

ORDINANCE 1007-2018

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION INTO THE CITY OF NICHOLASVILLE, KENTUCKY FOR APPROXIMATELY 73.42 ACRES OF PROPERTY, PVA PARCEL # 067-00-00-179.00, ADJOINING CANTER LANE ON THE SOUTH AND INDUSTRY PARKWAY ON THE WEST

WHEREAS, William B. Canter and Judy Canter are the record owners of the property known and described herein as Exhibit "A" (the "Property"), and have requested and consented to the annexation of all of the Property into the City of Nicholasville, Kentucky, pursuant to that certain Memorandum and Agreement by and among William B. Canter, Judy Canter and the City of Nicholasville, 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;

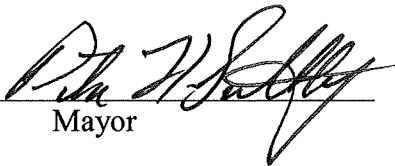
WHEREAS, the City has elected to establish zoning for the Property prior to the completion of the annexation pursuant to KRS 100.209 as described in Ordinance 1006-2018, a copy of which is attached hereto as Exhibit "C";

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.

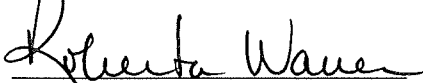
This Ordinance shall take effect upon adoption, execution and publication.

FIRST READING

DATED: March 12, 2018

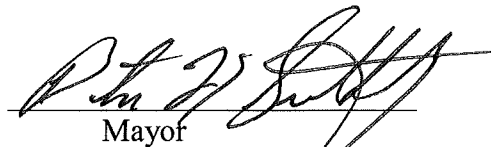
  
Mayor

ATTEST:

  
City Clerk

SECOND READING


DATED: April 23, 2018

  
Mayor

ATTEST:

  
City Clerk

RECEIVED AND FILED  
DATE May 7, 2018

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY 

1007-2018

SUMMARY OF ORDINANCE

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION INTO THE CITY OF NICHOLASVILLE, KENTUCKY FOR APPROXIMATELY 73.42 ACRES OF PROPERTY, PVA PARCEL # 067-00-00-179.00, ADJOINING CANTER LANE ON THE SOUTH AND INDUSTRY PARKWAY ON THE WEST

This ordinance establishes a decree of annexation of the property adjoining Canter Lane on the south and Industry Parkway on the west, for approximately 73.42 acres into the City of Nicholasville, Kentucky.

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**Public Notices**

**PUBLIC NOTICE  
NOTICE OF ENACTMENT  
OF ORDINANCE**

Notice is hereby given that the Nicholasville City Commission on April 23, 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 1007-2018: AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION INTO THE CITY OF NICHOLASVILLE, KENTUCKY FOR APPROXIMATELY 73.42 ACRES OF PROPERTY, PVA PARCEL #067-00-00-179.00, ADJOINING CANTER LANE ON THE SOUTH AND INDUSTRY PARKWAY ON THE WEST.** (This ordinance establishes a decree of annexation of the property adjoining Canter Lane on the south and Industry Parkway on the west, for approximately 73.42 acres into the City of Nicholasville, Kentucky.)  
Roberta Warren, City Clerk  
April 26, 2018

**EXHIBIT A**  
**PROPERTY DESCRIPTION**

(Attached hereto)

ANNEXATION BOUNDARY  
WILLIAM B. CANTER PROPERTY  
CANTER LANE

All that tract or parcel of land being situated easterly of and adjacent to the Bluegrass Industrial Park in Nicholasville, Jessamine County Kentucky and being more particularly described as follows, TO WIT:

Beginning at a point in the existing corporate limits of Nicholasville, Kentucky (Ordinance 552-2005), said point being a common corner to Canter and William N. & Joyce Cassity (D.B. 125; P. 616, D.B. 360; P. 433) and being in the line of Rshijbh Properties LLC (D.B. 593; P. 266), thence leaving the existing corporate limits of Nicholasville, Kentucky and continuing with the line of Cassity, S 27°46'47" W – 297.84' to a point, thence S 21°37'42" W – 2085.78' to a point, said point being a common corner to Canter and Singleton/Adams property (D.B. 679; P. 344, P.C. 11; Sl. 250) and being on the line of Vincewood Estates Subdivision, Unit 2 (P.C. 7; Sl. 133-B3), thence leaving the line of Vincewood Estates Subdivision and continuing with the line of Singleton/Adams, N 55°10'03" W – 1512.01' to a point, said point being a common corner to J.B. Johnson II (D.B. 508; P. 670, P.C. 3; Sl. 45) and being on the line of Juliana P. Whitman (D.B. 748; P. 430, P.C. 11; Sl. 335) and said point being on the existing corporate limits of Nicholasville (Ordinance 370-2001), thence with the existing corporate limits of Nicholasville, Kentucky and the easterly line of Bluegrass Industrial Park, N 27°01'13" E – 516.06' to a point and N 26°56'51" E – 1708.86' to an existing iron pin, common corner to Canter and Bluegrass Industrial Park and being on the line of Rshijbh Properties LLC (D.B. 593; P. 266), thence leaving the common line of Bluegrass Industrial Park and continuing with the existing corporate limits and line of Rshijbh Properties LLC (D.B. 593; P. 266), S 63°27'39" E – 549.60' to a point and S 58°24'14" E – 760.94' to the beginning and containing 73.42 acres.

**EXHIBIT B**

**MEMORANDUM OF AGREEMENT**

(Attached hereto)

**ORIGINAL**

**MEMORANDUM AND AGREEMENT**

This Memorandum and Agreement ("Memorandum") is entered into on this 9<sup>th</sup> day of April, 2018, by and between **William B. Canter and Judy Canter**, husband and wife, 620 Richmond Avenue, Nicholasville, Kentucky 40356 (William B. Canter and Judy Canter, 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 seventy-three and 42/100 (73.42) acres located on Canter Lane, which property is more specifically described in Exhibit "A" attached hereto and incorporated by reference herein ("**Property**"); 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 and existing infrastructure 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 acknowledges Owners' intention to request zoning for the Property in accordance with the I-1 (City) light industrial district. 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:** In the event the Property is rezoned residential at any time after annexation, 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 residential unit, 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 the event the Property is rezoned commercial at any time after annexation, 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 Ten Thousand Five Hundred and 00/100 Dollars (\$10,500.00) per acre, 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:**

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.

No access shall be constructed from Canter Lane.

As illustrated by Exhibit B attached:

(a) The black border over and across the north Property line, labeled "15", will be a 15 foot buffer (not in addition to any setback requirement) with screening as required by the Zoning Ordinance.



(b) The black border over and across the outer perimeter of Lots 3-5, labeled "100", will be a 100 foot buffer (not in addition to any setback requirement) and instead of screening required by the Zoning ordinance, this buffer will be planted with hemlock and deciduous trees and the existing vegetation left in place.

(c) The red border over and across the eastern and outer perimeter of Lots 6 – 13, labeled "15", will be a 15 foot buffer (not in addition to any setback requirement) with screening as required by the Zoning Ordinance and with any existing vegetation along the Property line left in place.

(d) There will be no buffer area or planting along the unmarked portion of the southern border of the Property. However, any existing vegetation along the property lines will be left in place.

(e) All buildings constructed on Lots 3-5 shall have earth tone exterior colors and all lighting on Lots 3-5 shall be pole lights (no wall packs) with shields which direct the light to the ground.

**(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 indemnify 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 620 Richmond Avenue, 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(a) above, the covenants contained herein are specifically conditioned on the annexation and zoning of the Property as specified above.

**(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 covenant set forth in Paragraph 4 (a) 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 9<sup>TH</sup> day of April, 2018.

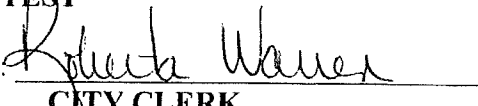
**CITY OF NICHOLASVILLE**

BY:

  
MAYOR

ATTEST

BY:

  
CITY CLERK

**OWNERS:**

  
WILLIAM B. CANTER

  
JUDY CANTER

COMMONWEALTH OF KENTUCKY

COUNTY OF JESSAMINE, SCT...

