

ORDINANCE 1003-2018

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF THE
HEREINAFTER DESCRIBED PARCEL OF LAND INTO THE CITY OF
NICHOLASVILLE, KENTUCKY

WHEREAS, Jessamine County Joint Economic Development Authority, Inc. is the record owner of the property known and described herein as Exhibit "A" (the "Property"), and has requested and consented to annex all of the Property into the City of Nicholasville, Kentucky;

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;

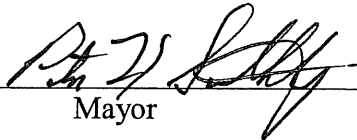
WHEREAS, the City has elected to establish zoning for the Property prior to the completion of the annexation pursuant to KRS 100.209 as described in Ordinance 1002-2018, a copy of which is attached hereto as Exhibit "B";

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 "C" in accordance with KRS 81A.420.

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

FIRST READING

DATED: February 12, 2018

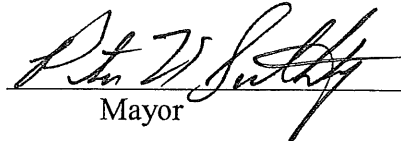

Mayor

ATTEST:


City Clerk

SECOND READING

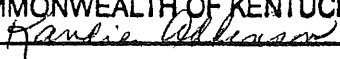
DATED: February 26, 2018


Mayor

ATTEST:


City Clerk

RECEIVED AND FILED
DATE March 15, 2018

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY 

ORDINANCE 1003-2018

SUMMARY OF ORDINANCE

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF THE
HEREINAFTER DESCRIBED PARCEL OF LAND INTO THE CITY OF
NICHOLASVILLE, KENTUCKY

This ordinance establishes a decree of annexation of a portion of the property located at 2081 South Main Street, Nicholasville, Kentucky, for approximately 82.3 acres into the City of Nicholasville, Kentucky.

**NOTICE OF ENACTMENT OF
ORDINANCE**

Notice is hereby given that the Nicholasville City Commission on February 26, 2018 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 1003-2018: AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF THE HEREINAFTER DESCRIBED PARCEL OF LAND INTO THE CITY OF NICHOLASVILLE, KENTUCKY** (This ordinance establishes a decree of annexation of a portion of the property located at 2081 South Main Street, Nicholasville, Kentucky, for approximately 82.3 acres into the City of Nicholasville.)

Roberta Warren, City Clerk
March 1, 2018

EXHIBIT A

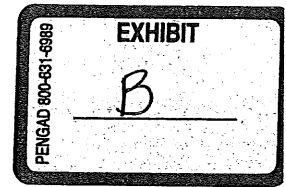
PROPERTY DESCRIPTION

Being the property conveyed to Joe Jennette, Jr., Viley Marie Wade, and Jerry F. Jennette Kestel, by Deed dated March 31, 2017, and recorded in Deed Book 754, at page 618, in the Jessamine County Clerk's office.

Being all of Tract 1 as shown on the Minor Subdivision Plat for Joe & Julian Jennette, which appears of record in Plat Cabinet 1, Slide 103B, in the Jessamine County Clerk's office.

There is excluded and not conveyed that certain real estate which was conveyed to the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways by Deed dated March 30, 1990, and recorded in Commissioner's Deed Book 11, at page 220, in the Jessamine County Clerk's office.

Being a portion of the same property conveyed to Joe Jennette, for and during his natural life, with remainder to his children, by Deed dated September 9, 1978, and recorded in Deed Book 160, at page 343, in the Jessamine County Clerk's office. The said Joe Jennette departed this life on April 30, 2005, and upon his death his interest in the herein described real estate ceased and vested solely in his children, Joe Jennette, Jr., Charles Jennette, Viley Marie Wade and Jerry F. Jennette, jointly and severally.



ORDINANCE 1002-2018

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) AGRICULTURAL DISTRICT TO B-2 (CITY) HIGHWAY BUSINESS DISTRICT FOR APPROXIMATELY 8.02 ACRES OF PROPERTY; AND A-1 (COUNTY) AGRICULTURE DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR APPROXIMATELY 74.28 ACRES OF PROPERTY, LOCATED ON A PORTION OF 2081 SOUTH MAIN STREET (PVA #047-00-00-035.01), BEING THE WEST SIDE OF THE U.S. 27 BYPASS, NICHOLASVILLE, KENTUCKY 40356

