

City Clerk Certification

I certify I am the duly qualified City Clerk of the City of Lancaster, Kentucky, and the foregoing 2 pages of Ordinance 86-\_\_ is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on August 21 1986, but inadvertently unsigned by the Mayor without veto after 10 days by him, all as appears in the official records of said City.

This 4th day of May, 2009:

*Sheri Lane*  
Sheri Lane, City Clerk

RECEIVED AND FILED  
DATE *July 3, 2009*  
\_\_\_\_\_  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY *Kandice Adkins*

AN ORDINANCE RELATING TO THE ANNEXATION OF TWO TRACTS LYING NEXT TO AND CONTIGUOUS WITH THE CITY OF LANCASTER ON U S 27 SOUTH, STANFORD ROAD BELONGING TO LARRY KELLY

WHEREAS The City of Lancaster has received notice from Larry Kelly that he desires his real property to be annexed NOW BE IT ORDAINED BY THE CITY OF LANCASTER, KENTUCKY by the City Council as follows:

SECTION I

That the City of Lancaster hereby states its intention to annex the following described property:

TRACT I: Being near the City of Lancaster on U S 27 South, Stanford Road, Garrard County, Kentucky, and more particularly described as follows:

BEGINNING in the right of way line of U. S. 27 corner to Tract II herein: thence N 07 deg. 43' E 70 feet with U. S. 27 to a steel post; thence with U. S. 27 N 15 deg. 22' E 81.20 feet to a r/w marker; thence with Brickey line S 84 deg. 01' E 136.32 feet to an iron pin in L&N railroad line; thence with the railroad S 09 deg. 02' W 154.5 feet to an iron pin in a stump corner to TRACT No. II; thence with TRACT II N 82 deg. 20' W 144.50 feet to a point of beginning and containing .5 acre more or less according to survey of Joseph B. Curlis, Jr. No. 2292 done 3/29/85.

TRACT II: Lying and being a house and lot located on the outside of the city limits of Lancaster, Kentucky on the Lancaster and Stanford Pike and bounded and described as follows: Beginning at a fence post (same being located in the division fence between this lot and another lot which Harry Anderson sold to Susie W. Hurt, and said post being located in the n.w. corner of the lot herein conveyed): thence from said post S 69 feet along the east edge of Stanford and Lancaster Turnpike to another fence post (this post being in the division fence between the lot herein conveyed and the lot of H. G. Crutchfield and is a corner post); thence from same East to the L&N Railroad Company's right of way and along with the division fence between this lot and the Crutchfield lot; thence running North along and with said right of way the distance of 70 feet to a fence post (said post being in the division fence between this lot and the before mentioned lot, conveyed to said Susie Hurt by Harry Anderson; thence from said post west running along and with the last named division fence to the beginning post.

SECTION II

That the above property lies contiguous and next to the existing boundary of the City of Lancaster and that it is presently served by all city services.

SECTION III

That it is desirable to annex this unincorporated property into the City of Lancaster.

SECTION IV

That the owner of record of the property, Mr. Larry Kelly, of Dogwood Drive, Lancaster, Kentucky has expressed his desire that this property be annexed.

SECTION V

That Mr. Kelly has expressed his desire that this property be annexed as an HC "Highway Commercial" Zone and is hereby ordered that the Planning Commission of this City hold a public hearing and give its recommendation as to this zone.

SECTION VI

That prior to a final annexation ordinance, annexing the above described property finally into the city, being passed and published that the above property be serviced with water, sewer, and all other city services as if already within the city limits of the City of Lancaster.

SECTION VII

That as soon as the Planning Commission has made its recommendation that a final ordinance of annexation be passed by the City of Lancaster.

PASSED AND ORDERED PUBLISHED THIS 21st day of August, 1986.

\_\_\_\_\_  
Billy C. Moss, Mayor

Attest:

\_\_\_\_\_  
Clerk

Published this \_\_\_\_ day of August, 1986

DATE July 3, 2009

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandice Adkins

RESOLUTION 2009-12

A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE

WHEREAS, the City of Lancaster has enacted numerous ordinances annexing property into the corporate limits of the City of Lancaster; and

WHEREAS, each individual annexation contains a prior survey oft prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, the City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, KENTUCKY:

SECTION 1: That the City Council of the City of Lancaster hereby adopts the following legal description Exhibit "1", and a plat Exhibit "2" attached hereto as prepared by Lindon Estes Licensed Professional Land Surveyor No. 1880 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Lancaster by Ordinance 86-\_\_\_ dated August 21, 1986, a copy of which is attached hereto as Exhibit "3", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2: That the original ordinance was inadvertently unsigned by the Mayor of Lancaster on August 21, 1986. No veto of the City Council vote was done by the Mayor within 10 days of the vote to annex the property and the current City Council and Mayor have determined this was a clerical mistake that the Lancaster City Council and Mayor now desire to correct in this resolution. The subject property has been part of the City since August 21, 1986 and the current City council and Mayor have, in this resolution, expressed its understanding and desire for the annexation to be effective from August 21, 1986 and wish to correct that clerical error by this resolution.

