

# CITY CLERK'S CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Greenup, Kentucky, and the foregoing five (5) pages of Ordinance No. 1-2013 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on January 22, 2013, all as appears in the official records of said City.

WITNESS my hand this 7 day of May 2013.

Jessica Gilliam  
(Signature of City Clerk)

RECEIVED AND FILED  
DATE May 13, 2013  
\_\_\_\_\_  
ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Randie Adams

ORDINANCE NO. 1 - 2013

AN ORDINANCE AMENDING ORDINANCE NO. 22-2012 ANNEXING TO THE CITY OF GREENUP, KENTUCKY, CERTAIN TERRITORIAL LAND CONTIGUOUS TO EXISTING CITY LIMITS OF GREENUP, KENTUCKY

**WHEREAS**, the City Council of Greenup, Kentucky has determined that the hereinafter described territory is urban in character and/or suitable for development for urban purposes by reason of population density and/or commercial and industrial use of the land; and

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

**WHEREAS**, pursuant to KRS 81A.425, notice was sent via first-class mail to each property owner listed on the records of the Greenup County Property Evaluation Administrator as of January 1, 2012; and

**WHEREAS**, said notice was mailed no later than fourteen (14) days prior to the meeting at which the Ordinance proposing annexation and stating the intention of the City of Greenup to annex the territory received at second reading; and

**WHEREAS**, Ordinance No. 18-2012 proposing the annexation was duly read in accordance with the Kentucky Revised Statute and was published and went into effect on the 3<sup>rd</sup> day of May 2012; and

**WHEREAS**, more than sixty (60) days have elapsed since Ordinance No. 18-2012 went into effect and no petition containing signatures of property owners in the area to be annexed has been received by the Mayor pursuant to KRS 81A.420; and

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

**WHEREAS,** Ordinance No. 22 contained an incomplete description of the property being annexed:

**NOW, THEREFORE, BE IT ORDAINED** by the CITY OF GREENUP, KENTUCKY, that the City of Greenup does hereby ratify the Mayor's signature upon and approves all documents necessary to effectuate the intent of this Ordinance and further 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 "1" AND INCORPORATED HEREIN BY REFERENCE.**

That the said territory described by the attached Exhibit 1 shall be annexed to the City of Greenup, Kentucky in the manner provided by the laws of the Commonwealth of Kentucky and the Mayor of the City of Greenup is authorized and directed to cause the advertisement of this Ordinance pursuant to law.

Be it further ordained that the Mayor of the City of Greenup shall cause an accurate map of the annexed area together with the metes and bounds description and including a certified copy of this Ordinance to be recorded in the office of the Greenup County Clerk and in the office of the Secretary of State for the Commonwealth of Kentucky.

Be it further ordained that the annexed property set forth in Exhibit 1 shall be zoned as residential use only consistent with Section 4 of the Ordinance of the City of Greenup, Kentucky, Ordinance No. 1-1987 and all other applicable ordinances.

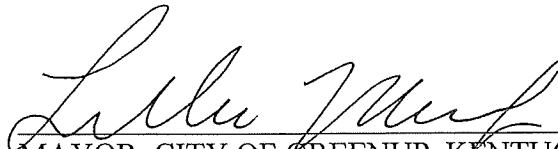
**SECTION 2:** That all in conflict herewith are specifically hereby repealed to the extent of said conflict only.

SECTION 3: That each section and each sentence of this Ordinance is enacted separately and the invalidity and/or unconstitutionality of any one particular sentence and/or section shall not affect the validity and/or constitutionality of any sentence and/or section.

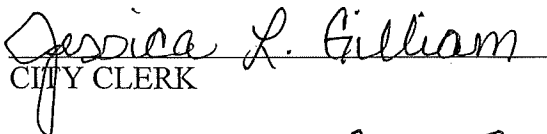
SECTION 4: This Ordinance shall be in full effect from and after its passage, approval and publication according to law.

This Ordinance shall take effect upon its passage, approval and publication. If any section, subsection, sentence, clause 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 said conflicts or by repeal.

