

ORDINANCE 2019-001

ORDINANCE ANEXING PROPERTY INTO THE CITY OF MILLERSBURG

Whereas, the City Council of the City of Millersburg has determined pursuant to Kentucky law and pursuant to a request from a property owner contiguous to the City of Millersburg that annexation of certain property into the City of Millersburg is appropriate, and

Whereas, the owner of the property in question has given legal consent to the annexation and that all other requirements are met,

THE CITY COUNCIL OF THE CITY OF MILLERSBURG at its regular meeting held on Monday December 10, 2018 makes the following findings of fact consistent with KRS 81A.410:

1. That the property sought to be annexed is adjacent and contiguous to the City's now existing boundaries.

2. The property sought to be annexed by reason of its proposed future use and its location contiguous to the City and further of potential population density, commercial, industrial, institutional or government use of land is suitable for development for urban purposes without unreasonable delay.

FURTHERMORE, THE CITY FINDS that pursuant to KRS81A. 412 each of the owners of the property sought to be annexed have executed a written consent to the annexation and that pursuant to KRS 81. 412 no further notification ordinance or notice requirements contained in KRS Chapter 81A apply to the annexation,

NOW WHEREFORE BE IT ORDAINED BY THE CITY OF MILLERSBURG:

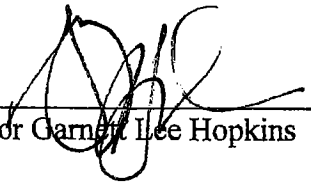
A. That the property described in the attached exhibit shall be annexed into the City of Millersburg and the territory shall become upon the publication of this Ordinance a part of the City of Millersburg.

B. That this ordinance shall take effect upon its passage, execution, and publication as required by law.

Passed on first reading by the City Council on December 10, 2018 and given second and final reading on January 7, 2019.

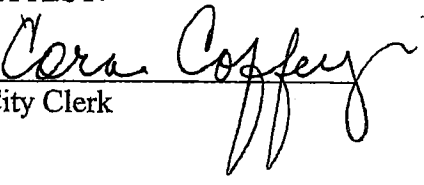
RECEIVED AND FILED
DATE Dec 8, 2022

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



Mayor Garnett Lee Hopkins

ATTEST:



City Clerk

VOLUNTARY CONSENT TO ANNEXATION

TO THE MAYOR AND CITY COUNCIL OF THE
CITY OF MILLERSBURG, KENTUCKY

Comes the undersigned and respectfully represent that I, we, are the owners of certain real estate described in Exhibit A attached hereto.

Further that I, (we) hereby request and consent to annexation into the City of Millersburg, Kentucky the property more fully described in the attached description and map. The property is suitable for urban purposes without unreasonable delay by reason of population density, commercial, industrial, institutional, or governmental use of land, or subdivision of land. The property is adjacent to the City of Millersburg and it is desirable for the undersigned and the City of Millersburg that this property be annexed into the City and, I (we) do hereby waive any objection to a proposed Ordinance annexing said property described in Exhibit A, into the City of Millersburg and that we, in fact, do hereby request and voluntarily consent to said annexation.

Sincerely,

[Handwritten signature]
Neil S. Johnson

STATE OF AL
COUNTY OF HOUSTON

Subscribed, sworn to and acknowledged before me this the 5th day of Feb., 2019 by Terry Ann Dunning.

My commissioner expires: 11-15-2020

[Handwritten signature]
Terry Ann Dunning

NOTARY PUBLIC

All that certain tract or parcel of land, lying and being located in Bourbon County, Kentucky: and situated on the northwest side of Eighth Street and the north and south side of Millersburg Bypass (US 68); and more particularly described as follows:

ANNEXATION AREA (66.500 Acres)