Subscribed, sworn to and acknowledged before me this 9<sup>th</sup> day of April, 2018, 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 APRIL 9<sup>th</sup> 2018

My Commission expires: MAY 30, 2020

Kathy Walker ID 556353  
NOTARY PUBLIC

COMMONWEALTH OF KENTUCKY

COUNTY OF JESSAMINE, SCT...

Subscribed, sworn to and acknowledge before me on this 6 day of April, 2018, by William B. Canter and Judy Canter.

My Commission expires: 12-21-2018

Melvin Smith KY 524702  
NOTARY PUBLIC

**PREPARED BY:**

Meghan Jackson Tyson

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](mailto:meghan.tyson@nicholasville.org)

**PROJECT INFORMATION**

PROJECT NO. 111111  
 DATE: 11/11/11  
 CLIENT: WILLIAM B. CANTER PROPERTY  
 LOCATION: CANTER LANE, NICHOLASVILLE, KY  
 PROJECT TYPE: FINAL DEVELOPMENT PLAN

NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY PLAN	11/11/11	J.B.
2	REVISIONS	11/11/11	J.B.
3	FINAL DEVELOPMENT PLAN	11/11/11	J.B.

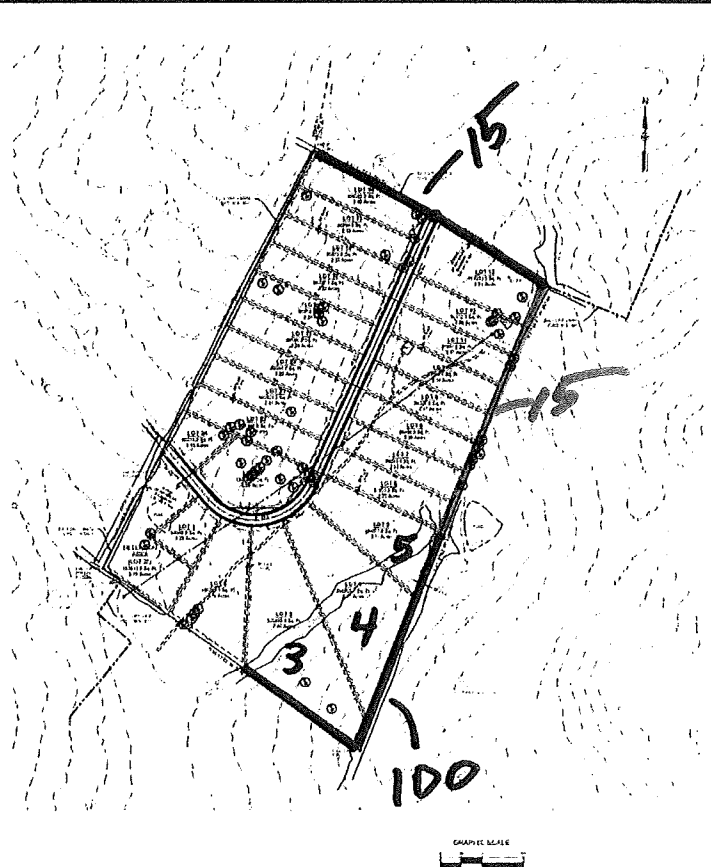
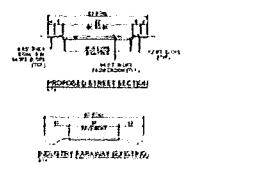
**NOTES**

1. ALL DIMENSIONS ARE IN FEET AND INCHES.

2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.

3. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

4. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE.



**PLANNING EXAMINER'S CERTIFICATE**

DATE: 11/11/11  
 EXAMINER: J.B.



**PLANNING EXAMINER'S CERTIFICATE**

DATE: 11/11/11  
 EXAMINER: J.B.