WHEREAS, the Nicholasville Planning Commission held a public hearing on January 22, 2018, 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 JESSAMINE COUNTY JOINT ECONOMIC DEVELOPMENT AUTHORITY, INC., P.O. BOX 1042, NICHOLASVILLE, KENTUCKY 40356, FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO B-2 (CITY) HIGHWAY BUSINESS DISTRICT FOR APPROXIMATELY 8.02 ACRES OF PROPERTY; AND A-1 (COUNTY) AGRICULTURE DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR APPROXIMATELY 74.28 ACRES OF PROPERTY, LOCATED ON A PORTION OF 2081 SOUTH MAIN STREET (PVA #047-00-00-035.01), BEING THE WEST SIDE OF THE U.S. 27 BYPASS, NICHOLASVILLE, KENTUCKY 40356. INCLUDE THE STAFF COMMENTS; TO ADD THE NOTE ABOUT NO DIRECT ACCESS OTHER THAN THE RIGHT-OF-WAY FROM LOTS THAT ADJOIN SHUN PIKE; AND TO ACCEPT THE JUSTIFICATIONS SUBMITTED BY THE APPLICANT;

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

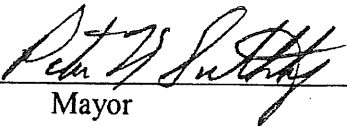
NOW THEREFORE BE IT ORDAINED that the above recommendation by the Nicholasville Planning Commission be adopted and approved as well as the Findings of Fact and Conclusions of the Nicholasville Planning Commission, which are incorporated by reference herein.

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.

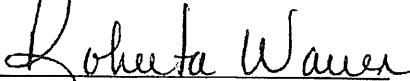
FIRST READING

DATED: February 12, 2018



Mayor

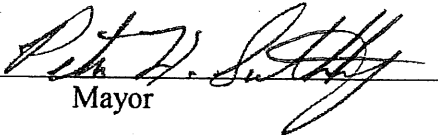
ATTEST:



City Clerk

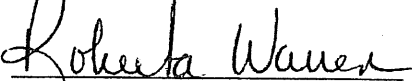
SECOND READING

DATED: February 26, 2018



Mayor

ATTEST:



City Clerk

ORDINANCE 1002-2018

SUMMARY OF ORDINANCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) AGRICULTURAL DISTRICT TO B-2 (CITY) HIGHWAY BUSINESS DISTRICT FOR APPROXIMATELY 8.02 ACRES OF PROPERTY; AND A-1 (COUNTY) AGRICULTURE DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR APPROXIMATELY 74.28 ACRES OF PROPERTY, LOCATED ON A PORTION OF 2081 SOUTH MAIN STREET (PVA #047-00-00-035.01), BEING THE WEST SIDE OF THE U.S. 27 BYPASS, NICHOLASVILLE, KENTUCKY 40356

This ordinance amends the Official Zoning Map of the City of Nicholasville in accordance with the recommendation of the Nicholasville Planning Commission to approve the zone change request submitted by JESSAMINE COUNTY JOINT ECONOMIC DEVELOPMENT AUTHORITY, INC., P.O. BOX 1042, NICHOLASVILLE, KENTUCKY 40356, FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO B-2 (CITY) HIGHWAY BUSINESS DISTRICT FOR APPROXIMATELY 8.02 ACRES OF PROPERTY; AND A-1 (COUNTY) AGRICULTURE DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR APPROXIMATELY 74.28 ACRES OF PROPERTY, LOCATED ON A PORTION OF 2081 SOUTH MAIN STREET (PVA #047-00-00-035.01), BEING THE WEST SIDE OF THE U.S. 27 BYPASS, NICHOLASVILLE, KENTUCKY 40356. INCLUDE THE STAFF COMMENTS; TO ADD THE NOTE ABOUT NO DIRECT ACCESS OTHER THAN THE RIGHT-OF-WAY FROM LOTS THAT ADJOIN SHUN PIKE; AND TO ACCEPT THE JUSTIFICATIONS SUBMITTED BY THE APPLICANT.

**NOTICE OF ENACTMENT OF
ORDINANCE**

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Roberta Warren, City Clerk
March 1, 2018

Publisher's Certificate of Publication

STATE OF KENTUCKY

Mike Caldwell, 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 Winchester Sun and the 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:

03/01/18

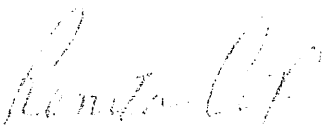
2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

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



Mike Caldwell, publisher

Subscribed and sworn to before me this
1st Day of March, 2018



Renita Cox
3/10/2018,

Account #
Ad # 446762

CITY OF NICHOLASVILLE
P.O. BOX 450
517 NORTH MAIN STREET
NICHOLASVILLE KY 40340

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Roberta Warren, City Clerk
March 1, 2018

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STATE OF KENTUCKY

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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:

02/27/18, 02/28/18, 03/01/18

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

NOTICE OF ENACTMENT OF ORDINANCE

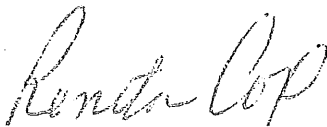
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Roberta Warren, City Clerk
March 1, 2018