Beginning at an iron pin in the northwest right-of-way of Eighth Street, a corner to Millersburg Cemetery Company (D.B. 55, Pg. 81); said point being located N.59°14'31"E. 1,625.18 feet from a point at the intersection of the east right-of-way of Millersburg Bypass with the northeast bank of Hinkston Creek; thence in part with the said west right-of-way of said Eighth Street and A.J. Saunders (Now or Formerly) S.32°52'36"W. 231.40 feet to a found iron pin, a corner to Murray Equipment & Machine, Inc. (D.B. 295, Pg. 591; P.C. C, Sh. 360); thence with said Murray Equipment and Machine, Inc. for three calls as follows: (1) S.33°52'06"W. 49.50 feet to an iron pin, (2) N.55°49'39"W. 618.06 feet to a found iron pin, and (3) S.34°15'16"W. 571.76 feet to a found iron pin, a corner to Archie Wayne Miles & Darlene Miles (D.B. 231, Pg. 280); thence with said Miles S.31°46'27"W. 338.30 feet to a fence post and S.30°14'14"W. passing an iron pin bearing \perp Witness 3553 \perp at 225.27 feet, in all 289.80 feet to a point on the east bank of Hinkston Creek; thence with said bank of said creek for 12 calls as follows: (1) N.51°47'35"W. 109.67 feet to a point, a corner to Commonwealth of Kentucky (D.B. 296, Pg. 494), (2) N.34°00'04"W. 287.32 feet to a point, a corner to James Edward Johnson & Neil P. Johnson (D.B. 199, Pg. 668), (3) N.36°28'15"W. 328.23 feet to a point, (4) N.41°34'33"W. 202.20 feet to a point, (5) N.34°53'53"W. 232.40 feet to a point, (6) N.32°24'53"W. 96.90 feet to a point, (7) N.08°21'53"W. 125.50 feet to a point, (8) N.23°58'07"E. 129.10 feet to a point, (9) N.39°14'07"E. 575.80 feet to a point, (10) N.24°56'07"E. 153.00 feet to a point, (11) N.05°56'07"E. 559.80 feet to a point, and (12) N.25°49'53"W. 208.10 feet to a point, a corner to Gary D. Seibert & Sondra L. Seibert (D.B. 261, Pg. 273; P.C. C, Sh. 87); thence with said Seibert N.54°26'07"E. passing a found iron pin bearing \perp PLS 2670 \perp at 32.48 feet, in all 328.02 feet to a found iron pin bearing \perp PLS 2670 \perp a corner to Dacelle B. Peckler, Darren W. Peckler, & Deborah A. Peckler (D.B. 252, Pg. 480); thence with said Peckler N.54°26'07"E. 249.03 feet to an iron pin and S.40°55'30"E. 937.09 feet to a found Surveyor Nail, a corner to Commonwealth of Kentucky (Enc.B. 44, Pg. 830); thence with said Commonwealth of Kentucky S.41°05'41"E. 268.99 feet to a found Surveyor Nail, a corner to Dacelle B. Peckler, Darren W. Peckler, & Deborah A. Peckler (D.B. 252, Pg. 480); thence with said Peckler S.41°13'37"E. 206.51 feet to an iron pin, a corner to The Colored Cemetery Company of Millersburg (D.B. 68, Pg. 529); thence with said Colored Cemetery Company of Millersburg for four calls as follows: (1) S.42°34'42"W. 584.36 feet to an iron pin, (2) S.38°53'14"E. 95.91 feet to a mag nail set in a fence post, (3) S.38°12'17"E. 48.21 feet to an iron pin, and (4) S.75°31'51"E. 16.13 feet to an iron pin, a corner to Millersburg Cemetery Company (D.B. 55, Pg. 81); thence with said Millersburg Cemetery Company for three calls as follows: (1) S.53°36'36"E. 256.23 feet to a fence post, (2) S.53°48'36"E. 137.36 feet to a fence post, and (3) S.54°28'36"E. 267.56 feet to the point of beginning containing an area of 66.500 acres more or less, and being subject to any and all easements or right-of-way of record and in existence and in accordance with a survey and plat by Darnell Engineering, Inc. on August 29, 2018.

STATE OF KENTUCKY
COUNTY OF BOURBON

CERTIFICATE

1. I, Clerk of the City of Millersburg, Kentucky and as such custodian of the records of or pertaining to said City, do hereby certify the foregoing to be a true and accurate copy of Ordinance No. 2019-001.