**RECORDS OF PROPERTY**

1. THE PROPERTY IS DESCRIBED AS FOLLOWS: [Detailed description of the property boundaries and dimensions.]

2. THE PROPERTY IS BOUND BY [Adjacent property owners and their addresses].

3. THE PROPERTY IS SUBJECT TO THE FOLLOWING EASEMENTS AND ENCUMBRANCES: [List of easements and encumbrances.]

4. THE PROPERTY IS SUBJECT TO THE FOLLOWING ZONING REGULATIONS: [Reference to zoning code.]

EX. B

**EXHIBIT C**

**ORDINANCE AMENDING THE ZONE MAP FOR THE CITY OF  
NICHOLASVILLE, KENTUCKY**

(Attached hereto)

ORDINANCE 1013-2018

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) AGRICULTURAL DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR APPROXIMATELY 73.42 ACRES OF PROPERTY, PVA PARCEL # 067-00-00-179.00, ADJOINING CANTER LANE ON THE SOUTH AND INDUSTRY PARKWAY ON THE WEST

WHEREAS, the Nicholasville Planning Commission held a public hearing on February 26, 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 WILLIAM B. & JUDY CANTER, 620 RICHMOND AVENUE, NICHOLASVILLE, KENTUCKY 40356, FROM A-1 (COUNTY) AGRICULTURE DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR APPROXIMATELY 73.42 ACRES OF PROPERTY, PVA PARCEL #067-00-00-179.00, ADJOINING CANTER LANE ON THE SOUTH AND INDUSTRY PARKWAY ON THE WEST. INCLUDE THE STAFF COMMENTS; TO APPROVE THE ADJUSTED BUFFER ZONES FROM 50' TO 100' ALONG THE SOUTH AND EAST PERIMETERS AND A 50' ADJUSTED BUFFER ZONE AROUND THE NORTHERN PERIMETER; 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 in part and reject the above recommendation in part;

NOW THEREFORE BE IT ORDAINED as follows:

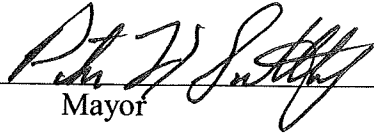
1. The Findings of Fact and Conclusions of the Nicholasville Planning Commission are hereby adopted, approved and incorporated by reference herein.
2. The above recommendation by the Nicholasville Planning Commission is hereby adopted and approved with the exception of the adjusted buffer zones from 50' to 100' along the south and east perimeters and a 50' adjusted buffer zone around the northern perimeter.

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.

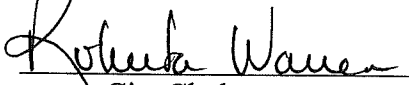
This Ordinance shall take effect upon adoption, execution and publication.

FIRST READING

DATED: April 9, 2018

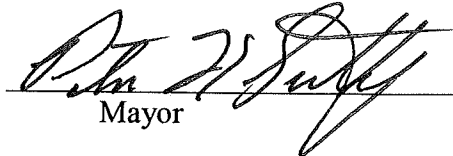
  
\_\_\_\_\_  
Mayor

ATTEST:

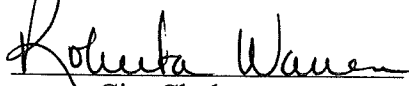
  
\_\_\_\_\_  
City Clerk

SECOND READING

DATED: April 23, 2018

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

**PUBLIC NOTICE  
NOTICE OF ENACTMENT  
OF ORDINANCE**

Notice is hereby given that the Nicholasville City Commission on April 23, 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 1013-2018: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) AGRICULTURAL DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR APPROXIMATELY 73.42 ACRES OF PROPERTY, PVA PARCEL # 067-00-00-179.00, ADJOINING CANTER LANE ON THE SOUTH AND INDUSTRY PARKWAY ON THE WEST.** (This ordinance amends the Official Zoning Map of the City of Nicholasville as requested by William B. & Judy Canter, 620 Richmond Avenue, Nicholasville, Kentucky 40356, from A-1 (County) Agriculture District to I-1 (City) Light Industrial District for approximately 73.42 acres of property, PVA parcel #067-00-00-179.00, adjoining Canter Lane on the south and Industry Parkway on the west, which amendment is in accordance with the recommendation of the Nicholasville Planning Commission with the exception of the adjusted buffer zones from 50' to 100' along the south and east perimeters and a 50' adjusted buffer zone around the northern perimeter.)