Mike Caldwell, publisher

Subscribed and sworn to before me this
1st Day of March, 2018



Renita Cox
3/10/2018,

Account #
Ad # 446806

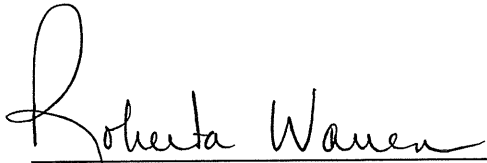
CITY OF NICHOLASVILLE
P.O. BOX 450
517 NORTH MAIN STREET
NICHOLASVILLE KY 40340



Nicholasville

I certify I am the duly qualified City Clerk of the City of Nicholasville, Kentucky and the foregoing ten (10) pages of Ordinance 1003-2018 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on February 26, 2018 all as appears in the official records of said city.

WITNESS, my hand and the Seal of the City of Nicholasville, this 13th day of March, 2018.



Roberta Warren, City Clerk

Seal

ANNEXATION BOUNDARY
JOE & JULIAN JENNETTE PROPERTY
TRACT 1 (WESTERLY PORTION)
PLAT CABINET 1; SLIDE 103

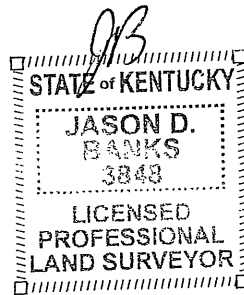
For

JESSAMINE COUNTY JOINT ECONOMIC DEVELOPMENT AUTHORITY, INC.

All that tract or parcel of land being situated along the westerly side of the US 27 By-pass approximately 750' northerly of the US 27 By-pass and South Main Street intersection and being more particularly described as follows, TO WIT:

Beginning at a point on the westerly right-of-way of the US 27 By-pass and being on the existing corporate limits of Nicholasville, Kentucky, common corner to Jimmie Peel (D.B. 322; P. 145, D.B. 56; P. 289), said point being a set iron pin and cap (#3848), thence with the existing westerly right-of-way of the US 27 By-pass, S 28°07'26" E – 125.49' to a set iron pin and cap (#3848), thence S 28°07'20" E – 48.86' to a set iron pin and cap (#3848), thence N 64°30'33" E – 35.00' to a set iron pin and cap (#3848), thence S 21°12'43" E – 167.18' to a set iron pin and cap (#3848), thence S 22°27'26" E – 490.78' to a set iron pin and cap (#3848), thence S 13°50'46" E – 390.46' to a found iron pin and cap (#1218), common corner to Julian Jennette (D.B. 160; P. 347, P.C. 11; Sl. 322), thence leaving the westerly right-of-way of the US 27 By-pass and continuing with the common line of Julian Jennette, N 80°12'57" W – 702.07' to a found iron pin (No cap), passing through a found iron pin and cap (#1218) at 500.32', thence S 09°19'02" W – 54.28' to a found iron pin (No cap), thence N 87°37'45" W – 157.50' to a found corner post, passing through a found iron pin and cap (#1218) at 152.32', thence S 64°17'22" W – 521.31' to a found corner post, passing through a found iron pin and cap (#1218) at 4.79' and a found iron pin and cap (#1218) at 516.15', thence S 00°39'58" E – 131.95' to a found iron pin (No cap), passing through a found iron pin and cap (#1218) at 3.51', thence S 87°05'18" W – 110.95' to a found corner post, passing through a found iron pin and cap (#1218) at 105.58', thence N 01°46'43" W – 430.87' for a found iron pin (No cap), passing through a found iron pin and cap (#1218) at 5.06', thence S 81°53'29" W – 1801.34' to a found iron pin (No cap), passing through a found iron pin and cap (#1218) at 999.66', thence leaving the line of Julian Jennette and continuing with the line of John Hunt McMurtry and Cynthia Parker (D.B. 556; P. 132) N 21°27'20" E – 1214.02' to the centerline of Shun Pike, passing through a set iron pin and cap (#3848) at 1185.92', thence leaving the common line of McMurtry and Parker and continuing with the centerline of Shun Pike, N 84°16'41" E – 264.95' to a point, thence along a curve to the left having a radius of 94.49' for an arc distance of 109.39' and having a chord bearing N 51°06'46" E – 103.38' to a point, thence N 17°56'50" E – 142.58' to a point and N 16°08'04" E – 186.93' to a point,

common corner to Jimmie Peel and Lucille Smith (D.B. 109; P. 96, P.C. 6; Sl. 76-B), thence leaving the centerline of Shun Pike and continuing with the common line of Peel and Smith, S 78°13'27" E – 712.28' to a set mag nail and washer (#3848), passing through a set iron pin and cap (#3848) at 25.07', thence N 16°51'11" E – 190.99' to a set iron pin and cap (#3848), common corner to Peel and Smith and Jimmie Peel (D.B. 322; P. 145, D.B. 56; P. 289), thence continuing with the common line of Peel, S 73°47'59" E – 1189.01' to the beginning and containing 79.22 acres.