IN TESTIMONY WHEREOF, witness my hand, the Seal of said City this the 30th day of September, 2022.

Signed: Elizabeth Florence
Elizabeth Florence, City Clerk

DARNELL ENGINEERING, INC.

P.O. Box 175
Cynthiana, KY 41031
(859) 234-8957-Telephone

ENGINEERING & SURVEYING
Allen Patrick Darnell, PE, PLS
allenpatrickdarnell@gmail.com (EMAIL)

September 10, 2018

File No. 18-3933

City of Millersburg
C/o Sam Chanslor
P.O. Box 265
Millersburg, Kentucky 40348

Re: Legal Description for James Edward Johnson & Neil P. Johnson and Commonwealth of Kentucky @ Eighth Street & Millersburg Bypass (US 68)

All that certain tract or parcel of land, lying and being located in Bourbon County, Kentucky; and situated on the northwest side of Eighth Street and the north and south side of Millersburg Bypass (US 68); and more particularly described as follows:

ANNEXATION AREA (66.500 Acres)

Beginning at an iron pin in the northwest right-of-way of Eighth Street, a corner to Millersburg Cemetery Company (D.B. 55, Pg. 81); said point being located N.59°14'51"E. 1,625.18 feet from a point at the intersection of the east right-of-way of Millersburg Bypass with the northeast bank of Hinkston Creek; thence in part with the said west right-of-way of said Eighth Street and A.J. Saunders (Now or Formerly) S.32°52'56"W. 231.40 feet to a found iron pin, a corner to Murray Equipment & Machine, Inc. (D.B. 295, Pg. 591; P.C. C, Sh. 360); thence with said Murray Equipment and Machine, Inc. for three calls as follows: 91) S.33°52'06"W. 49.50 feet to an iron pin, (2) N.55°49'39"W. 618.06 feet to a found iron pin, and (3) S.34°15'16"W. 571.76 feet to a found iron pin, a corner to Archie Wayne Miles & Darlene Miles (D.B. 231, Pg. 280); thence with said Miles S.31°46'27"W. 338.30 feet to a fence post and S.30°14'14"W. passing an iron pin bearing "Witness 3553" at 225.27 feet, in all 289.80 feet to a point on the east bank of Hinkston Creek; thence with said bank of said creek for 12 calls as follows: (1) N.51°47'55"W. 109.67 feet to a point, a corner to Commonwealth of Kentucky (D.B. 296, Pg. 494), (2) N.34°00'04"W. 287.32 feet to a point, a corner to James Edward Johnson & Neil P. Johnson (D.B. 199, Pg. 668), (3) N.36°28'15"W. 328.23 feet to a point, (4) N.41°34'53"W. 202.20 feet to a point, (5) N.34°53'53"W. 232.40 feet to a point, (6) N.32°24'53"W. 96.90 feet to a point, (7) N.08°21'53"W. 125.50 feet to a point, (8) N.23°58'07"E. 129.10 feet to a point, (9) N.39°14'07"E. 575.80 feet to a point, (10) N.24°56'07"E. 153.00 feet to a point, (11) N.05°56'07"E. 559.80 feet to a point, and (12) N.25°49'53"W. 208.10 feet to a point, a corner to Gary D. Seibert & Sondra L. Seibert (D.B. 261, Pg. 273; P.C. C, Sh. 87); thence with said Seibert N.54°26'07"E. passing a found iron pin bearing "PLS 2670" at 32.48 feet, in all 328.02 feet to a found iron pin bearing "PLS 2670", a corner to Dacelle B. Peckler, Darren W. Peckler, & Deborah A. Peckler (D.B. 252, Pg. 480); thence with said Peckler N.54°26'07"E. 249.03 feet to an iron pin and S.40°55'50"E. 937.09 feet to a found Surveyor Nail, a corner to Commonwealth of Kentucky (Enc.B. 44, Pg. 830); thence with said Commonwealth of Kentucky S.41°05'41"E. 268.99 feet to a found Surveyor Nail, a corner to Dacelle B. Peckler, Darren W. Peckler, & Deborah A. Peckler (D.B. 252, Pg. 480); thence with said Peckler S.41°13'47"E. 206.51 feet to an iron pin, a corner to The Colored Cemetery Company of Millersburg (D.B. 68, Pg. 529); thence with said Colored Cemetery Company of Millersburg for four calls as follows: (1) S.42°34'42"W. 584.36 feet