Roberta Warren, City Clerk  
April 26, 2018



1013-2018

SUMMARY OF ORDINANCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) AGRICULTURAL DISTRICT TO I-1 (CITY) LIGHT INDUSTRIAL DISTRICT FOR APPROXIMATELY 73.42 ACRES OF PROPERTY, PVA PARCEL # 067-00-00-179.00, ADJOINING CANTER LANE ON THE SOUTH AND INDUSTRY PARKWAY ON THE WEST

This ordinance amends the Official Zoning Map of the City of Nicholasville as requested by William B. & Judy Canter, 620 Richmond Avenue, Nicholasville, Kentucky 40356, from A-1 (County) Agriculture District to I-1 (City) Light Industrial District for approximately 73.42 acres of property, PVA parcel #067-00-00-179.00, adjoining Canter Lane on the south and Industry Parkway on the west, which amendment is in accordance with the recommendation of the Nicholasville Planning Commission with the exception of the adjusted buffer zones from 50' to 100' along the south and east perimeters and a 50' adjusted buffer zone around the northern perimeter.

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# 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:

04/26/18

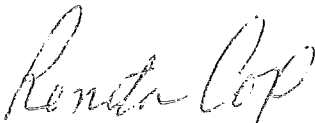
2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

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  
26th Day of April, 2018



Renita Cox  
3/10/2018,

Account #  
Ad # 491726

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

### PUBLIC NOTICE NOTICE OF ENACTMENT OF ORDINANCE

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Roberta Warren, City Clerk  
April 26, 2018

**EXHIBIT D**

**AMENDED ZONE MAP**

(Attached hereto)

# 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.

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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  
26th Day of April, 2018



Renita Cox  
3/10/2018,

Account #  
Ad # 491768

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

### PUBLIC NOTICE NOTICE OF ENACTMENT OF ORDINANCE

Notice is hereby given that the Nicholasville City Commission on April 23, 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 1007-2018: AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION INTO THE CITY OF NICHOLASVILLE, KENTUCKY FOR APPROXIMATELY 73.42 ACRES OF PROPERTY, PVA PARCEL #067-00-00-179.00, ADJOINING CANTER LANE ON THE SOUTH AND INDUSTRY PARKWAY ON THE WEST.** (This ordinance establishes a decree of annexation of the property adjoining Canter Lane on the south and Industry Parkway on the west, for approximately 73.42 acres into the City of Nicholasville, Kentucky.)

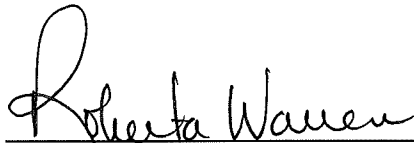
Roberta Warren, City Clerk  
April 26, 2018



# Nicholasville

I certify I am the duly qualified City Clerk of the City of Nicholasville, Kentucky and the foregoing twenty-one (21) pages of Ordinance 1007-2018 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on April 23, 2018 all as appears in the official records of said city.

WITNESS, my hand and the Seal of the City of Nicholasville, this 2nd day of May, 2018.