3-7-18

LEGEND

- ① IRON PIN SET
(5/8" DIA., 18" LONG)
WITH CAP #3848
 - ② MAG NAIL SET
WITH WASHER STAMPED "3848"
 - ③ IRON PIN FOUND
WITH CAP #1218
 - ④ IRON PIN FOUND
NO CAP
 - ⑤ OPEN PIPE FOUND
 - ⑥ MAGNETIC OBJECT UNDER PAVEMENT
(NOT DUG OUT THIS SURVEY)
 - ◇ CALCULATED CORNER - NO MONUMENT SET
- D.U.E. DRAINAGE AND UTILITY EASEMENT
 B.L. BUILDING SETBACK LINE
 R.W.E. ROADWAY WIDENING EASEMENT
 O.H.E. OVERHEAD ELECTRIC EASEMENT
 C.E. CREEK EASEMENT

ANNEXATION SUMMARY

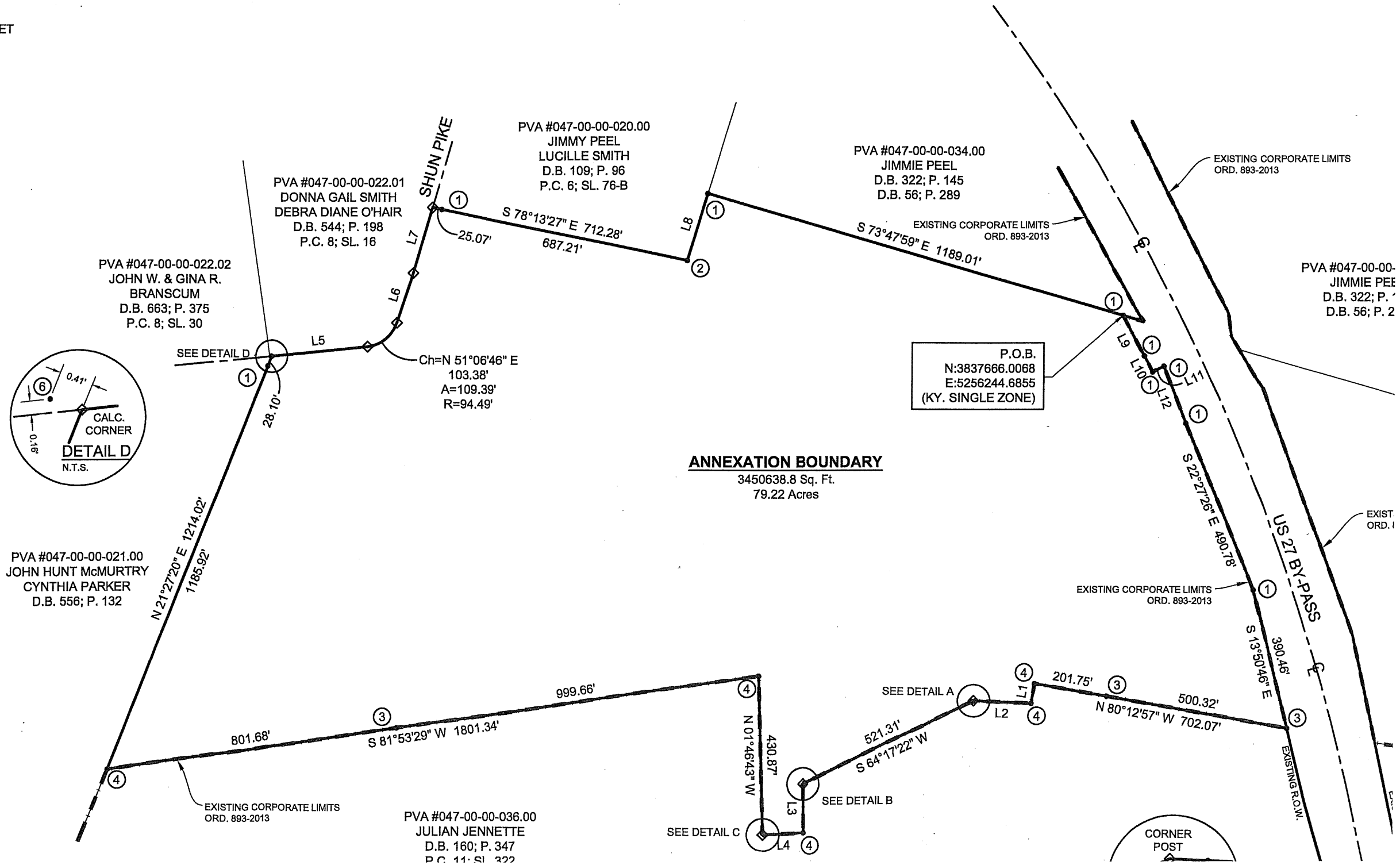
TOTAL AREA:.....79.22 ACRES
 AREA IN LOTS:.....79.22 ACRES
 AREA IN RIGHT OF WAY:..... N/A