to an iron pin, (2) S.38°53'14"E. 95.91 feet to a mag nail set in a fence post, (3) S.38°12'17"E. 48.21 feet to an iron pin, and (4) S.75°31'51"E. 16.13 feet to an iron pin, a corner to Millersburg Cemetery Company (D.B. 55, Pg. 81); thence with said Millersburg Cemetery Company for three calls as follows: (1) S.53°36'56"E. 256.23 feet to a fence post, (2) S.53°48'56"E. 137.36 feet to a fence post, and (3) S.54°28'56"E. 267.56 feet to the point of beginning containing an area of 66.500 acres more or less, and being subject to any and all easements or right-of-way of record and in existence and in accordance with a survey and plat by Darnell Engineering, Inc. on August 29, 2018. See Plat recorded in Plat Cabinet _____, Sheet _____.

Allen Darnell
9/17/2018

ALLEN PA
DARNELL
3553
LICENSED
PROFESSIONAL
LAND SURVEYOR

DACELLE B. PECKLER
DARREN W. PECKLER
DEBORAH A. PECKLER
D.B. 252, Pg. 480

DACELLE B. PECKLER
DARREN W. PECKLER
DEBORAH A. PECKLER
D.B. 252, Pg. 480

DACELLE B. PECKLER
DARREN W. PECKLER
DEBORAH A. PECKLER
D.B. 252, Pg. 480

GARY D. SEIBERT
SONDRA L. SEIBERT
D.B. 261, Pg. 273
P.C. C, Sh. 87

Found I.P.
@ 32.48'

COMMONWEALTH OF KENTUCKY
ENC. BOOK 44, Pg. 830
(Parcel 83, Tract A)

THE COLORED CEMETERY COMPANY OF MILLERSBURG
D.B. 68, Pg. 529

MILLERSBURG CEMETERY C
D.B. 55, Pg. 81

PARCEL
JAMES EDWARD JOHNSON
NEIL P. JOHNSON
D.B. 199, Pg.
(11.498 Acres)

618.06'
N 55°49'39" W

MURRAY EQUIPME
D.B. 29
(Pa
P.C. C

ANNEXATION ACREAGE:

Parcel 1 = 43.022 Acres
Parcel 2 = 11.980 Acres
Parcel 3 = 11.498 Acres
TOTAL TRACT 'A' = 66.500 Acres

LINE	BEARING	DISTANCE
L1	S 38°53'14" E	95.91'
L2	S 38°12'17" E	48.21'
L3	S 75°31'51" E	16.13'
L4	S 53°48'56" E	137.36'
L5	S 32°52'56" W	231.40'
L6	S 33°52'06" W	49.50'

LEGEND:

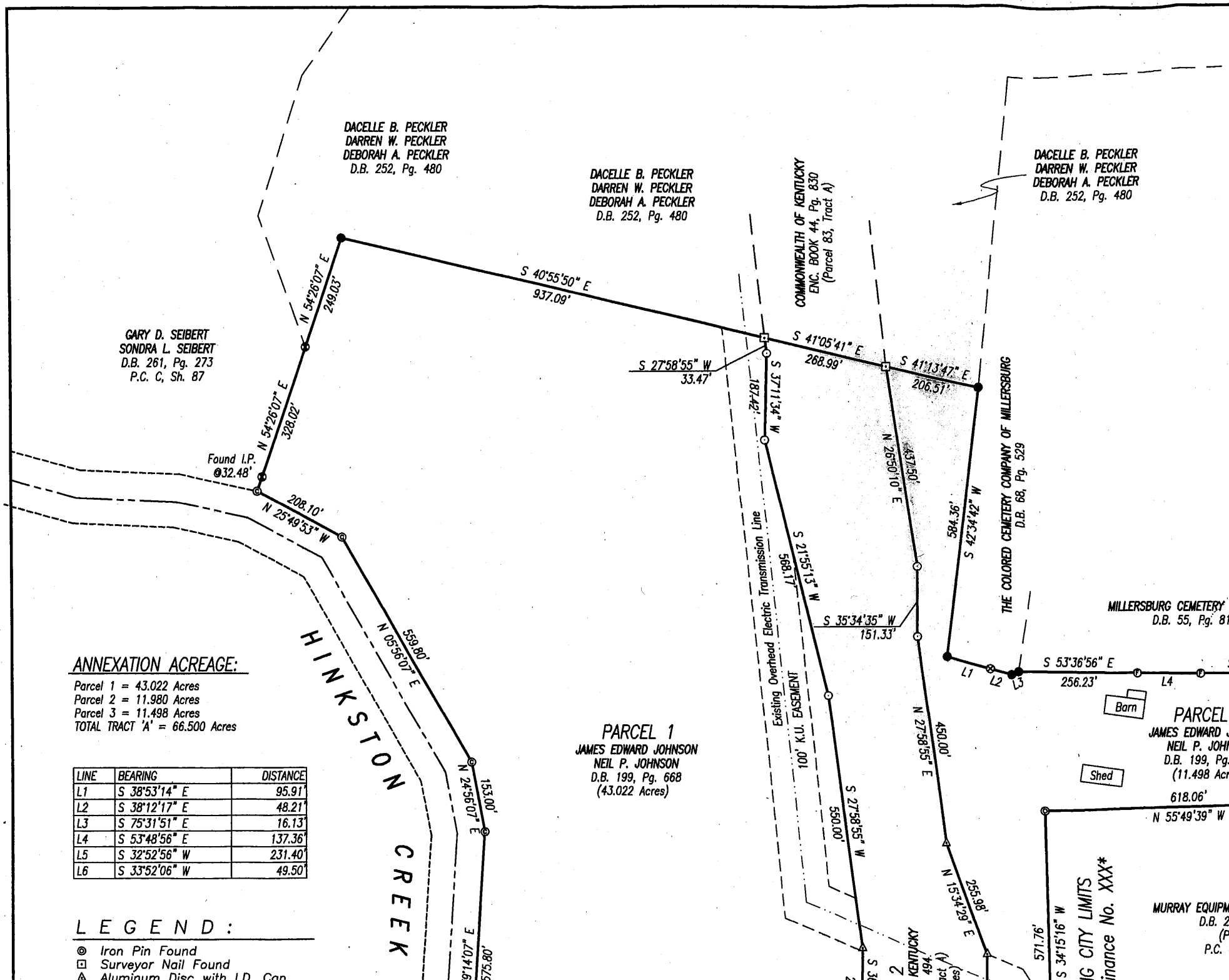
- ⊙ Iron Pin Found
- ⊠ Surveyor Nail Found
- ▲ Aluminum Disc with I.D. Cap

HINKSTON CREEK

PARCEL 1
JAMES EDWARD JOHNSON
NEIL P. JOHNSON
D.B. 199, Pg. 668
(43.022 Acres)

Existing Overhead Electric Transmission Line
100' K.U. EASEMENT

IG CITY LIMITS
inance No. XXX*



LER
LER
LER
80

DACELLE B. PECKLER
DARREN W. PECKLER
DEBORAH A. PECKLER
D.B. 252, Pg. 480

DACELLE B. PECKLER
DARREN W. PECKLER
DEBORAH A. PECKLER
D.B. 252, Pg. 480

COMMONWEALTH OF KENTUCKY
ENC. BOOK 44, Pg. 830
(Parcel 83, Tract A)

