

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Adkins

ORDINANCE NO. 09-22

AN ORDINANCE OF THE CITY OF LANCASTER, KENTUCKY, ANNEXING 4.889 ACRES OF LAND ADJACENT TO THE CITY LIMITS KNOWN AS THE W.H. GAFFNEY PROPERTY.

WHEREAS, the owners of record of the unincorporated territory described below would like to have annexed to the incorporated area of the City of Lancaster, Kentucky approximately 4.889 acres adjacent to the City Limits, and

WHEREAS, the heirs of the W.H. Gaffney estate, the owners of the land being proposed for annexation has requested annexation at the November 9, 2009 and November 30, 2009 public meetings and memorialized by written agreement.

WHEREAS, the proposed annexation meets the requirement of KRS 81A.410, and the owner of record of such land has consented in writing to the annexation pursuant to KRS 81A.412, and

WHEREAS, it is declared pursuant to KRS 81A.420 that it is desirable to annex this unincorporated territory and the City of Lancaster's zoning board having designated the area as agriculture.

NOW, THEREFORE BE IT ORDAINED, by the City of Lancaster by its City Council that:

SECTION I

Legal description for 4.889 acres to be annexed and zoned agriculture:

Located and being in Lancaster, Garrard County, Kentucky:

Unless stated otherwise, any monument referred to herein as an iron pin set is a 5/8" x 24" rebar with a 2" aluminum cap stamped L.W. Estes LPLS 1880;

BEGINNING at an iron pin(set 10/2009) located at the North West corner of Tract "A", in the line of Crow and the North East most corner of the 11.9' passway easement; thence S78° 38' 10" E, along the line of Crow(DB200-522) and the existing city limits, a distance of 34.37 feet to an iron pin(set 10/2009), corner to Maple Hill Estates, Ltd.; thence along the line of Maple Hill Estates, Ltd.(DB 138-496) and the existing city limits for the following calls, S 77° 17' 46" E, a distance of 80.68 feet to an iron pin(set 10/2009); S 77° 31' 19" E, a distance of 342.51 feet to a 3/8" rebar(found with no cap), a corner to Christian Appalachian Project, Inc.; thence 76° 39' 47" E, along the line of the Christian Appalachian Project, Inc.(DB 134-117) and the existing city limits, a distance of 83.02 feet to a 5/8" rebar(found with plastic cap stamped J.E. Black PLS 1937), a corner to other property of Christian Appalachian Project, Inc.; thence S 76° 55' 32" E, along other property of the Christian Appalachian Project, Inc.(DB 124-

532) and the existing city limits, a distance of 85.77 feet to a 5/8" rebar(found with plastic cap stamped J.E. Black PLS 1937), located in the line of other property of the Christian Appalachian Project, Inc.; thence S 53° 06' 09" W, along other property of the Christian Appalachian Project, Inc.(DB 112-744) and the existing city limits, a distance of 203.50 feet to a 1/2" pipe(found with no cap), a corner to Ray; thence S 53° 12' 01" W, along the line of Ray(DB 147-622) and the existing city limits, a distance of 72.56 feet to a 1/2" pipe(found with no cap), a corner to Vinson and Rigsby; thence S 53° 19' 18" W, along the line of Vinson and Rigsby(DB 228-516) and the existing city limits, a distance of 158.65 feet to a 1/2" pipe(found with no cap), a corner to Masters; thence S 53° 32' 27" W, along line of Masters(DB 253-16), Stevens(DB 134-27), Conley(DB 100-302), Belcher(DB 162-382), and the existing city limits, a distance of 274.58 feet to a 5/8" rebar(found with plastic cap stamped D.G. Gooch PLS 3118), a corner to Asberry; thence S 52° 27' 34" W, along the line of Asberry(DB 252-465) and the existing city limits, a distance of 145.61 feet a wood post(found witness pin set 10/2009 N 48° 23' 56" E, a distance of 0.73 feet), a corner to Layton, Peterson, & Peterson; thence N 61° 03' 13" W, along the line of Layton, Peterson, & Peterson(DB 123-559 PF '1-112'), a distance of 30.73 feet to an iron pin(set 10/2009), a corner to Village Square Limited of Lancaster; thence N 8° 58' 00" E, along the line of Village Square Limited of Lancaster(DB 104-243) and the existing city limits, a distance of 642.36 feet to a point of beginning. Containing 4.889 acres more or less. The above is all of DB 92-59, all bearings are referred to bearing of record along the line of Village Square Limited of Lancaster as shown in DB 104-243(N 8° 58' 00" E). The above was surveyed by Lindon W. Estes, LPLS 1880(Estes Engineering and Surveying, Inc.) on October 2, 2009.