PURPOSE OF PLAT

THE PURPOSE OF THIS PLAT IS TO DEPICT THE PROPERTY BEING ANNEXED INTO THE CITY OF NICHOLASVILLE. SAID PROPERTY IS COMPRISED OF 79.22 ACRES.

RECORD SOURCE OF PROPERTY

SOURCE OF DEEDS: DEED BOOK 763; PAGE 315 OF RECORD IN THE JESSAMINE COUNTY COURTHOUSE.



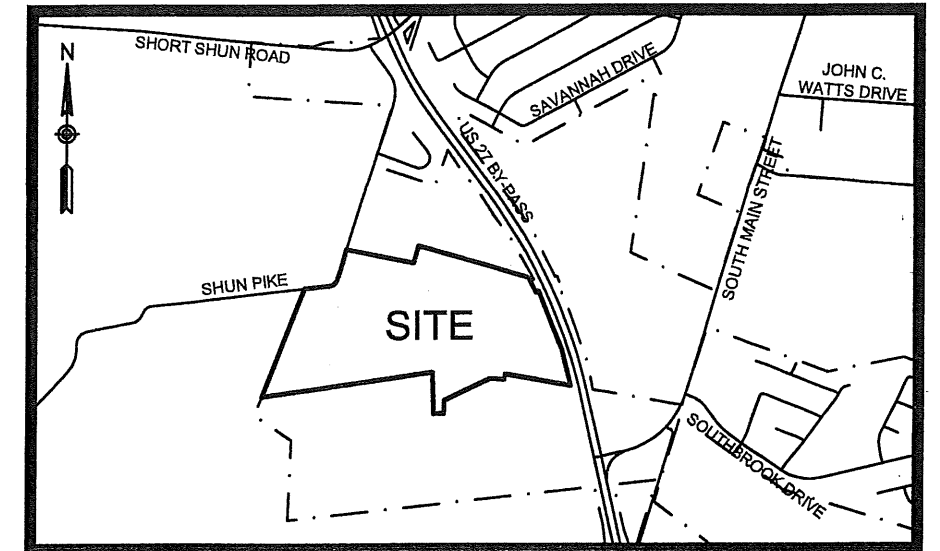
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RECORD SOURCE OF PROPERTY

SOURCE OF DEEDS: DEED BOOK 763; PAGE 315 OF RECORD IN THE JESSAMINE COUNTY COURTHOUSE.

..... 79.22 ACRES
 79.22 ACRES
 N/A



METHOD OF SURVEY


THIS PLAT IS BASED ON A FIELD SURVEY PERFORMED BY BANKS ENGINEERING, INC. IN MARCH, 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 RURAL SURVEY. THE RELATIVE POSITIONAL ACCURACY IS LESS THAN ±0.10"+200 PPM. THE HORIZONTAL DATUM IS NAD 1983, THE VERTICAL DATUM IS NAVD 1988 AND THE GEOID MODEL USED IS GEOID09.

