




Nicholasville

I certify I am the duly qualified City Clerk of the City of Nicholasville, Kentucky and the foregoing seventeen (17) pages of Ordinance 985-2017 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on October 23, 2017 all as appears in the official records of said city.

WITNESS, my hand and the Seal of the City of Nicholasville, this 30th day of October, 2017.



Roberta Warren, City Clerk

Seal

RECEIVED AND FILED
DATE October 31, 2017

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Carlie Allison

ORDINANCE 985-2017

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF APPROXIMATELY 5 ACRES OF LAND, LOCATED ON PARCEL 1 OF THE ROY RHINEHEIMER PROPERTY (PVA #058-00-00-020.00), NICHOLASVILLE, KENTUCKY 40356

WHEREAS, David Buckley, Sherry Buckley, Tim Cross and Melissa Cross are the record owners of the property known and described herein as Exhibit "A" (the "Property"), and have requested and consented to annex all of the Property into the City of Nicholasville, Kentucky, pursuant to that certain Memorandum and Agreement by and among David Buckley, Sherry Buckley, Tim Cross, Melissa Cross, and the City of Nicholasville, dated as of the 23rd day of October, 2017, and attached hereto as Exhibit "B";

WHEREAS, the Property is adjacent and contiguous to the City's boundaries at this time and it is deemed in the best interest of the City to annex same;


WHEREAS, the City has elected to establish zoning for the Property prior to the completion of the annexation pursuant to KRS 100.209 as described in Ordinance 984-2017, a copy of which is attached hereto as Exhibit "C";

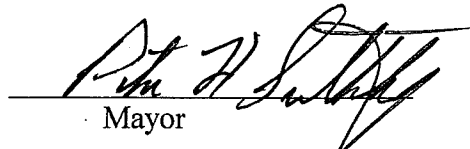
NOW THEREFORE BE IT ORDAINED that the Property be and is annexed into the City Limits of the City of Nicholasville, Jessamine County, Kentucky, and a map is attached hereto and identified as Exhibit "D" in accordance with KRS 81A.420.

This Ordinance shall take effect upon adoption, execution and publication.

FIRST READING

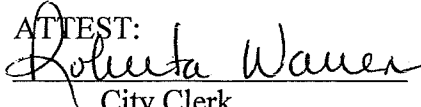
DATED: August 14, 2017

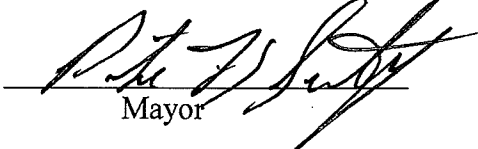
ATTEST:

City Clerk


Mayor

SECOND READING

DATED: October 23, 2017

ATTEST:

City Clerk


Mayor

985-2017

SUMMARY OF ORDINANCE

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF APPROXIMATELY 5 ACRES OF LAND, LOCATED ON PARCEL 1 OF THE ROY RHINEHEIMER PROPERTY (PVA #058-00-00-020.00), NICHOLASVILLE, KENTUCKY 40356

This ordinance establishes a decree of annexation of the property located on Parcel 1 of the Roy Rhineheimer property (PVA #058-00-00-020.00), Nicholasville, Kentucky 40356, for approximately 5 acres into the City of Nicholasville, Kentucky.

**NOTICE OF ENACTMENT OF
ORDINANCE**

Notice is hereby given that the Nicholasville City Commission on October 23, 2017 enacted an ordinance, the full text of which is available for inspection in the office of the City Clerk, 517 N. Main Street, Nicholasville, KY. The ordinance by title and summary: **ORDINANCE 985-2017: AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF APPROXIMATELY 5 ACRES OF LAND, LOCATED ON PARCEL 1 OF THE ROY RHINEHEIMER PROPERTY (PVA #058-00-00-020.00), NICHOLASVILLE, KENTUCKY 40356 contingent on the signing the Memorandum and Agreement. (This ordinance establishes a decree of annexation of the property located on Parcel 1 of the Roy Rhineheimer property (PVA #058-00-00-020.00), Nicholasville, Kentucky 40356, for approximately 5 acres into the City of Nicholasville, Kentucky.)**

Roberta Warren, City Clerk
October 26, 2017

MEMORANDUM AND AGREEMENT

This Memorandum and Agreement ("Memorandum") is entered into on this 23 day of October, 2017, by and between **David Buckley and Sherry Buckley**, husband and wife, 306 Marble Creek Lane, Nicholasville, Kentucky 40356, and **Tim Cross and Melissa Cross**, husband and wife, 1152 Marble Creek Lane, Nicholasville, Kentucky 40356 (David Buckley, Sherry Buckley, Tim Cross, and Melissa Cross, together with their respective successors and assigns, are referred to herein collectively as "**Owners**"), and the **City of Nicholasville, Kentucky**, a Kentucky municipality, 517 North Main Street, Nicholasville, KY 40356 ("**City**") pursuant to the purposes and terms as more particularly stated below.

RECITALS

WHEREAS, KRS 81A.420 provides for the annexation of unincorporated territory by cities; and,

WHEREAS, Owners are the record owners of that certain real property located in Nicholasville, Jessamine County, Kentucky consisting of approximately five (5) acres located on the corner of Richmond Avenue and Kirk Drive, which property is more specifically described in Exhibit "A" attached hereto and incorporated by reference herein ("**Property**"); and,

WHEREAS, Owners intend to develop the Property in accordance with the Development Plan, a true and accurate copy of which is attached hereto as Exhibit "B" and incorporated by reference herein ("**Plan**"); and,

WHEREAS, the City, by and through its governing body, the Nicholasville City Commission, has deemed it advisable to annex the Property; and

WHEREAS, as an incentive to incorporate the entirety of the Property into the City through consensual annexation in order to make all municipal services available to said Property,

Owners desire to enter into this Memorandum with respect to the annexation, zoning and development of the Property;

NOW THEREFORE, based on, and in consideration of the recitals set forth hereinabove, the parties agree as follows:

(1) **Consideration Statement:** Owners hereby give their written consent to the annexation of the Property by the City pursuant to KRS 81A.412. The City agrees to allow Owners to request zoning for the Property in accordance with the Plan (R1-C), in exchange for Owners' agreement as hereinafter set forth. Nothing in this agreement guarantees Owners annexation or any specific zone map amendments relative to the Property. The parties hereto agree, however, that in the event Owners do not receive either annexation or the desired zoning for the Property, Owners have the absolute right to withdraw from this process and the terms and conditions of this Memorandum shall be held null and void and of no legal force whatsoever; provided, however, under no circumstances shall the City be required to de-annex the Property from and after the enactment of an ordinance annexing the Property, which process is a discretionary and non-negotiable legislative function; and provided further that the covenants set forth in Paragraph 4 herein shall remain enforceable. Furthermore, nothing contained within this Memorandum shall prejudice Owners' right to seek, at some point in the future, a zoning designation which is inconsistent with the current Comprehensive Plan in accordance with applicable law.