THE COLORED CEMETERY COMPANY OF MILLERSBURG
D.B. 68, Pg. 529

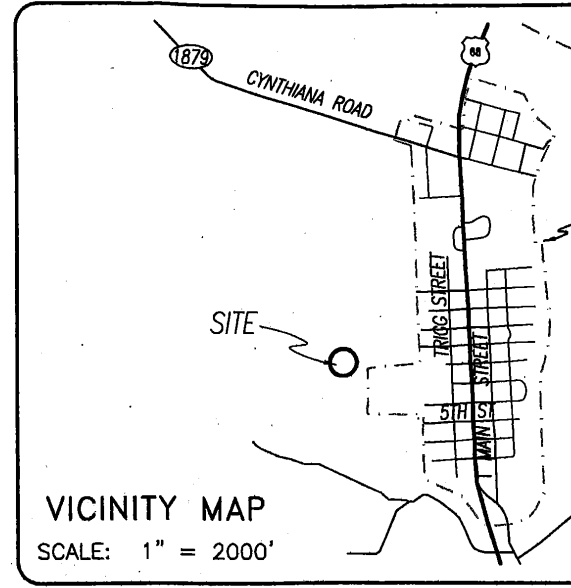
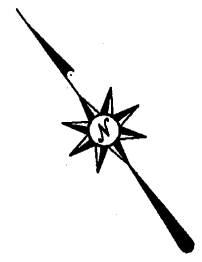
MILLERSBURG CEMETERY COMPANY
D.B. 55, Pg. 81

PARCEL 1
JAMES EDWARD JOHNSON
NEIL P. JOHNSON
D.B. 199, Pg. 668
(43.022 Acres)

PARCEL 3
JAMES EDWARD JOHNSON
NEIL P. JOHNSON
D.B. 199, Pg. 668
(11.498 Acres)

MURRAY EQUIPMENT & MACHINE, INC.
D.B. 295, Pg. 591
(Parcel 2)
P.C. C, Sh. 360

IG CITY LIMITS
inance No. XXX*



S 40°55'50" E
937.09'

S 27°58'55" W
33.47'

S 41°05'41" E
268.99'

S 41°13'47" E
206.51'

N 26°50'10" E
437.50'

S 74°34'42" W
584.36'

Existing Overhead Electric Transmission Line
100' K.U. EASEMENT
568.17'

S 35°34'35" W
151.33'

S 53°36'56" E
256.23'

S 54°28'56" E
267.56'

N 27°58'55" E
450.00'

S 27°58'55" W
550.00'

N 15°34'29" E
755.98'

S 34°15'16" W
571.76'

618.06'
N 55°49'39" W

POINT OF BEGINNING

EIGHTH STREET

TRIGG STREET

A.J. SHUNDERS
(Now or Formerly)

JONATHAN OTT
KATHERINE OTT
D.B. 265, Pg. 11

SHARIEL R. WAGNER
DAME C. WAGNER
D.B. 184, Pg. 393

GAYLE CROSSFIELD
JASON CROSSFIELD
D.B. 276, Pg. 537

153.00'
N 24°56'07" E
575.80'
E 70°14'07" E

S 36°

KENTUCKY
act A

ANNEXATION ACREAGE:

Parcel 1 = 43.022 Acres
 Parcel 2 = 11.980 Acres
 Parcel 3 = 11.498 Acres
 TOTAL TRACT 'A' = 66.500 Acres

LINE	BEARING	DISTANCE
L1	S 38°53'14" E	95.91'
L2	S 38°12'17" E	48.21'
L3	S 75°31'51" E	16.13'
L4	S 53°48'56" E	137.36'
L5	S 32°52'56" W	231.40'
L6	S 33°52'06" W	49.50'

LEGEND:

- ⊙ Iron Pin Found
- ⊠ Surveyor Nail Found
- ▲ Aluminum Disc with I.D. Cap bearing "KY DOT R/W"
- Iron Pin Found with I.D. Cap bearing "PLS 2670"
- ① #4 Rebar, 18" long, with I.D. Cap bearing "Darnell 3553" Set in Previous Survey
- ② #4 Rebar, 18" long, with I.D. Cap bearing "Witness 3553" Set this Survey
- ③ #4 Rebar, 18" long, with I.D. Cap bearing "Darnell 3553" Set this Survey
- ⊙ Mag Nail Set in Road
- ⊙ Point @ Right-of-Way
- ⊗ Mag Nail Set in Fence Post
- ⊙ Point @ Bank of Creek
- ⊙ Fence Post
- ⊗ Address