Being the same real property conveyed to W.H. Gaffney by deed from Lewis and Geraldine Layton, dated March 19, 1968 and recorded in Deed Book 92 Page 59, Garrard County Clerk's Office.

SECTION II

The City Clerk shall cause this Ordinance to be published in accordance with the appropriate Kentucky Revised Statutes.

Date of First Reading: November 9, 2009

Motion By: Chris Davis

Seconded By: Brett Bairerlein

Vote:	Yes	No
Brett Bairerlein	x	
Chris Davis	x	
Jimmy Crutchfield	absent	
Emily Whitworth	abstain	
Brenda Powers	abstain	
Jesse Wagoner	absent	
Mayor Rinthen	x	

Date of Second Reading: November 30, 2009

Motion By: Jimmy Crutchfield

Seconded By: Chris Davis

Vote:	Yes	No
Brett Bairerlein	x	
Chris Davis	x	
Jimmy Crutchfield	x	
Emily Whitworth	absent	
Brenda Powers		x
Jesse Wagoner	x	



Mayor Rinthen

Attest this 1 day of December, 2009:


 City Clerk

City Clerk Certification

I certify I am the duly qualified City Clerk of the City of Lancaster, Kentucky, and the foregoing 3 pages of Ordinance No. 09-22 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on November 30, 2009, all as appears in the official records of said City.

This 1 day of December, 2009:


 Sheri Lane, Lancaster City Clerk

ANNEXATION OF TRACT 'A' OF GAFFNEY

A DESCRIPTION OF TRACT 'A' OF GAFFNEY LOCATED 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 IS
A
A 5/8" x 24" REBAR WITH A 2" ALUMINUM CAP STAMPED L.W. ESTES LPLS 1880;

BEGINNING AT AN IRON PIN (SET 10/2009) LOCATED AT THE NORTH WEST CORNER OF
TRACT 'A',
IN THE LINE OF CROW AND THE NORTH EAST MOST CORNER OF THE 11.9' PASSWAY
EASEMENT;

THENCE, S78°38'10"E, ALONG THE LINE OF CROW (DB 200-522) AND THE EXISTING CITY
LIMITS, A DISTANCE OF 34.37 FEET TO AN IRON PIN (SET 10/2009), A CORNER TO MAPLE
HILL ESTATES, LTD.;

THENCE, ALONG THE LINE OF MAPLE HILL ESTATES, LTD. (DB 138-496) AND THE EXISTING
CITY LIMITS

FOR THE FOLLOWING CALLS,

S77°17'46"E, A DISTANCE OF 80.68 FEET TO AN IRON PIN (SET 10/2009);

S77°31'19"E, A DISTANCE OF 342.51 FEET TO A 3/8" REBAR (FOUND W/NO CAP), A
CORNER TO

CHRISTIAN APPALACHIAN PROJECT, INC.;

THENCE, S76°39'47"E, ALONG THE LINE OF THE CHRISTIAN APPALACHIAN PROJECT, INC.
(DB 134-117)

AND THE EXISTING CITY LIMITS, A DISTANCE OF 83.02 FEET TO A 5/8" REBAR (FOUND WITH
PLASTIC CAP STAMPED J.E. BLACK PLS 1937), A CORNER TO OTHER PROPERTY OF
CHRISTIAN APPALACHIAN PROJECT, INC.;

THENCE, S76°55'32"E, ALONG OTHER PROPERTY OF THE CHRISTIAN APPALACHIAN
PROJECT, INC.

(DB 124-532) AND THE EXISTING CITY LIMITS, A DISTANCE OF 85.77 FEET TO A 5/8" REBAR
(FOUND WITH PLASTIC CAP STAMPED J.E. BLACK PLS 1937), LOCATED IN THE LINE OF
OTHER PROPERTY
OF THE CHRISTIAN APPALACHIAN PROJECT, INC.;

THENCE, S53°06'09"W, ALONG OTHER PROPERTY OF THE CHRISTIAN APPALACHIAN
PROJECT, INC.