(2) **Incentive Fees:** An incentive fee payment shall be paid to the City by Owners or any future owner and/or developer of the Property in the amount of One Thousand Five Hundred and 00/100 Dollars (\$1,500.00) per lot, which amount shall be due and payable at the time of application for a building permit with respect to each lot on the Property.

In order to guarantee payment of this incentive fee, a covenant running with the land shall be recorded in the Jessamine County Clerk's office setting forth that the incentive fee payment will be made to the City by Owners or any future owner and/or developer of the Property at the time of application for a building permit for each unit. It is understood that this fee may be increased in the future. If this is done, the City will grant a two (2) year grace period for the Property, which will begin on the date of this Agreement and the City shall collect only the above fees during that period of time.

(3) Other Terms and Conditions for Development: Owners will provide, prior to final annexation, a projected development schedule. Living space per residential dwelling unit shall be a minimum of 1,800 square feet. This size restriction is to be calculated exclusive of carports, porches, terraces, patios, garages, other outbuildings and basements, even though the porch, terrace or garage is under the same roof. A statement to this effect shall be placed on the final record plats and in the deed of restrictions. It shall also be acknowledged that this will be enforced by the Nicholasville Planning Commission.

All residential dwelling units shall have an attached two-car garage. A statement to this effect shall be placed on the final record plats and deed restrictions. It shall also be acknowledged that this will be enforced by the Nicholasville Planning Commission.

All electric service in this development shall be underground.

The Zoning Ordinances, Subdivision Regulations, Construction Specifications and Building Codes enforced by the City at the time of development shall be followed except as otherwise provided herein.

Street lights in this development which are to be located on public street right-of-way shall be installed in compliance with City specifications. Any variation from City specifications shall be approved prior to installation by the Nicholasville City Commission.

All fire hydrants shall be installed according to City specifications.

Owners will be responsible for the cost of any water and/or sewer extensions required by the development.

Private basketball goals in the street or on other public property shall be prohibited. A statement to this effect shall be placed on the final record plats and in the deed of restrictions. It shall also be acknowledged that this will be enforced by the Nicholasville Planning Commission and Nicholasville Code Enforcement Officer.

(4) Bonding Requirements: Owners shall comply with all City regulations relative to the delivery of a letter of credit in connection with the construction of public improvements on the Property.

(5) Representations: Owners covenant, represent and warrant to the City that:

a. Owners hold fee simple title to the Property and have the right and authority to consent to the annexation of the Property pursuant to KRS 81A.412. Owners shall reimburse the City for any losses, costs, damages or expenses (including reasonable attorneys' fees and court costs) incurred by the City if the annexation of the Property is challenged by another individual or entity claiming an ownership interest in the Property and/or disputing Owners' right and authority to consent to the annexation of the Property.

b. All taxes and governmental assessments due and owing in respect of the Property have been paid. Owners have no knowledge of any indebtedness or other obligation in respect of the Property for which the City shall become liable pursuant to KRS 81A.450. Owners shall reimburse the City for any losses, costs, damages or expenses (including reasonable attorneys' fees and court costs) incurred by the City in connection with any such indebtedness or other obligation.

c. Owners acknowledge and agree that the Property shall be subject to taxation by the City pursuant to KRS 92.280 from and after the enactment of the ordinance annexing the Property. The in-care-of address for the tax bill is 306 Marble Creek Lane, Nicholasville, Kentucky 40356.

(6) **Agreement Dependent on Annexation and/or Zoning:** The parties hereto specifically acknowledge that, with the exception of those covenants set forth in Paragraph 4 herein, the covenants contained herein are specifically conditioned on the annexation and zoning of the Property as specified above and in Exhibit "B."

(7) **Entire Agreement and Modification:** This Memorandum sets forth the entire and final agreement and understanding of the parties with respect to the subject matter hereof. Any and all other prior agreements, understandings or undertakings whether written or oral, with respect to the same, are hereby superseded and replaced by this Memorandum. This Memorandum may not be modified or amended except by an instrument, executed by each party.

(8) **Authority:** Each undersigned person signing on behalf of any party to this Memorandum certifies that (a) he/she is fully empowered and duly authorized by any and all necessary action or consent required under any applicable law regulation and/or ordinance to execute and deliver this Memorandum for an on behalf of said party; (b) that said party has full capacity, power and authority to enter into and carry out its obligation under this Memorandum; and, (c) that this Memorandum has been duly authorized, executed and delivered and constitutes a legal, valid and binding obligation of such party, enforceable in accordance with its terms.

(9) **Applicable Law:** The laws of the Commonwealth of Kentucky shall govern the construction and interpretation of this Memorandum.

(10) **Counterparts:** This Memorandum may be executed in any number of identical counterparts, any of which may contain the signatures of less than all the parties hereto, but all of which together shall constitute a single Memorandum.

(11) **Annexation and Zoning:** In the event the City determines not to annex the entire Property and/or zone the Property in accordance with the zoning classifications set forth in paragraph 1 of this agreement, then this Memorandum shall be null and void with the exception of the covenants set forth in Paragraph 4 herein.

(12) **Covenants to Run with the Land:** All of the grants, representations, warranties, undertakings, covenants, terms, provisions and conditions in this Memorandum shall run with the land and shall apply to and bind the respective successors and assigns of Owners. The representations, covenants, warranties and obligations of Owners hereunder shall be joint and several.