NOTES:

1. Parcel 1 and Parcel 3 platted hereon is the same as that remaining property or tract of land described in Deed Book 199, Page 668.
2. Parcel 2 platted hereon is the same as Parcel 81, Tract A described in Deed Book 296, Page 494.
3. Property shown hereon is subject to any and all easements or right-of-way of record and in existence at the date of the field survey shown hereon.
4. Property shown hereon is subject to those restrictions set forth by the Bourbon County Joint Planning Commission for its respective zoning classification.
5. The purpose of this "Annexation Plat" is to annex Parcel 1, Parcel 2, and Parcel 3 into the City of Millersburg, Kentucky.

HINKSTON CREEK

PARCEL 1
 JAMES EDWARD JOHNSON
 NEIL P. JOHNSON
 D.B. 199, Pg. 668
 (43.022 Acres)

PARCEL 2
 COMMONWEALTH OF KENTUCKY
 D.B. 296, Pg. 494
 (Parcel 81, Tract A)
 (980 Acres)

PARCEL 3
 JAMES EDWARD JOHNSON
 NEIL P. JOHNSON
 D.B. 199, Pg. 668
 (11.498 Acres)

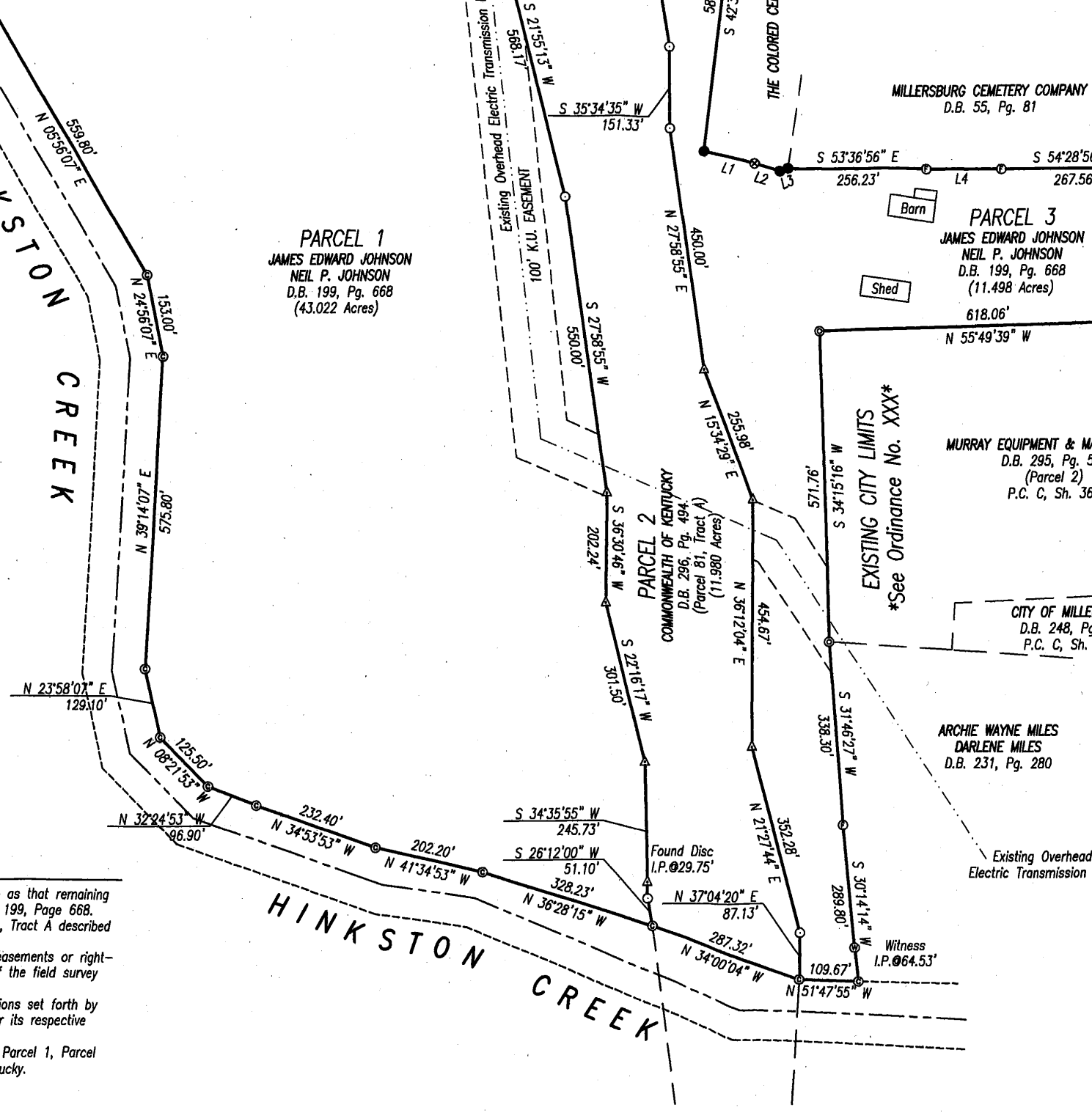
EXISTING CITY LIMITS
 See Ordinance No. XXX