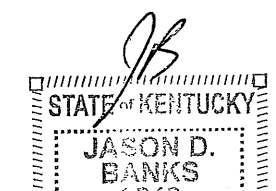
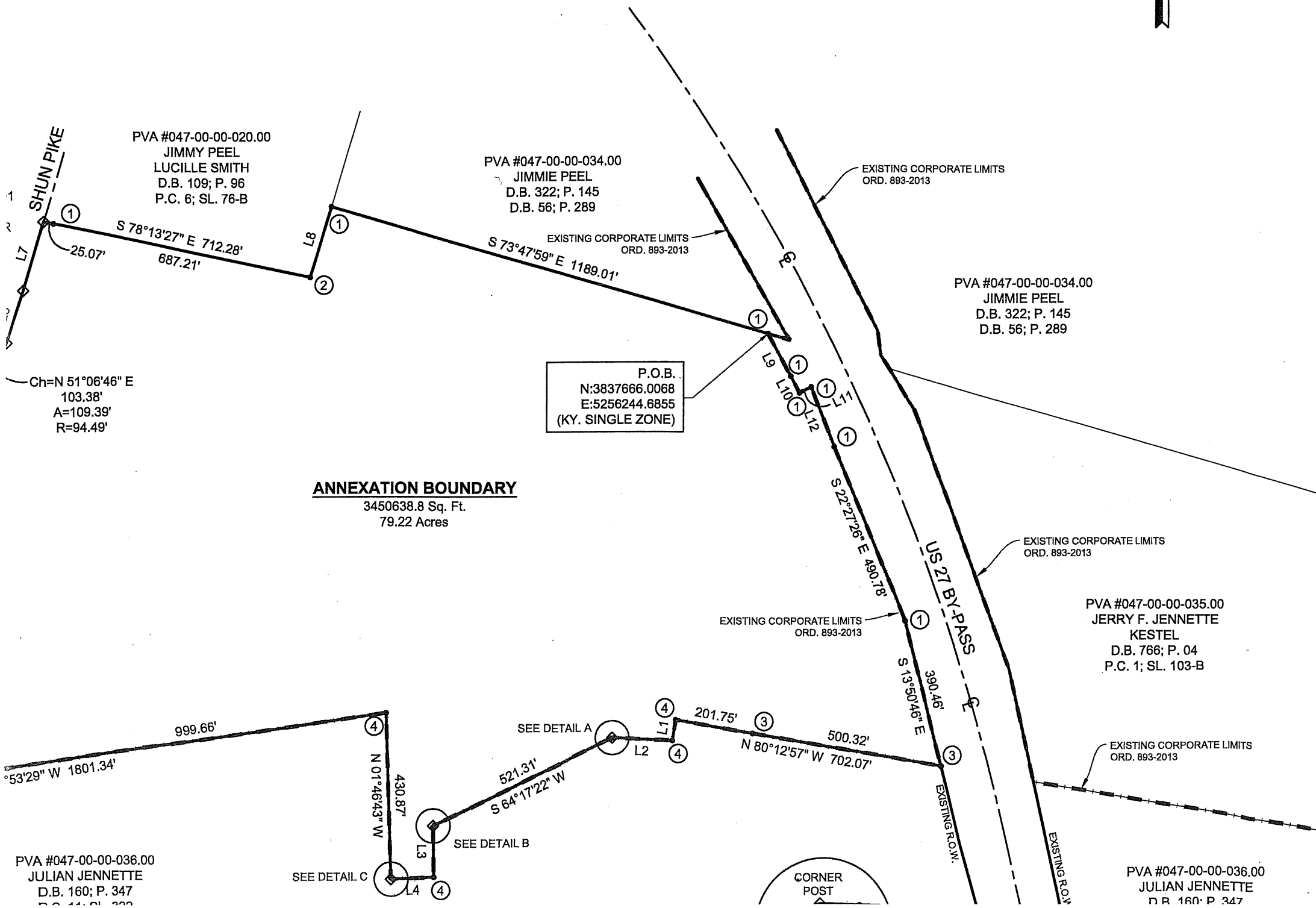
THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY SINGLE ZONE STATE PLANE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY. THE DIRECTIONS AND DISTANCES SHOWN ON THE PLAT ARE NOT BASED ON AN ADJUSTED SURVEY.

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

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.