(13) **Recordation:** The parties hereby agree that this Memorandum shall be duly filed of record in the Office of the Jessamine County Clerk.

This the 23rd day of October, 2017.

CITY OF NICHOLASVILLE

BY:

Pat H. Smith
MAYOR

ATTEST

BY:

Roheta Warren
CITY CLERK

OWNERS:

David Buckley
DAVID BUCKLEY

Sherry Buckley
SHERRY BUCKLEY

Tim Cross
TIM CROSS

Melissa Cross
MELISSA CROSS

COMMONWEALTH OF KENTUCKY

COUNTY OF JESSAMINE, SCT...

Subscribed, sworn to and acknowledged before me this 23rd day of October, 2017, by Peter H. Sutherland, Mayor of and for and on behalf of the City of Nicholasville, Kentucky, a Kentucky municipality of the third class, as authorized by resolution of the Nicholasville City Commission passed on OCTOBER 23, 2017

My Commission expires: MAY 30, 2020

Kathy Walker # 556353
NOTARY PUBLIC

COMMONWEALTH OF KENTUCKY

COUNTY OF JESSAMINE, SCT...

Subscribed, sworn to and acknowledge before me on this 23 day of October, 2017, by David Buckley.

My Commission expires: Sept. 11, 2021

Paul Warner #586693
NOTARY PUBLIC

COMMONWEALTH OF KENTUCKY

COUNTY OF JESSAMINE, SCT...

Subscribed, sworn to and acknowledge before me on this 23 day of October, 2017, by Sherry Buckley.

My Commission expires: Sept. 11, 2021

Paul Warner #586693
NOTARY PUBLIC

COMMONWEALTH OF KENTUCKY

COUNTY OF JESSAMINE, SCT...

Subscribed, sworn to and acknowledge before me on this 23 day of October, 2017, by Tim Cross.

My Commission expires: Sept. 11, 2021

Paul Wan #586693
NOTARY PUBLIC

COMMONWEALTH OF KENTUCKY

COUNTY OF JESSAMINE, SCT...

Subscribed, sworn to and acknowledge before me on this 23 day of October, 2017, by
Melissa Cross.

My Commission expires: Sept. 11, 2021

Raven Warren #586693
NOTARY PUBLIC

PREPARED BY:



Meghan Jackson Tyson
City Attorney
City of Nicholasville
517 North Main Street
Nicholasville, Kentucky 40356
Office: (859) 885-1121
Fax: (859) 881-0750
Email: meghan.tyson@nicholasville.org

EXHIBIT A

Legal Description

PARCEL NO. 1
ROY RHINEHEIMER PROPERTY
JESSAMINE COUNTY, KENTUCKY

All that certain tract or parcel of land located on the Union Mill Road in Jessamine County, Kentucky and known and designated as Parcel No. 1 of the Roy Rhineheimer Property as shown by map or plat thereof of record in Plat Cabinet No. 1, Page 61, in the Jessamine County Clerk's office and to which plat reference is hereby made for a more particular description.

Being the same property conveyed to Charles V. Robinson, unmarried, by deed dated August 15, 1995, of record in Deed Book 339, page 247, in the Jessamine County Court Clerk's Office.

EXHIBIT B
Development Plan
(Attached)

ORDINANCE 984-2017

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO R-1C (CITY) SINGLE FAMILY RESIDENTIAL DISTRICT FOR APPROXIMATELY 5 ACRES OF LAND, LOCATED ON PARCEL 1 OF THE ROY RHINEHEIMER PROPERTY (PVA #058-00-00-020.00), NICHOLASVILLE, KENTUCKY 40356

WHEREAS, the Nicholasville Planning Commission held a public hearing on July 24, 2017, concerning certain amendments to the Official Zoning Map for the City of Nicholasville and recommended as follows:

TO APPROVE THE ZONE CHANGE REQUEST SUBMITTED BY DAVID BUCKLEY AND TIM CROSS AT 306 MARBLE CREEK LANE, NICHOLASVILLE, KENTUCKY 40356, FOR A ZONE MAP AMENDMENT FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO R-1C (CITY) SINGLE FAMILY RESIDENTIAL DISTRICT FOR APPROXIMATELY 5 ACRES OF LAND, LOCATED ON ROY RHINEHEIMER PROPERTY, NICHOLASVILLE, KENTUCKY 40356, WITH THE JUSTIFICATIONS THAT MR. SMITH PRESENTED TO US TONIGHT AND THE VARIANCE TO INCLUDE AN EASEMENT FOR THE SIDEWLKS BUT NOT BE REQUIRED TO BUILD SIDEWALKS; ALSO TO WAIVE THE PRELIMINARY PLAT STAGE, WHICH IS UNDER METHOD 2 AND THE CONSTRUCTION PLANS WILL BE PROVIDED TO COMPLY WITH THIS PLAN;

WHEREAS, the City Commission of the City of Nicholasville has considered the respective record and desires to affirm the above recommendation;

NOW THEREFORE BE IT ORDAINED that the above recommendation by the Nicholasville Planning Commission be adopted and approved as well as the Findings of Fact and Conclusions of the Nicholasville Planning Commission, which are incorporated by reference herein.

The Nicholasville Zoning Enforcement Officer is hereby directed to change the Official Zoning Map of the City of Nicholasville to be consistent with the above recommendation.

This Ordinance shall take effect upon adoption, execution and publication.