  
MAYOR, CITY OF GREENUP, KENTUCKY

ATTEST:

  
CITY CLERK

FIRST READING: 12-27-12

SECOND READING: 1-22-13

Being an Annexation survey of the Pathways Inc. property (D.B. 494 PG. 169) and a part of Dora Lane. Said property to be annexed by the City of Greenup, Located at 57 Dora Lane adjacent to the City of Greenup, Greenup County, Kentucky.

Unless otherwise indicated, any (IPS) iron pin set referred to herein, is a  $\frac{3}{4}$ " diameter rebar 30 inches long with a aluminum cap stamped "CITY OF GREENUP BOUNDARY, PLS 3582".

Beginning at an iron pin set on the existing corporation boundary of the City of Greenup. Said iron pin is on the east line of the Pathways Inc. property and West line of the Roscoe and Beverly Jobe property ( D.B. 293 PG. 101, D.B. 362 PG. 173, D.B. 295 PG. 319, D.B. 334 PG. 382 and D.B. 357 PG. 402) and bears S 41-37-17 W and 14.77' from a 4" Dia. Iron pipe found at the north east corner of said Pathways property. Said reference point having the coordinates of N: 392984.429 and E: 2044538.354.

Thence, with the West line of the Jobe property S 41-37-17 W and 139.54' to an iron pin. Not found in this Retracement Survey.

Thence, S 41-46-05 W and 171.49' to a 5/8" iron pin found (#2750). Said pin is a common corner to the Elmer and Rosemary Click property (D.B. 416 PG. 669).

Thence, with the Click property S 01-41-43 E and 12.07' to a 1/2" iron pin (#2630) found.

Thence, S 49-44-50 W and 75.05' to a 1/2" iron pin (#2630) found.

Thence, S 65-31-17 W and 66.77' to a 1/2" iron pin (#2630) found.

Thence, S 73-09-36 W and 51.68' to a 1/2" iron pin (#2630) found.

Thence, N 80-04-45 W and 35.55' to a 1/2" iron pin (#2630) found.

Thence, N 80-04-45 W and 10.94' to a point not monumented near the east side of Jobe Street.

Thence, N 25-06-42 E and 146.82' to a 1/2" iron pin (#2630) found having the coordinates of N: 392778.930 and E: 2044170.982.

Thence, N 25-06-42 E and 18.49' to a point not monumented.

Thence, N 32-52-33 E and 229.23' to a point not monumented.

Thence, N 14-36-20 W and 44.74' to an iron pin. Not found in this retracement survey. Said iron pin is in the east Right-of-Way line of Dora Lane.

Thence, leaving the Pathways Inc. property and crossing Dora Lane to the west Right-of-Way line

N 12-24-13 W and 36.97' to an iron pin set.

Thence, with the west Right-of-Way line of Dora Lane N 41-49-49 E and 86.52' to an iron pin set on the existing Corporate Boundary of the City of Greenup.

Thence, with the existing Corporate Boundary and crossing over Dora Lane to the east Right-of-Way line S 49-39-19 E and 30.00' to a point not monumented. Said point bears S 41-49-49 W and 19.66' from a 2" Dia. Iron pipe found at the North West corner of said Pathways property.

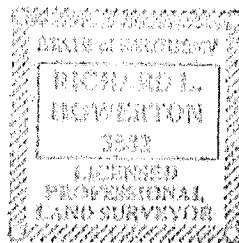
Thence, continuing with the Corporate Boundary S 49-39-19 E and 215.08' to the P.O.B.  
Containing 1.83 acres from Pathways property and 0.07 acres of Dora Lane for a total of 1.90 acres.

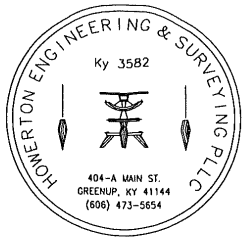
North Reference for this survey is Kentucky State Plane North Zone, NAD 1983.

For a more detailed description, see plat #1283 of survey, by: Richard L. Howerton PLS # 3582 of Howerton Engineering & Surveying PLLC in Greenup, Kentucky. Dated February 8, 2012.

