

CERTIFICATION

I certify that I am the duly qualified City Clerk of the City of Jenkins, Kentucky, and the foregoing 2 pages of Ordinance No. 195 with map exhibit is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on September 20, 2004, all as appears in the official records of said City.

Witness my hand and seal this 15 day of December, 2009.

Stephanie Ricketts
CITY CLERK

(SEAL)

RECEIVED AND FILED
DATE *December 30, 2009*

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY *Frankie Adkins*

CITY OF JENKINS
ORDINANCE NO. 195

AN ORDINANCE ANNEXING TERRITORY LOCATED AT
POUND GAP AND NEW HIGHWAY 23 INTO THE CITY OF JENKINS

WHEREAS, the territory annexed, approximately 84.52 acres of land at Pound Gap and New Highway 23 is contiguous to the City of Jenkins and of urban character or suitable for urban development without reasonable delay; and

WHEREAS, on February 2, 2004, the City of Jenkins City Council enacted Ordinance 192 declaring the desirability and the City of Jenkins' intent to annex the below described territory pursuant KRS 81A.420; and,

WHEREAS, the City of Jenkins, pursuant to KRS 81A.420, waited sixty (60) days from the enactment of Ordinance 192, and received no valid petition to place the question of annexation upon a ballot; and,

WHEREAS, the City of Jenkins has not otherwise been challenged in a court of law in proceeding with annexing the below described territory.

NOW, THEREFORE, BE IT ORDAINED by the City of Jenkins, as follows:

1. The territory described below, a map of which is attached to this Ordinance as **Exhibit A** and is fully incorporated into this Ordinance, is hereby annexed into the City of Jenkins.

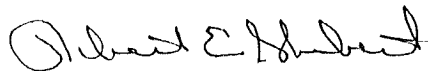
See attached.

2. The provisions of this Ordinance are hereby declared to be severable, and, if any section, phrase or provision shall for any reason, be declared invalid, such declaration of invalidity shall no affect the validity of the remainder of this Ordinance.

3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on February 2, 2004, and given final reading on March 1, 2004, and said Ordinance shall be in full force and effect upon the signature, recordation, and publication in accordance with KRS 81A.060 and KRS Chapter 424.

DATED this 20 day of September, 2004.



Robert E. Shubert, Mayor

DESCRIPTION
Of
PROPOSED AREA OF ANNEXATION
CITY OF JENKINS, KY.

LOCATED, within the Southern boundary of the City of Jenkins, North of U.S. 23 (Jenkins-Virginia State Line Road, NH-APD 23-1 (114), Pound Mountain, Letcher County, Kentucky. When reference is made in this description to a "steel pin", such steel pin is a ½" x 18" steel reinforcement bar with a plastic cap bearing the marking, "LS 1893".

BEGINNING at a steel pin, set on a flat, 850' right of station no. 89+10, witnessed by a 22" "V" blazed hickory N 69° 59' 54" W, 17.42' from said point and a 14" "V" blazed poplar, N 61° 42' 24" E, 15.01' from said pin;
Thence North 86°33'16" East, a distance of 2,391.49 feet to a steel pin, set on a point, witnessed by a 10" "V" blazed hickory, S 01° 54' 42" W, 42.16' from said point and an 18" "V" blazed poplar, S 25° 19' 21" E, 46.53' from said pin;
Thence South 43°49'37" East, a distance of 1,667.26 feet to a "PK" nail (set) on the northwest side of an access road;
Thence South 24° 47' 36" East, a distance of 360.96 feet to a point on the Kentucky-Virginia State Line;
Thence with the Kentucky-Virginia State Line;

S 40° 19' 26" W, a distance of 78.25 feet to an unmonumented point;
S 39° 49' 06" W, a distance of 319.65 feet, crossing U.S. 23 at 97' at U.S. 23 Station No. 51+00 to an unmonumented point;
S 69° 05' 07" W, a distance of 39.70 feet to an unmonumented point;
N 88° 04' 17" W, a distance of 90.01 feet to an unmonumented point;
N 77° 19' 34" W, a distance of 87.37 feet to an unmonumented point;
N 69° 17' 08" W, a distance of 108.84 feet to an unmonumented point;
S 53° 50' 26" W, a distance of 247.49 feet to a Right-Of-Way Monument (ROW) of Highway U.S. 23
Thence leaving the KY-VA State Line and with the Right-Of-Way of Highway U.S. 23

N 74° 42' 51" W, a distance of 185.90 feet to a ROW Monument;
N 31° 47' 00" W, a distance of 240.26 feet to a ROW Monument;
N 22° 15' 20" W, a distance of 455.35 feet to a ROW Monument;
N 21° 05' 38" W, a distance of 118.51 feet to a point on the ROW;
N 12° 27' 24" W, a distance of 91.79 feet to a point on the ROW;
N 74° 01' 02" W, a distance of 129.46 feet to a ROW Monument;
N 63° 51' 47" W, a distance of 512.38 feet to a ROW Monument;
N 83° 25' 59" W, a distance of 202.18 feet to a ROW Monument;

S 74° 58' 25" W, a distance of 685.16 feet to a ROW Monument;
S 36° 23' 16" W, a distance of 456.51 feet to a ROW Monument;
S 66° 34' 49" W, a distance of 447.47 feet to a ROW Monument;
S 83° 47' 49" W, a distance of 155.09 feet to a point on the ROW;
Thence leaving ROW line and across Highway U.S. 23,
N 04° 11' 14" W, a distance of 1,375.53 feet to the **POINT OF BEGINNING**,
containing 84.52 acres or 3,681,782 square feet more or less, as shown on Nesbitt
Engineering, Inc. drawing No. J4498. The unadjusted error of closure for the control
survey was 1:11,000. Bearings are based on the KY. U.S.G.S. State Plane Coordinates
derived by G.P.S. This survey was conducted under the direct supervision of Harold L.
Baldridge, PLS 1893, during the month of November 2003.

ATTEST:

Sherry (Sherry) Puckett
Sherry Puckett

Published in The Mountain Eagle this 29 day of September, 2004.

1st Reading: August 2, 2004

2nd Reading: September 20, 2004

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

To research the map, contact the
Office of Secretary of State
or the County Clerk.