FIRST READING

DATED: August 14, 2017

Pete H. Suttell
Mayor

ATTEST:
Roberta Warren
City Clerk

SECOND READING

DATED: August 28, 2017

Pete H. Suttell
Mayor

ATTEST:
Roberta Warren
City Clerk

Notice of Enactment of Ordinance
Notice is hereby given that the Nicholasville City Commission on August 28, 2017 enacted an ordinance, the full text of which is available for inspection in the office of the City Clerk, 517 N. Main Street, Nicholasville, KY. The ordinance by title and summary: **ORDINANCE 984-2017: AN ORDINANCE AMENDING**

Public Notices
THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO R-1C (CITY) SINGLE FAMILY RESIDENTIAL DISTRICT FOR APPROXIMATELY 5 ACRES OF LAND, LOCATED ON PARCEL 1 OF THE ROY RHINEHEIMER PROPERTY (PVA #058-00-00-020.00), NICHOLASVILLE, KENTUCKY 40356. (This ordinance amends the Official Zoning Map of the City of Nicholasville in accordance with the zone change request submitted to the Nicholasville Planning Commission by DAVID BUCKLEY AND TIM CROSS AT 306 MARBLE CREEK LANE, NICHOLASVILLE, KENTUCKY 40356, FOR A ZONE MAP AMENDMENT FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO R-1C (CITY) SINGLE FAMILY RESIDENTIAL DISTRICT FOR APPROXIMATELY 5 ACRES OF LAND, LOCATED ON ROY RHINEHEIMER PROPERTY, NICHOLASVILLE, KENTUCKY 40356, WITH THE JUSTIFICATIONS THAT MR. SMITH PRESENTED TO US TONIGHT AND THE VARIANCE TO INCLUDE AN EASEMENT FOR THE SIDEWALKS BUT NOT BE REQUIRED TO BUILD SIDEWALKS; ALSO TO WAIVE THE PRELIMINARY PLAT STAGE, WHICH IS UNDER METHOD 2 AND THE CONSTRUCTION PLANS WILL BE PROVIDED TO COMPLY WITH THIS PLAN.)
Roberta Warren, City Clerk
August 31, 2017

___-2017

SUMMARY OF ORDINANCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO R-1C (CITY) SINGLE FAMILY RESIDENTIAL DISTRICT FOR APPROXIMATELY 5 ACRES OF LAND, LOCATED ON PARCEL 1 OF THE ROY RHINEHEIMER PROPERTY (PVA #058-00-00-020.00), NICHOLASVILLE, KENTUCKY 40356

This ordinance amends the Official Zoning Map of the City of Nicholasville in accordance with the zone change request submitted to the Nicholasville Planning Commission by DAVID BUCKLEY AND TIM CROSS AT 306 MARBLE CREEK LANE, NICHOLASVILLE, KENTUCKY 40356, FOR A ZONE MAP AMENDMENT FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO R-1C (CITY) SINGLE FAMILY RESIDENTIAL DISTRICT FOR APPROXIMATELY 5 ACRES OF LAND, LOCATED ON ROY RHINEHEIMER PROPERTY, NICHOLASVILLE, KENTUCKY 40356, WITH THE JUSTIFICATIONS THAT MR. SMITH PRESENTED TO US TONIGHT AND THE VARIANCE TO INCLUDE AN EASEMENT FOR THE SIDEWALKS BUT NOT BE REQUIRED TO BUILD SIDEWALKS; ALSO TO WAIVE THE PRELIMINARY PLAT STAGE, WHICH IS UNDER METHOD 2 AND THE CONSTRUCTION PLANS WILL BE PROVIDED TO COMPLY WITH THIS PLAN.

Publisher's Certificate of Publication

STATE OF KENTUCKY

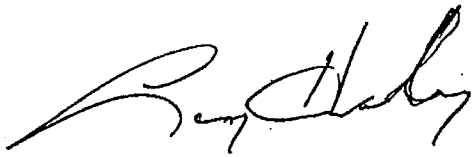
Larry Hensley, being duly sworn, on oath says he is and during all times herein stated has been an employee of The Bluegrass Newsmedia, publisher and printer of the Advocate Messenger, Winchester Sun, Interior Journal and Jessamine Journal (the "Newspaper"), has full knowledge of the facts herein stated as follows:

1. The Newspaper printed the copy of the matter attached hereto (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates:

08/31/17, 09/01/17, 09/02/17, 09/03/17, 09/04/17, 09/05/17, 09/06/17

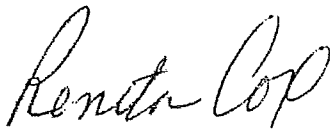
2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

3. There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby any advantage, gain or profit accrued to said officer or attorney



Larry Hensley, publisher

Subscribed and sworn to before me this 6th Day of September, 2017



Renita Cox
3/10/2018,

Account # 102321
Ad # 322393

CITY OF NICHOLASVILLE
P.O. BOX 450
NICHOLASVILLE KY 40340

Notice of Enactment of Ordinance

Notice is hereby given that the Nicholasville City Commission on August 28, 2017 enacted an ordinance, the full text of which is available for inspection in the office of the City Clerk, 517 N. Main Street, Nicholasville, KY. The ordinance by title and summary: **ORDINANCE 984-2017: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO R-1C (CITY) SINGLE FAMILY RESIDENTIAL DISTRICT FOR APPROXIMATELY 5 ACRES OF LAND, LOCATED ON PARCEL 1 OF THE ROY RHINEHEIMER PROPERTY (PVA #058-00-00-020.00), NICHOLASVILLE, KENTUCKY 40356.** (This ordinance amends the Official Zoning Map of the City of Nicholasville in accordance with the zone change request submitted to the Nicholasville Planning Commission by **DAVID BUCKLEY AND TIM CROSS AT 306 MARBLE CREEK LANE, NICHOLASVILLE, KENTUCKY 40356, FOR A ZONE MAP AMENDMENT FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO R-1C (CITY) SINGLE FAMILY RESIDENTIAL DISTRICT FOR APPROXIMATELY 5 ACRES OF LAND, LOCATED ON ROY RHINEHEIMER PROPERTY, NICHOLASVILLE, KENTUCKY 40356, WITH THE JUSTIFICATIONS THAT MR. SMITH PRESENTED TO US TONIGHT AND THE VARIANCE TO INCLUDE AN EASEMENT FOR THE SIDEWALKS BUT NOT BE REQUIRED TO BUILD SIDEWALKS; ALSO TO WAIVE THE PRELIMINARY PLAT STAGE, WHICH IS UNDER METHOD 2 AND THE CONSTRUCTION PLANS WILL BE PROVIDED TO COMPLY WITH THIS PLAN.**)