*Richard Howerton* 2/8/12

Richard L. Howerton PLS # 3582





**\*SURVEYOR CERTIFICATE\***

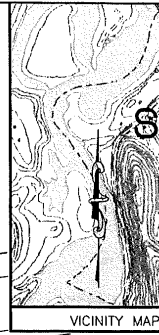
In my opinion, this plat is a true and correct representation of the lands surveyed and has been prepared in conformity with the statutory requirements of the state of Kentucky. The survey was performed under my direction using the method of random traverse. The unadjusted mathematical error of closure was one in 40,000 or better. The bearings and distances have been adjusted for closure.

This plat of survey is certified for and only for the parties whom this survey was performed. This certification does not extend to any unnamed successor or assignees of this property. Further certification of survey for successors and/or assignees of this property and/or plot requires signature and verification from the parties who performed this survey. The survey herein is a URBAN survey, and meets the specifications as outlined in the minimum standards survey requirements.

Name of Parties: CITY OF GREENUP Certified by: Richard A. Howerton Date: 2-08-12

POWER POLE #1072-F-5697  
 15.30' AS PER A PREVIOUS SURVEY BY RICHARD A. HOWERTON OF THE CORPORATION BOUNDARY DATED MAY 05 1988

AREA IS 2,931 Sq. Ft. 0.07 ACRES



REFER TO CITY OF GREENUP ORDINANCE \_\_\_\_\_, DATED \_\_\_\_\_

PAUL E. WORTHINGTON  
 D.B. 326 PG. 329

GRID N: 392778.930  
 GRID E: 2044170.982  
 LATITUDE: 38°34'12.268"  
 LONGITUDE: -82°50'15.948"

END OF ASPHALT

N32°52'33"E  
 229.23'

PATHWAYS INC.  
 D.B. 494 PG. 169

AS SURVEYED BY  
 KELVIN BARKER  
 3-27-2002  
 1.83 ACRES

ADJOINERS TRACT  
 BEING ANNEXED



\*SYM

- (I.P.S. LONG OF C)
- (IRON PIN)
- (UTIL)
- ⊕ (POINT)

CITY OF GREENUP

ELLIS PAUL DARN  
 D.B. 248 PG. 74

POINT OF BEGINNING  
 THIS SURVEY

GRID N: 392  
 GRID E: 204  
 LATITUDE: 38°34'12.268"  
 LONGITUDE: -82°50'15.948"

GRA



1

PLAT OF ANNEXATION  
 PATHWAYS INC. P  
 DORA LANE, EN  
 GREENUP, KY

Date: 02-08-12

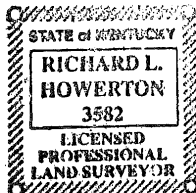
Scale: 1"=50'

404-A MAIN ST.  
 GREENUP, KY

PROJECT NUMBER:  
 DRAWING NAME: 4

SEATON HEIGHTS  
 BOLCK 1  
 P.B.3 PG.3 & 140

1" REBAR FOUND  
 AT ACADEMY HOLLOW



ROScoe & BEVERLY JOBE  
 D.B. 293 PG. 101, D.B. 362 PG. 173,  
 D.B. 295 PG. 319, D.B. 334 PG. 382  
 AND D.B. 357 PG. 402.

NOTE:  
 SEE PLAT OF SURVEY OF THE CORPORATION BOUNDARY OF THE CITY OF GREENUP, BY RICHARD A. HOWERTON DRAWING NUMBER 459 DATED 5-03-1988

**\*GPS CERTIFICATE\***

THE CONTROL of 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 rules under Section 7(5) of the statutory requirements of the State of Kentucky. Type of GPS equipment used: manufacturer: TOPCON, model: HYPERTIME 2, single / dual frequency receivers were used; Type of GPS survey that was performed: static, real time kinematic ("RTK"), network adjusted real time kinematic. Relative positional accuracy: ± 0.008 (M), ± 0.028 (M), vector closure: N/A, Horizontal datum: SPS (1981) KY N, Vertical datum: NAVD83, Geoid model: GEN022