MILLERSBURG CEMETERY COMPANY
 D.B. 55, Pg. 81

MURRAY EQUIPMENT & MAINTENANCE
 D.B. 295, Pg. 59
 (Parcel 2)
 P.C. C, Sh. 360

CITY OF MILLERSBURG
 D.B. 248, Pg. 1
 P.C. C, Sh. 1

ARCHIE WAYNE MILES
 DARLENE MILES
 D.B. 231, Pg. 280



PARCEL 1
 JAMES EDWARD JOHNSON
 NEIL P. JOHNSON
 D.B. 199, Pg. 668
 (43.022 Acres)

MILLERSBURG CEMETERY COMPANY
 D.B. 55, Pg. 81

POINT OF BEGINNING

PARCEL 3
 JAMES EDWARD JOHNSON
 NEIL P. JOHNSON
 D.B. 199, Pg. 668
 (11.498 Acres)

MURRAY EQUIPMENT & MACHINE, INC.
 D.B. 295, Pg. 591
 (Parcel 2)
 P.C. C, Sh. 380

CITY OF MILLERSBURG
 D.B. 248, Pg. 612
 P.C. C, Sh. 116A

ARCHIE WAYNE MILES
 DARLENE MILES
 D.B. 231, Pg. 280

PARCEL 2
 COMMONWEALTH OF KENTUCKY
 D.B. 296, Pg. 494
 (Parcel 81, Tract A)
 (11,980 Acres)

EXISTING CITY LIMITS
 See Ordinance No. XXX

WEST FIFTH STREET

TRIGG STREET

EIGHTH STREET

Existing Overhead Electric Transmission Line
 100' K.U. EASEMENT

Barn
 Shed

A.J. SHANDERS
 (Now or Formerly)
 JONATHAN OTT
 KATHERINE OTT
 D.B. 265, Pg. 11
 SAMUEL R. WAGONER
 DANNE C. WAGONER
 D.B. 184, Pg. 383
 GAYLE CROSSFIELD
 JASON CROSSFIELD
 D.B. 276, Pg. 537



PLOTTED: 09/0

ANNEXATION PLAT
CITY OF MILLERSBURG
KENTUCKY

MILLERSBURG BYPASS (US 68) & WEST 8

STATE OF KENTUCKY
 ALLEN PATRICK
 DARNELL
 3553
 LICENSED
 PROFESSIONAL
 LAND SURVEYOR

SCALE 1" = 200'	DATE 08/29/18
FILE NO. 18-3933	FILENAME JOHNSONJ
FIELD BOOK 161-3	.CRD FILE MILLERSB
DRAWN BY APD	CHECKED BY APD

DARNELL
ENGINEERING

P.O. Box 17
 Cynthiana, Kentucky
 (859) 234-8

THIS PLAT OF SURVEY REPR
 SURVEY AND COMPLIES WITH

HINKSTON
 CREEK

ALLEN P.
 DARNELL
 3553
 LICENSED
 PROFESSIONAL
 LAND SURVEYOR