Roberta Warren, City Clerk
August 31, 2017



ANNEXATION BOUNDARY

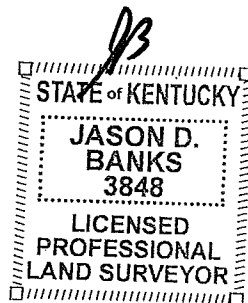
ROY RHINEHEIMER PROPERTY

PLAT CABINET 1 SLIDE 61B

All that land existing southerly of the south right-of-way of Richmond Avenue (KY 169) and easterly of the west right-of-way of Kirk Drive and being more particularly described as follows, TO WIT:

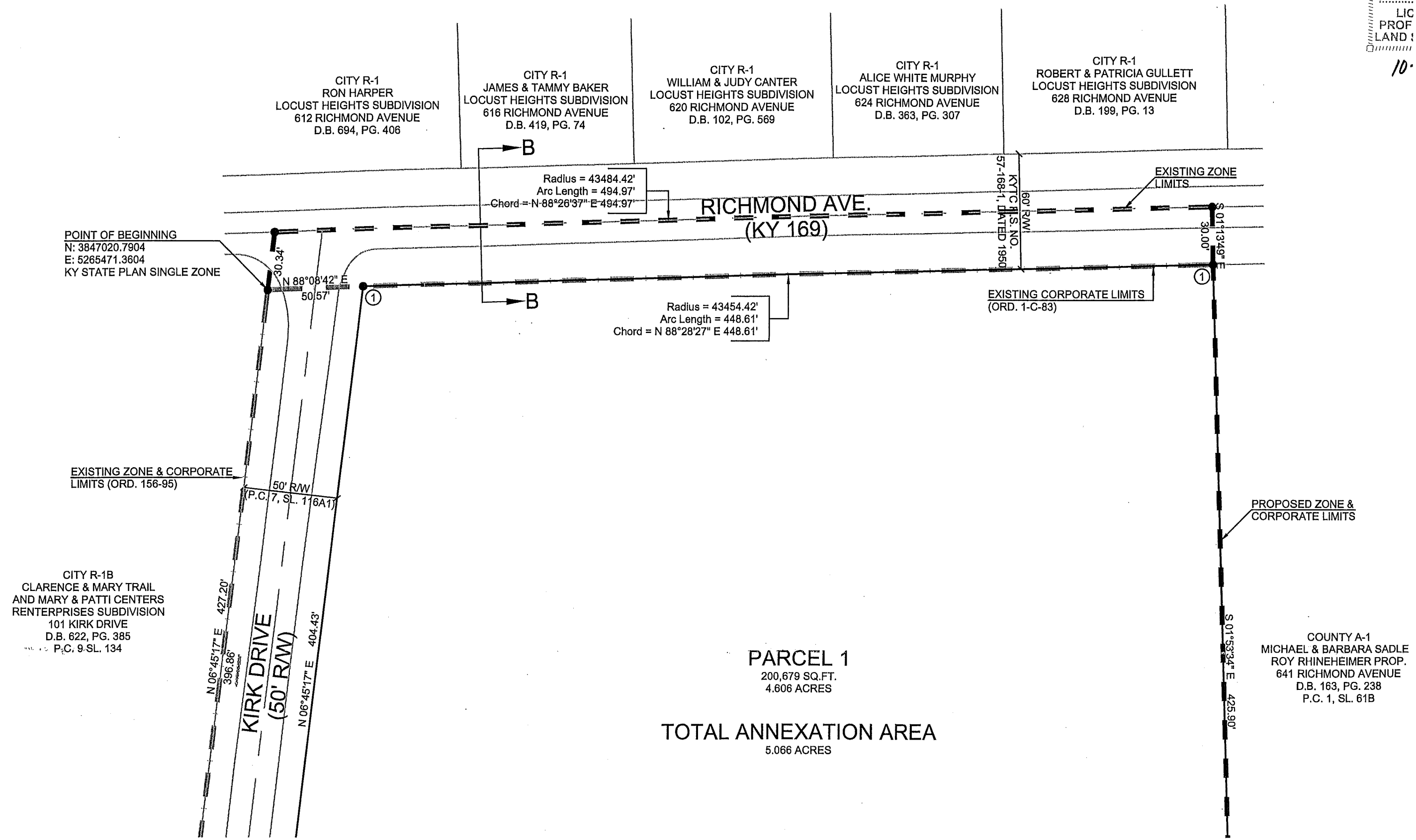
Beginning at a point, said point being located at the intersection of the south right-of-way of Richmond Avenue (KY 169) and the west right-of-way of Kirk Drive, thence with the south right-of-way of Richmond Avenue (KY 169) N 88°08'42" E for 50.57 feet to a point, said point being located in the east right-of-way of Kirk Drive, thence with the south right-of-way of Richmond Avenue (KY 169) Richmond Avenue along a curve to the right having a radius of 43,454.42 feet, an arc length of 448.61' and a chord bearing and distance of N 88°28'27" E for 448.61 feet to a point; thence leaving said right-of-way and with the common property line of Michael & Barbara Sadler and the Roy Rhineheimer Properties on a course of S 01°53'34" E for 425.90 feet to a point; thence leaving said common property line and with the common property line of the James & Eva Goldey and Roy Rhineheimer Properties S 89°17'41" W for 91.60 feet to a point; thence S 89°09'41" W for 100.00 feet to a point; thence N 88°35'19" W for 100.00 feet to a point; thence N 87°20'19" W for 100.00 feet to a point; thence N 86°20'19" W for 100.00 feet to a point; thence N 86°20'19" W for 18.89 feet to a point, said point being located in the east right-of-way of Kirk Drive; thence leaving said common property line N 83°14'43" W for 50.00 feet to a point, said point being located in the west right-of-way of Kirk Drive; thence with said west right-of-way of Kirk Drive N 06°45'17" E for 396.86 feet to the point of beginning and containing 5.066 acres more or less.

The above described property being comprised by the southerly right-of-way of Richmond Avenue (KY 169) adjacent to the Roy Rhineheimer Property, Parcel 1 as shown on plat cabinet of record lodged in Plat Cabinet 1 Slide 61B in the Jessamine County Clerk's office. The title to Parcel 1 of the Roy Rhineheimer Property is currently held by David & Sherry Buckley and T & M Cross as per 339 page 247 lodged in the Jessamine County Clerk's office.