	Yes	No
Brett Bairerlein	X	
Chris Davis	X	
Jimmy Crutchfield	X	
Emily Whitworth	X	
Brenda Powers	X	
Jesse Wagoner	X	

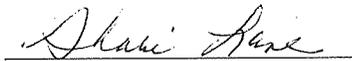
THIS 4 day of May, 2009.



\_\_\_\_\_  
 DON RINTHEN, Mayor  
 City of Lancaster

**CERTIFICATION**

I, SHARI LANE, Clerk of the City of Lancaster do hereby certify that, the above Resolution 2009-12 is a true and correct copy as was presented to the City Council of the City of Lancaster at their regular scheduled meeting dated May 4, 2009. Given under my hand this 4<sup>th</sup> day of May, 2009.

  
 \_\_\_\_\_  
 SHARI LANE, CITY CLERK

LANCASTER ANNEXATION LARRY KELLY PROPERTY

A DESCRIPTION OF THE LARRY KELLY PROPERTY TO BE ANNEXED INTO THE CITY OF LANCASTER LOCATED ON US 27 (STANFORD ROAD) IN THE COUNTY OF GARRARD, STATE OF KENTUCKY AND BOUNDED AS FOLLOWS:

UNLESS STATED OTHERWISE, ANY MONUMENT REFERRED TO HEREIN AS AN IRON PIN SET 4/2009 IS A 5/8" x 24" REBAR WITH A 2" ALUMINUM CAP STAMPED CITY LIMITS LPLS 1880;  
ANY MONUMENT REFERRED TO HEREIN AS AN IRON PIN FOUND IS A 5/8" x 24" REBAR WITH A 2" ALUMINUM CAP STAMPED L.W. ESTES LPLS 1880;

BEGINNING AT AN IRON PIN (SET 4/2009) LOCATED IN THE EAST RIGHT OF WAY OF US 27 (STANFORD ROAD) AND BEING A CORNER TO VIP EXPRESS;

THENCE, ALONG THE EAST RIGHT OF WAY OF US 27 (STANFORD ROAD) (RIGHT OF WAY VARIABLE) FOR THE FOLLOWING CALLS,

N7°39'15"E, A DISTANCE OF 139.00 FEET TO A PAINTED SCRATCH ON CONCRETE;  
N15°22'00"E, A DISTANCE OF 81.20 FEET TO A 1/2" REBAR (FOUND WITH PLASTIC CAP STAMPED D.G. GOOCH PLS 3118), A CORNER TO IRVIN & IRVIN;

THENCE, S83°52'40"E, ALONG THE LINE OF IRVIN AND IRVIN (DB 237-527 PF 4-306) AND ALONG THE EXISTING CITY LIMITS, A DISTANCE OF 136.31 TO A POINT (SAID POINT LOCATED N83°52'40"E, A DISTANCE OF 4.10 FEET FROM A 1" PIPE (FOUND));

THENCE, S9°02'00"W, A DISTANCE OF 221.00 FEET TO AN IRON PIN (FOUND), A CORNER TO VIP EXPRESS LLC,;

THENCE, N83°13'26"W, ALONG THE LINE OF VIP EXPRESS, LLC, A DISTANCE OF 141.86 FEET TO POINT OF BEGINNING.

CONTAINING 0.720 ACRES MORE OR LESS.

ALL BEARINGS ARE REFERRED TO BEARING OF RECORD ALONG US 27 AS SHOWN IN PF 3-261 (N7°39'15"E)

THIS PROPERTY WAS SURVEYED BY LINDON W. ESTES, LPLS 1880 (ESTES ENGINEERING AND SURVEYING, INC.) ON 4/14/2009.



*Lindon W. Estes*  
4-24-09

LANCASTER ANNEXATION LARRY KELLY PROPERTY

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*Lindon W. Estes*  
4-24-09

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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