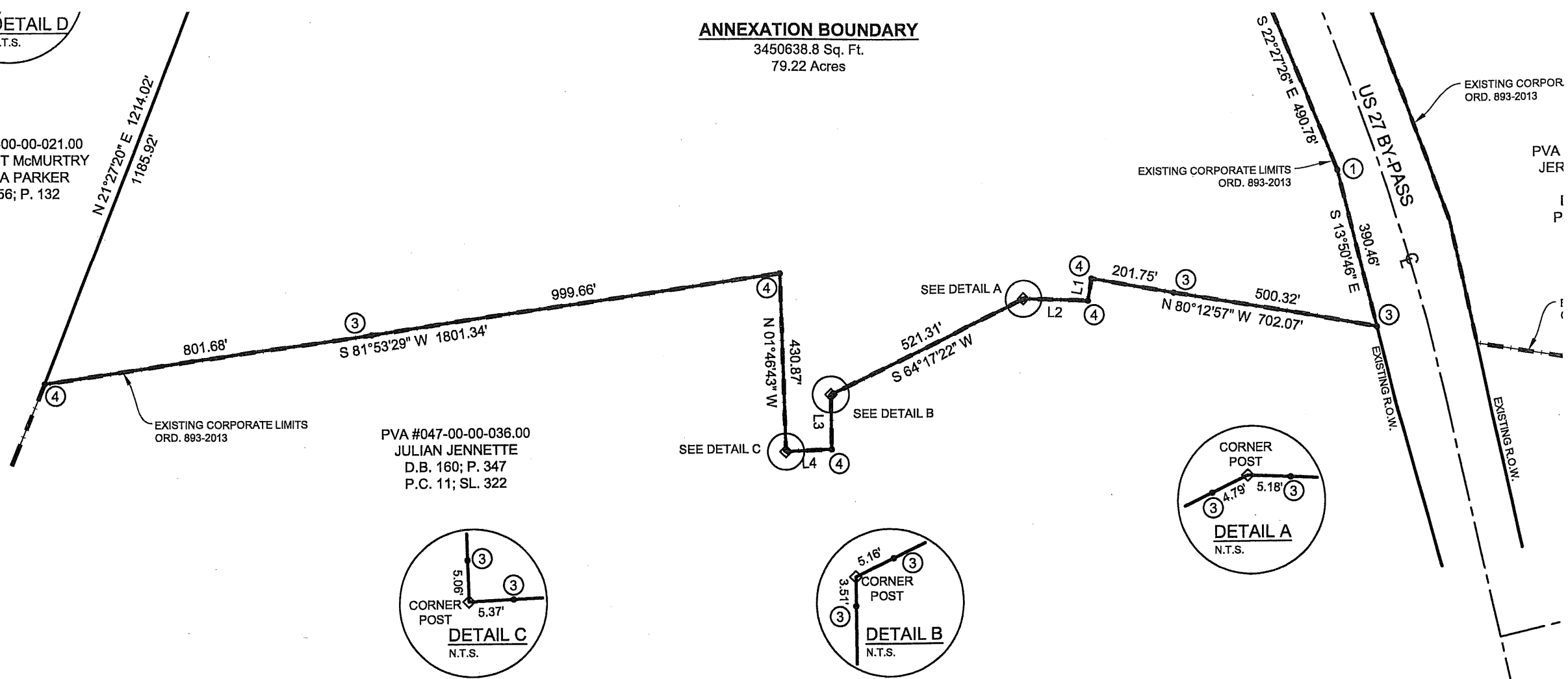
 #3848 3-8-18
 JASON D. BANKS L.S. #3848 DATE:



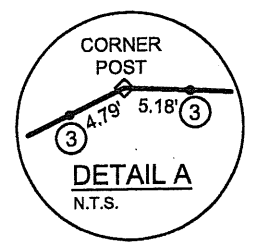
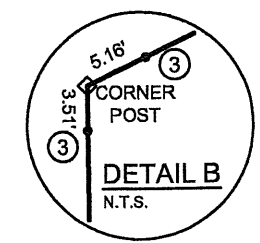
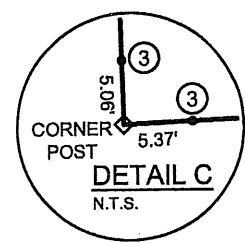
DETAIL D
N.T.S.

PVA #047-00-00-021.00
JOHN HUNT McMURTRY
CYNTHIA PARKER
D.B. 556; P. 132

ANNEXATION BOUNDARY
3450638.8 Sq. Ft.
79.22 Acres



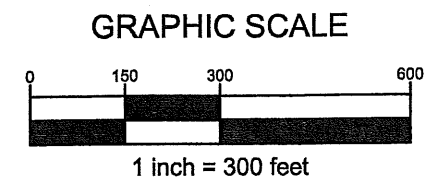
PVA #047-00-00-036.00
JULIAN JENNETTE
D.B. 160; P. 347
P.C. 11; SL. 322



PRIOR RECORD PLAT NOTE

THE PROPERTY SHOWN HEREON IS THE WESTERLY PORTION OF TRACT 1 OF THE JOE & JULIAN JENNETTE PROPERTY LODGED OF RECORD IN PLAT CABINET 1; SLIDE 103 IN THE JESSAMINE COUNTY CLERK'S OFFICE. SUBSEQUENT TO RECORDING OF SAID PLAT, RIGHT-OF-WAY WAS ACQUIRED BY THE COMMONWEALTH OF KENTUCKY DEPARTMENT OF HIGHWAYS WHICH CREATED A DIVISION OF THE PLATTED BOUNDARY OF TRACT 1 INTO TWO (2) TRACTS. BOUNDARY SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED BY BANKS ENGINEERING, INC. IN APRIL, 2017.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 09°19'02" W	54.28'
L2	N 87°37'45" W	157.50'
L3	S 00°39'58" E	131.95'
L4	S 87°05'18" W	110.95'
L5	N 84°16'41" E	264.95'
L6	N 17°56'50" E	142.58'
L7	N 16°08'04" E	186.93'
L8	N 16°51'11" E	190.99'
L9	S 28°07'26" E	125.49'
L10	S 28°07'20" E	48.86'
L11	N 64°30'33" E	35.00'
L12	S 21°12'43" E	167.18'