10-20-17

STATE
 JA
 B.
 LIC
 PROF
 LAND
 10-



CITY R-1
 RON HARPER
 LOCUST HEIGHTS SUBDIVISION
 612 RICHMOND AVENUE
 D.B. 694, PG. 406

CITY R-1
 JAMES & TAMMY BAKER
 LOCUST HEIGHTS SUBDIVISION
 616 RICHMOND AVENUE
 D.B. 419, PG. 74

CITY R-1
 WILLIAM & JUDY CANTER
 LOCUST HEIGHTS SUBDIVISION
 620 RICHMOND AVENUE
 D.B. 102, PG. 569

CITY R-1
 ALICE WHITE MURPHY
 LOCUST HEIGHTS SUBDIVISION
 624 RICHMOND AVENUE
 D.B. 363, PG. 307

CITY R-1
 ROBERT & PATRICIA GULLETT
 LOCUST HEIGHTS SUBDIVISION
 628 RICHMOND AVENUE
 D.B. 199, PG. 13

POINT OF BEGINNING
 N: 3847020.7904
 E: 5265471.3604
 KY STATE PLAN SINGLE ZONE

EXISTING ZONE & CORPORATE
 LIMITS (ORD. 156-95)

CITY R-1B
 CLARENCE & MARY TRAIL
 AND MARY & PATTI CENTERS
 RENTERPRISES SUBDIVISION
 101 KIRK DRIVE
 D.B. 622, PG. 385
 P.C. 9-SL. 134

RICHMOND AVE.
 (KY 169)

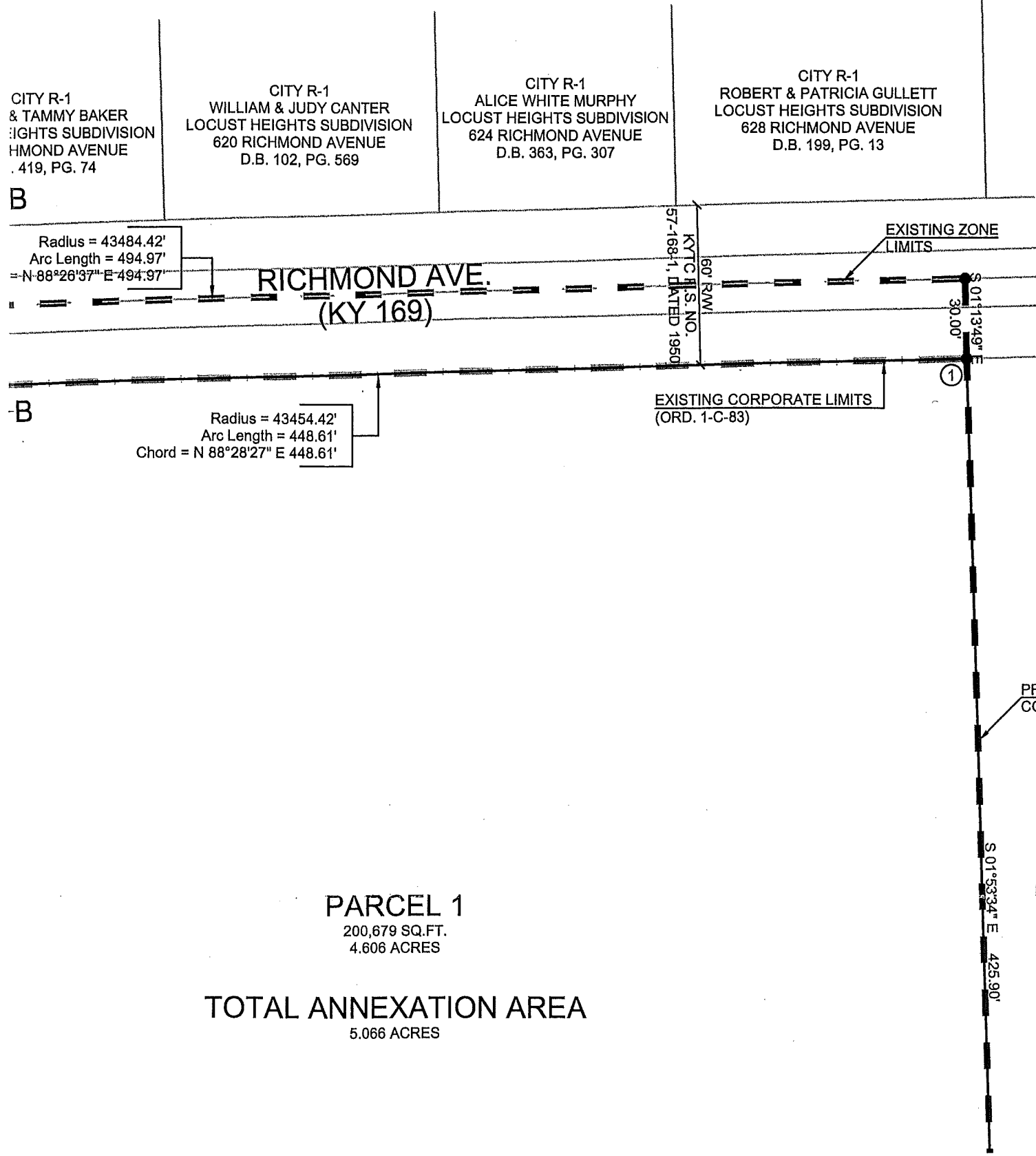
EXISTING CORPORATE LIMITS
 (ORD. 1-C-83)