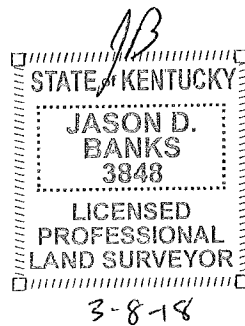
  
\_\_\_\_\_  
Roberta Warren, City Clerk

Seal

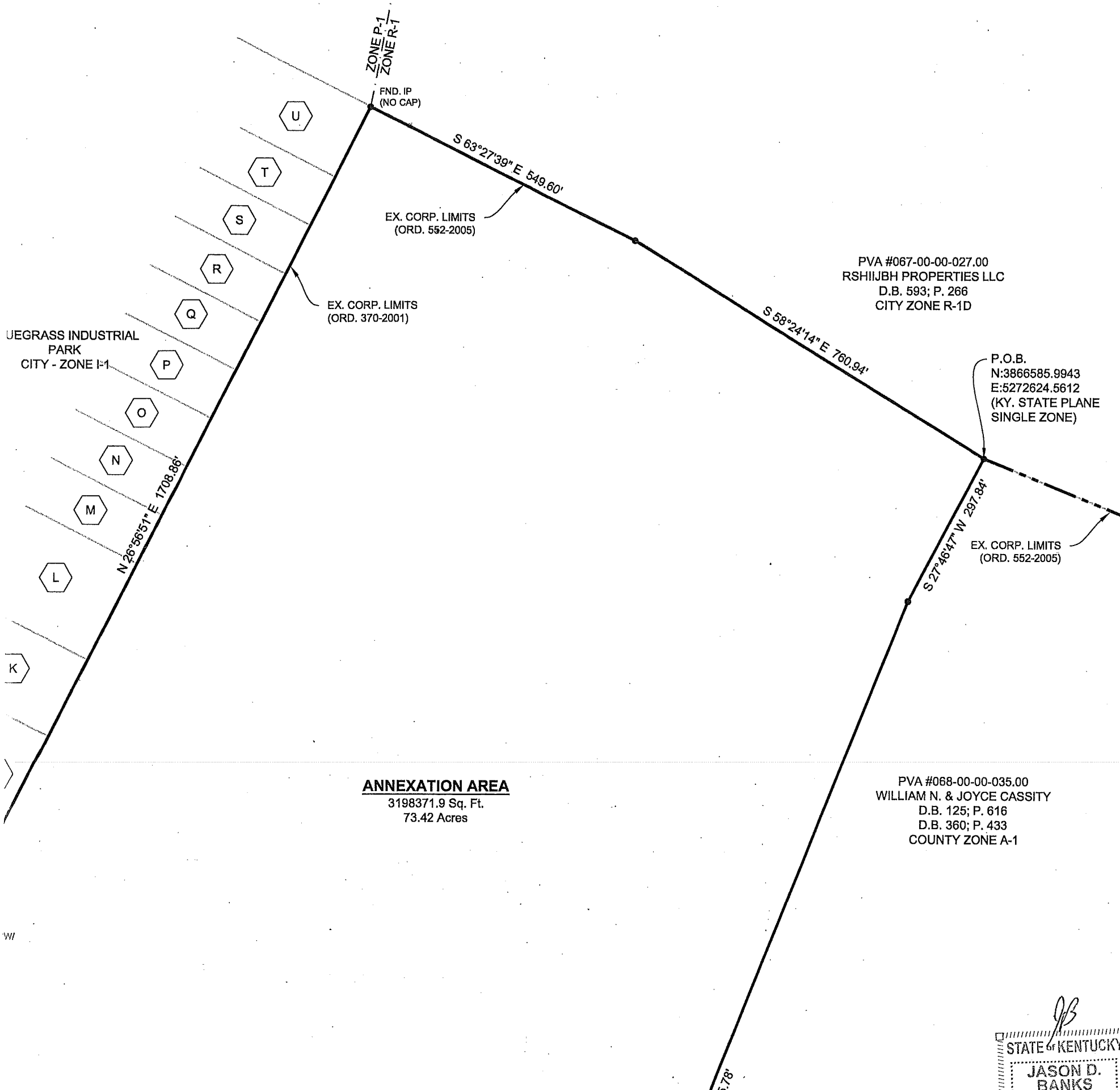
ANNEXATION BOUNDARY  
WILLIAM B. CANTER PROPERTY  
CANTER LANE

All that tract or parcel of land being situated easterly of and adjacent to the Bluegrass Industrial Park in Nicholasville, Jessamine County Kentucky and being more particularly described as follows, TO WIT:

Beginning at a point in the existing corporate limits of Nicholasville, Kentucky (Ordinance 552-2005), said point being a common corner to Canter and William N. & Joyce Cassity (D.B. 125; P. 616, D.B. 360; P. 433) and being in the line of Rshijbh Properties LLC (D.B. 593; P. 266), thence leaving the existing corporate limits of Nicholasville, Kentucky and continuing with the line of Cassity, S 27°46'47" W – 297.84' to a point, thence S 21°37'42" W – 2085.78' to a point, said point being a common corner to Canter and Singleton/Adams property (D.B. 679; P. 344, P.C. 11; Sl. 250) and being on the line of Vincewood Estates Subdivision, Unit 2 (P.C. 7; Sl. 133-B3), thence leaving the line of Vincewood Estates Subdivision and continuing with the line of Singleton/Adams, N 55°10'03" W – 1512.01' to a point, said point being a common corner to J.B. Johnson II (D.B. 508; P. 670, P.C. 3; Sl. 45) and being on the line of Juliana P. Whitman (D.B. 748; P. 430, P.C. 11; Sl. 335) and said point being on the existing corporate limits of Nicholasville (Ordinance 370-2001), thence with the existing corporate limits of Nicholasville, Kentucky and the easterly line of Bluegrass Industrial Park, N 27°01'13" E – 516.06' to a point and N 26°56'51" E – 1708.86' to an existing iron pin, common corner to Canter and Bluegrass Industrial Park and being on the line of Rshijbh Properties LLC (D.B. 593; P. 266), thence leaving the common line of Bluegrass Industrial Park and continuing with the existing corporate limits and line of Rshijbh Properties LLC (D.B. 593; P. 266), S 63°27'39" E – 549.60' to a point and S 58°24'14" E – 760.94' to the beginning and containing 73.42 acres.