(DB 112-744) AND THE EXISTING CITY LIMITS, A DISTANCE OF 203.50 FEET TO A 1/2" PIPE
(FOUND
WITH NO CAP), A CORNER TO RAY;

THENCE, S53°12'01"W, ALONG THE LINE OF RAY (DB 147-622) AND THE EXISTING CITY
LIMITS,

A DISTANCE OF 72.56 FEET TO A ½" PIPE (FOUND WITH NO CAP), A CORNER TO VINSON AND RIGSBY;

THENCE, S53°19'18"W, ALONG THE LINE OF VINSON & RIGSBY (DB 228-516) AND THE EXISTING CITY LIMITS, A DISTANCE OF 158.65 FEET TO A ½" PIPE (FOUND WITH NO CAP), A CORNER TO MASTERS;

THENCE, S53°32'27"W, ALONG LINES OF MASTERS (DB 253-16), STEVENS (DB 134-27), CONLEY (100-302), BELCHER (162-382) AND THE EXISTING CITY LIMITS, A DISTANCE OF 274.58 FEET TO A 5/8" REBAR (FOUND WITH PLASTIC CAP STAMPED D.G. GOOCH PLS 3118), A CORNER TO ASBERRY;

THENCE, S52°27'34"W, ALONG THE LINE OF ASBERRY (252-465) AND THE EXISTING CITY LIMITS, A DISTANCE OF 145.61 FEET TO A WOOD POST (FOUND WITNESS PIN SET 10/2009 N48°23'56"E, A DISTANCE OF 0.73 FEET), A CORNER TO LAYTON, PETERSON, & PETERSON;

THENCE, N61°03'13"W, ALONG THE LINE OF LAYTON, PETERSON & PETERSON (DB 123-559 PF '1-112'), A DISTANCE OF 30.73 FEET TO AN IRON PIN (SET 10/2009), A CORNER TO VILLAGE SQUARE LIMITED OF LANCASTER;

THENCE, N8°58'00"E, ALONG THE LINE OF VILLAGE SQUARE LIMITED OF LANCASTER (DB 104-243) AND THE EXISTING CITY LIMITS, A DISTANCE OF 642.36 FEET TO POINT OF BEGINNING.

CONTAINING 4.889 ACRES MORE OR LESS.

THE ABOVE IS ALL OF DB 92-59

ALL BEARINGS ARE REFERRED TO BEARING OF RECORD ALONG THE LINE OF VILLAGE SQUARE LIMITED OF LANCASTER AS SHOWN IN DB 104-243 (N8°58'00"E)

THE ABOVE WAS SURVEYED BY LINDON W. ESTES, LPLS 1880 (ESTES ENGINEERING AND SURVEYING, INC.) ON 10/2/2009

Voluntary Annex Agreement

Comes now the heirs of the W.H. Gaffney estate in Lancaster, Garrard County, Kentucky and hereby request and agree for the City of Lancaster to voluntarily annex approximately 4.889 acres of land adjacent to the City of Lancaster and more particularly described as follows:

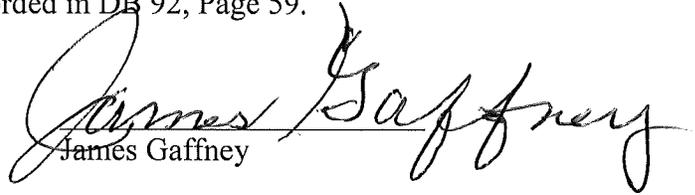
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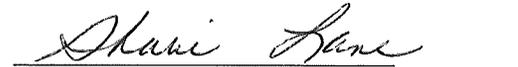
Lancaster as shown in DB 104-243(N 8° 58' 00" E). The above was surveyed by Lindon W. Estes, LPLS 1880(Estes Engineering and Surveying, Inc.) on October 2, 2009.

Being the same property conveyed to W.H. Gaffney from Lewis and Geraldine Layton, by deed dated March 19, 1968 and recorded in DB 92, Page 59.


James Gaffney

State of Kentucky
County of Garrard

Sworn and subscribed to before me by JAMES GAFFNEY, personally known to me, this 31 day of October, 2009.


Notary Public, State at Large
My Commission expires: 3-7-12


DON RINTHEN, Mayor
City of Lancaster
Date: 11-2-09

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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