat of survey is certified for and only for the parties from whom this survey was performed. This certification does not extend to any unnamed successors or assignees of this property. Further, this plat of survey for successors and/or assignees of this property and/or plat requires signature and verification from the parties who performed this survey. The survey file contains KY SURVEYING BOARD RECORDS, and means the certifications as outlined in the minimum standards survey requirements. Survey performed without benefit of title commitment. Surveyor does not certify title.

Certified by: *Richard L. Howerton* Date: 01-19-2022