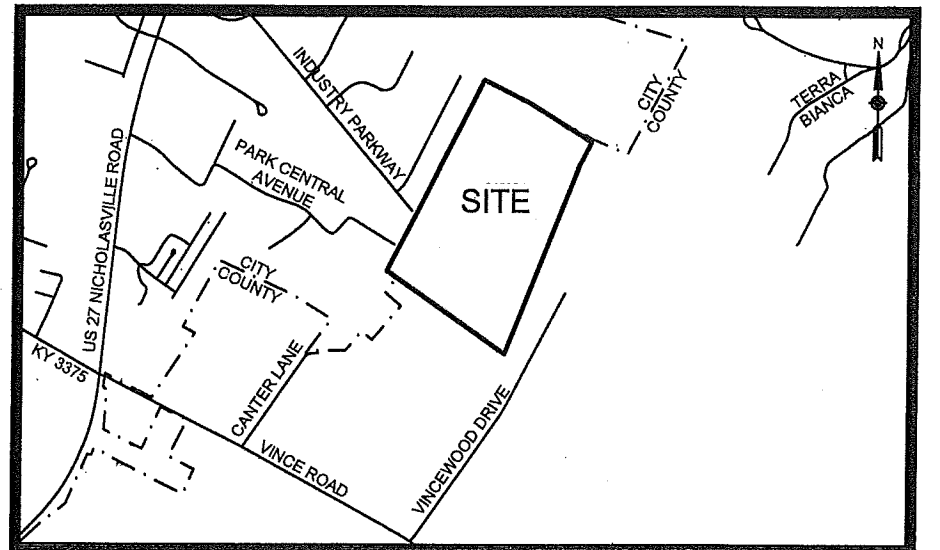


**ANNEXATION AREA**  
 3198371.9 Sq. Ft.  
 73.42 Acres

PVA #067-00-00-027.00  
 RSHIJBH PROPERTIES LLC  
 D.B. 593; P. 266  
 CITY ZONE R-1D

P.O.B.  
 N:3866585.9943  
 E:5272624.5612  
 (KY. STATE PLANE  
 SINGLE ZONE)

PVA #068-00-00-035.00  
 WILLIAM N. & JOYCE CASSITY  
 D.B. 125; P. 616  
 D.B. 360; P. 433  
 COUNTY ZONE A-1



VICINITY MAP  
 (n.t.s.)

**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.

*J.D. Banks* #3848 3-8-18  
 JASON D. BANKS LS #3848 DATE

**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 73.42 ACRES.

**RECORD SOURCE OF PROPERTY**

SOURCE OF DEEDS: DEED BOOK 530; PAGE 689 OF RECORD IN THE JESSAMINE COUNTY COURTHOUSE. CURRENT TITLE HOLDER: WILLIAM B. CANTER

**METHOD OF SURVEY**

THIS PLAT IS BASED ON A FIELD SURVEY PERFORMED BY BANKS ENGINEERING, INC. IN SEPTEMBER, 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\"/>

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\"/>



STATE OF KENTUCKY  
 JASON D. BANKS  
 3848



**ANNEXATION AREA**  
3198371.9 Sq. Ft.  
73.42 Acres

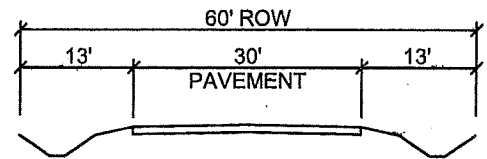
PVA #068-00-00-035.00  
WILLIAM N. & JOYCE CASSIT  
D.B. 125; P. 616  
D.B. 360; P. 433  
COUNTY ZONE A-1