PROPOSED ZONE &
 CORPORATE LIMITS

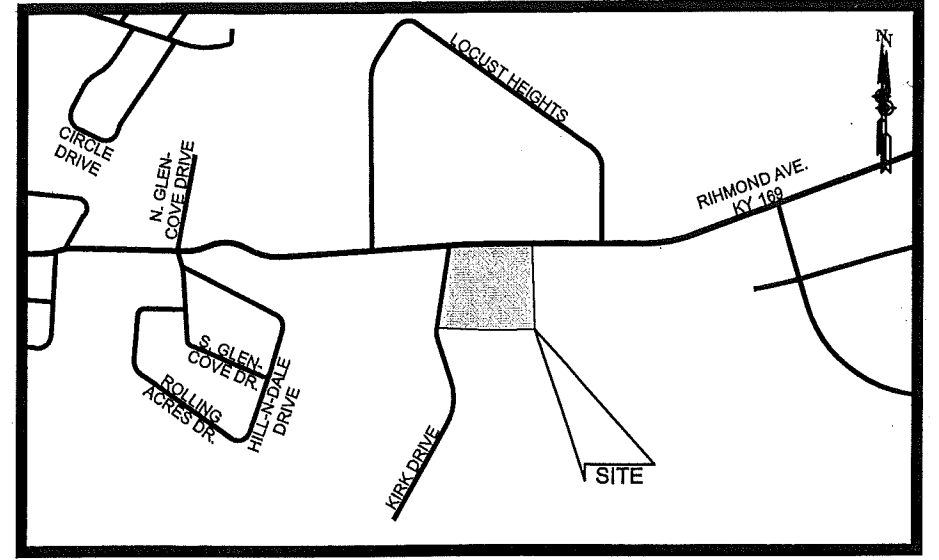
PARCEL 1
 200,679 SQ.FT.
 4.606 ACRES

COUNTY A-1
 MICHAEL & BARBARA SADLE
 ROY RHINEHEIMER PROP.
 641 RICHMOND AVENUE
 D.B. 163, PG. 238
 P.C. 1, SL. 61B

TOTAL ANNEXATION AREA
 5.066 ACRES



STATE OF KENTUCKY
JASON D. BANKS
 3848
 LICENSED PROFESSIONAL LAND SURVEYOR
 10-20-17



CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE STATE OF KENTUCKY MINIMUM STANDARDS AND THAT THE MONUMENTS HAVE BEEN PLACED AS SHOWN ON THE PLAT OF SURVEY TO THE SPECIFICATIONS OF THE STATE OF KENTUCKY MINIMUM STANDARDS.

JASON D. BANKS LS #3848 #3848 10-20-17
 DATE

PURPOSE OF PLAT

THE PURPOSE OF THIS PLAT IS TO DEPICT THE PROPERTY BEING ANNEXED INTO THE CITY OF NICHOLSVILLE. SAID PROPERTY IS COMPRISED OF ONE TRACT ADJACENT TO THE RIGHTS-OF-WAY OF RICHMOND AVENUE (KY 169) & KIRK DRIVE. THE SUBJECT PROPERTY IS PREVIOUSLY RECORDED IN PLAT CABINET 1; SLIDE 61B.

RECORD SOURCE OF PROPERTY

SOURCE OF DEEDS: DEED BOOK 339; PAGE 247 OF RECORD IN THE JESSAMINE COUNTY COURTHOUSE. CURRENT TITLE HOLDER: DAVID & SHERRY BUCKLEY AND T & M CROSS

METHOD OF SURVEY

THIS PLAT IS BASED ON A FIELD SURVEY PERFORMED BY BANKS ENGINEERING, INC. IN JANUARY, 2017. THIS SURVEY WAS CONDUCTED USING GPS EQUIPMENT. THE CONTROL POINTS AND A PORTION OF THE BOUNDARY CORNERS WERE LOCATED USING GPS EQUIPMENT. THE REMAINDER OF THE BOUNDARY CORNERS WERE LOCATED USING A TOTAL STATION FROM SAID CONTROL POINTS. TRIMBLE R8-3 DUAL FREQUENCY RECEIVER WAS USED FOR THE NETWORK ADJUSTED REAL TIME KINEMATIC SURVEY. THE SURVEY AS SHOWN IS A URBAN SURVEY. THE RELATIVE POSITIONAL ACCURACY IS LESS THAN ±0.05"/100 PPM. THE HORIZONTAL DATUM IS NAD 1983, THE VERTICAL DATUM IS NAVD 1988 AND THE GEOID MODEL USED IS GEOID09.

THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY SINGLE ZONE STATE PLANE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY. THE DIRECTIONS AND DISTANCES SHOWN ON THE PLAT ARE NOT BASED ON AN ADJUSTED SURVEY.

ALL PROPERTY CORNERS HAVE BEEN MONUMENTED WITH AN IRON PIN (1/8" LENGTH, 5/8" DIAMETER) AND CAP STAMPED #3848 UNLESS OTHERWISE NOTED HEREON.

LEGEND

① IRON PIN SET (5/8" DIA.) WITH CAP #3848

ZONING

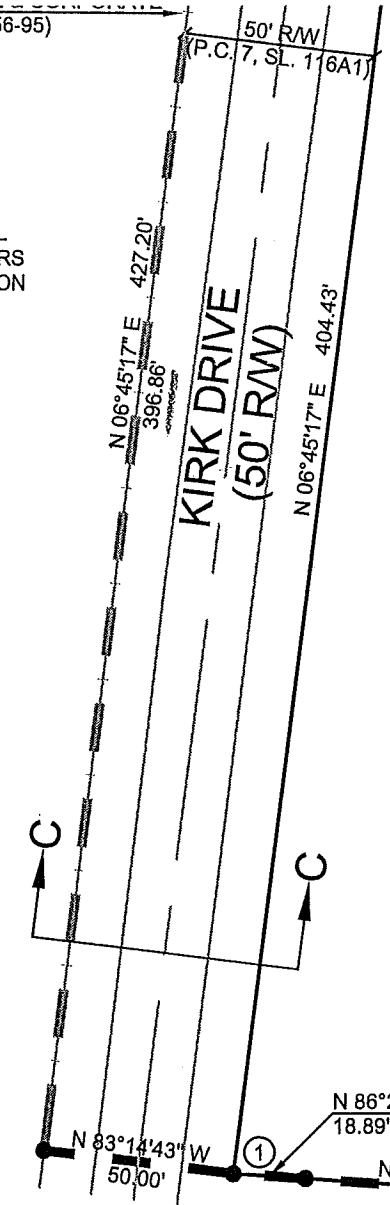
EXISTING:.....A-1 COUNTY
 PROPOSED:.....R-1C CITY