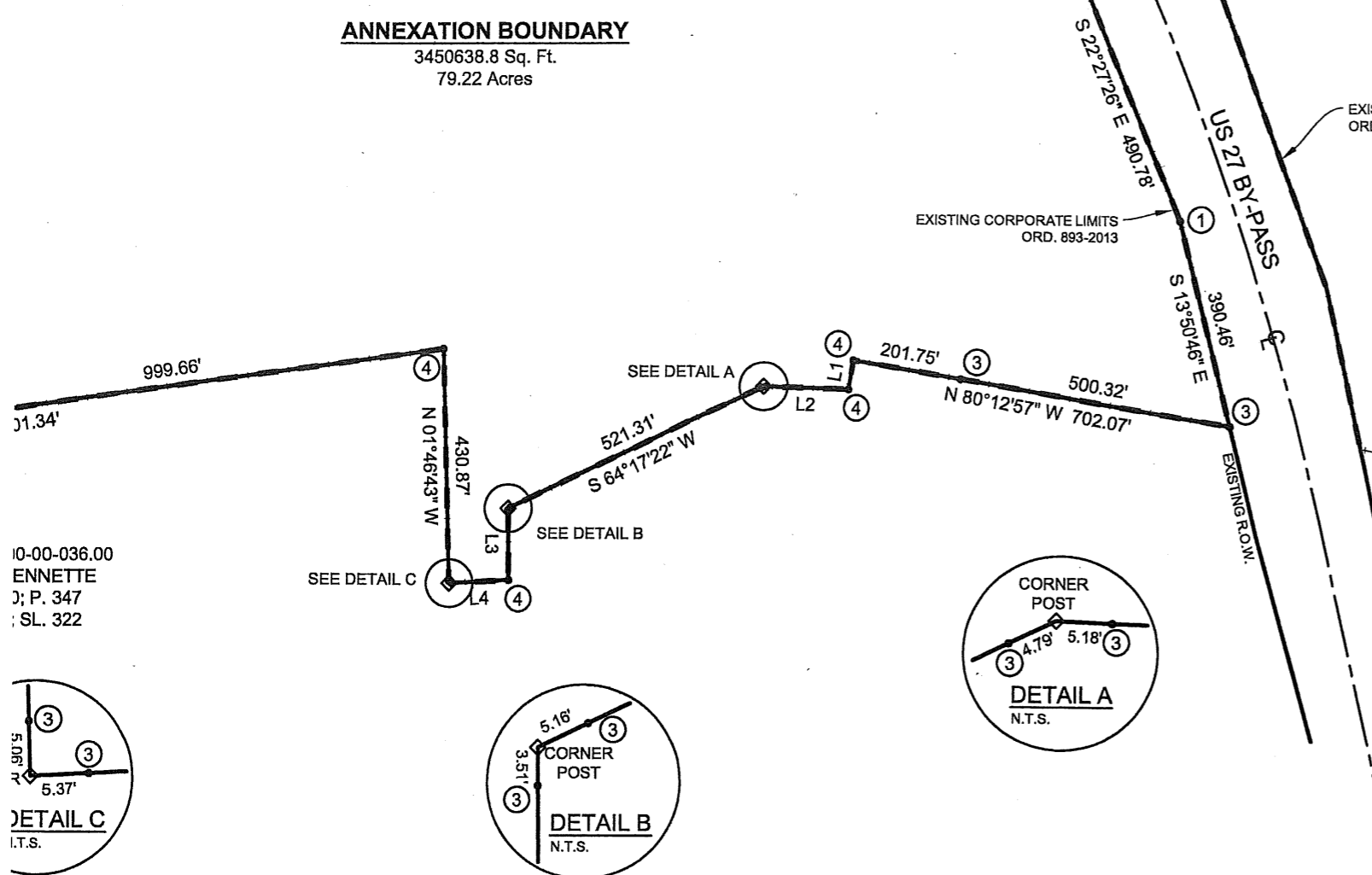


ANNEXATION BOUNDARY

3450638.8 Sq. Ft.
79.22 Acres

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 L.S. #3848 #3848 DATE: 3-8-18



PVA #047-00-00-035.00
JERRY F. JENNETTE
KESTEL
D.B. 766; P. 04
P.C. 1; SL. 103-B

PVA #047-00-00-036.00
JULIAN JENNETTE
D.B. 160; P. 347
P.C. 11; SL. 322

STATE OF KENTUCKY
JASON D. BANKS
#3848
LICENSED PROFESSIONAL LAND SURVEYOR
3-8-18

PLAT OF ANNEXATION BOUNDARY
Being a portion of
JOE & JULIAN JENNETTE PROPERTY TRACT 1
Plat Cabinet 1; Slide 103
2081 South Main Street
Nicholasville, Jessamine County, Kentucky
Client and Property Owner of Record:
Jessamine County Joint Economic Development Authority, Inc.

PO Box 1042
Nicholasville, KY 40340-1042

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

December, 2017

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 09°19'02" W	54.28'
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