PVA #067-00-00-158.00  
J.B. JOHNSON II  
D.B. 508; P. 670  
P.C. 3; SL. 45  
CITY ZONE I-1

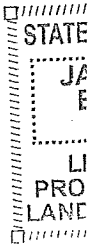
PVA #068-00-00-022.00  
JULIANA P. WHITMAN  
D.B. 748; P. 430  
P.C. 11; SL. 335  
CITY ZONE I-1

PVA #068-00-00-022.01  
SINGLETON & ADAMS  
PROPERTY  
D.B. 679; P. 344  
P.C. 11; SL. 250  
COUNTY ZONE A-1

VINCEWOOD ESTATES  
SUBDIVISION - UNIT 2  
P.C. 7; SL. 133-B3  
COUNTY ZONE R-1



**INDUSTRY PARKWAY (EXISTING)**  
N.T.S.



**ANNEXATION AREA**

3198371.9 Sq. Ft.  
73.42 Acres

PVA #068-00-00-035.00  
WILLIAM N. & JOYCE CASSITY  
D.B. 125; P. 616  
D.B. 360; P. 433  
COUNTY ZONE A-1



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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.

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

**ANNEXATION SUMMARY**

TOTAL AREA:..... 73.42 ACRES  
AREA IN LOTS:..... 73.42 ACRES  
AREA IN RIGHT OF WAY:..... N/A

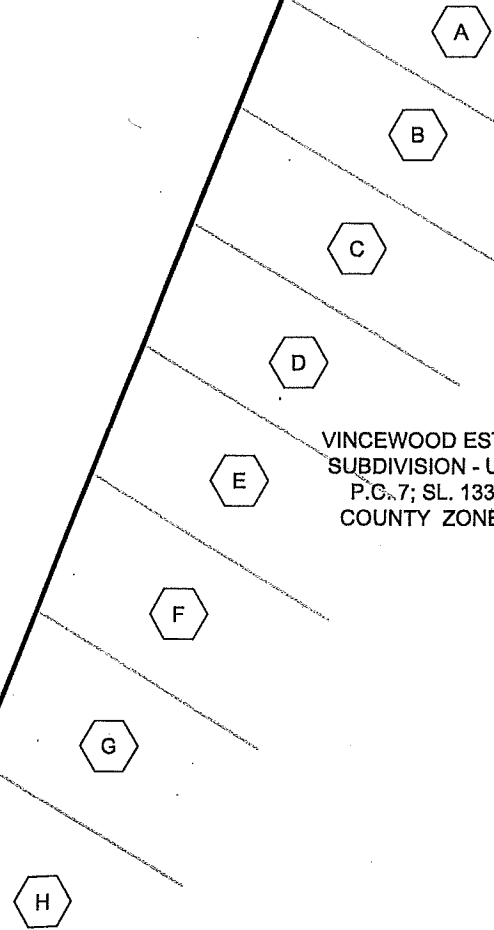
N 55°10'03" W 1512.01'

PVA #068-00-00-022.01  
SINGLETON & ADAMS  
PROPERTY  
D.B. 679; P. 344  
P.C. 11; SL. 250  
COUNTY ZONE A-1

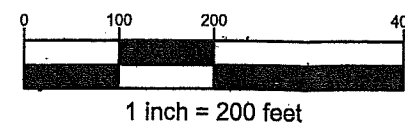
S 21°37'42" W 2085.78'

VINCEWOOD ESTATES  
SUBDIVISION - UNIT 2  
P.C. 7; SL. 133-B3  
COUNTY ZONE R-1

FND. CORNER  
POST



**GRAPHIC SCALE**



PLAT OF ANNEXATION BOUNDARY  
**WILLIAM B. CANTER**  
PROPERTY  
CANTER LANE  
NICHOLASVILLE, KENTUCKY

Client and Property Owner of Record:  
**WILLIAM B. CANTER**  
620 Richmond Avenue  
Nicholasville, KY. 40356-1345

**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: November, 2017