ANNEXATION SUMMARY

TOTAL AREA:.....5.066 ACRES
 AREA IN LOTS:.....4.606 ACRES
 AREA IN RIGHT OF WAY:.....0.460 ACRES

LIMITS (ORD. 156-95)

CITY R-1B
CLARENCE & MARY TRAIL
AND MARY & PATTI CENTERS
RENTERPRISES SUBDIVISION
101 KIRK DRIVE
D.B. 622, PG. 385
P.C. 9.SL. 134



PARCEL 1

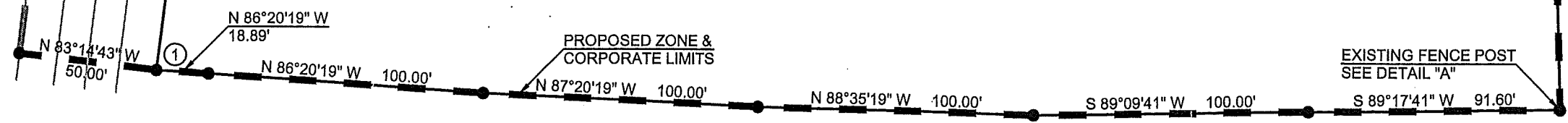
200,679 SQ.FT.
4.606 ACRES

TOTAL ANNEXATION AREA

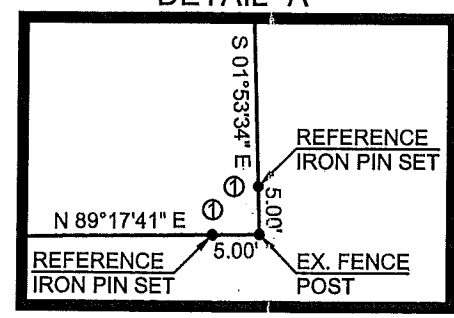
5.066 ACRES

PROPOSED ZONE & CORPORATE LIMITS

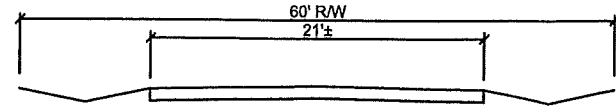
COUNTY A-1
MICHAEL & BARBARA SADLER
ROY RHINEHEIMER PROP.
641 RICHMOND AVENUE
D.B. 163, PG. 238
P.C. 1, SL. 61B



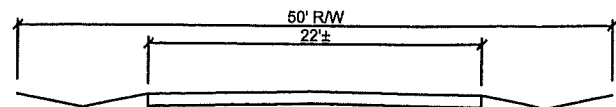
DETAIL "A"



COUNTY A-1
JAMES & EVA GOLDEY
EASTERN HILLS ESTATES
200 KIRK DRIVE
D.B. 162, PG. 586
P.C. 7, SL. 116A1



SECTION "B-B"
N.T.S.



SECTION "C-C"
N.T.S.

GRAPHIC SCALE



1 Inch = 50 feet

LOCATED USING A TOTAL STATION FROM SAID CONTROL POINTS. TRIMBLE RS-300 BY REFLECTOR RECEIVER WAS USED FOR THE NETWORK ADJUSTED REAL TIME KINEMATIC SURVEY. THE SURVEY AS SHOWN IS A URBAN SURVEY. THE RELATIVE POSITIONAL ACCURACY IS LESS THAN ±0.05" + 100 PPM. THE HORIZONTAL DATUM IS NAD 1983, THE VERTICAL DATUM IS NAVD 1988 AND THE GEOID MODEL USED IS GEOID09.

THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY SINGLE ZONE STATE PLANE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY. THE DIRECTIONS AND DISTANCES SHOWN ON THE PLAT ARE NOT BASED ON AN ADJUSTED SURVEY.

ALL PROPERTY CORNERS HAVE BEEN MONUMENTED WITH AN IRON PIN (18" LENGTH, 5/8" DIAMETER) AND CAP STAMPED #3848 UNLESS OTHERWISE NOTED HEREON.

LEGEND

① IRON PIN SET (5/8" DIA.) WITH CAP #3848

ZONING

EXISTING:.....A-1 COUNTY
PROPOSED:.....R-1C CITY

ANNEXATION SUMMARY

TOTAL AREA:.....5.066 ACRES
AREA IN LOTS:.....4.606 ACRES
AREA IN RIGHT OF WAY:.....0.460 ACRES

PROPOSED ZONE & CORPORATE LIMITS

COUNTY A-1
MICHAEL & BARBARA SADLER
ROY RHINEHEIMER PROP.
641 RICHMOND AVENUE
D.B. 163, PG. 238
P.C. 1, SL. 61B

PARCEL 1

200,679 SQ.FT.
4.606 ACRES

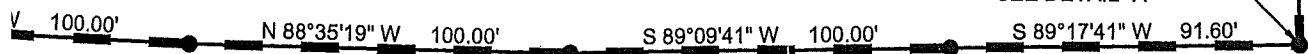
TOTAL ANNEXATION AREA

5.066 ACRES

S 01°53'34" E 425.90'

ED ZONE & STATE LIMITS

EXISTING FENCE POST
SEE DETAIL "A"



**PLAT OF ANNEXATION BOUNDARY
Roy Rhineheimer Property
Parcel 1**

Plat Cabinet 1; Slide 61B
Richmond Avenue/Kentucky Highway 169
Nicholasville, Jessamine County, Kentucky

Client and Property Owner of Record:
David & Sherry Buckley and T & M Cross
306 Marble Creek Lane
Nicholasville, Kentucky 40356

BANKS

Engineering, Inc.
Jason D. Banks, PLS
1211 Jessamine Station
Nicholasville, Kentucky 40356
(859) 881-0020

This plat does not represent a boundary survey and is not intended for land transfer
Date: September, 2017

COUNTY A-1
JAMES & EVA GOLDEY
EASTERN HILLS ESTATES
200 KIRK DRIVE
D.B. 162, PG. 586
P.C. 7, SL. 116A1

