

ORDINANCE 1015-2018

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION INTO THE CITY OF NICHOLASVILLE, KENTUCKY FOR APPROXIMATELY 63.69 ACRES OF LAND LOCATED AT 2045 SHUN PIKE (PVA PARCEL #047-00-00-022.00) AND 2121 SHUN PIKE (PVA PARCEL #047-00-00-023.00), NICHOLASVILLE, KENTUCKY 40356

WHEREAS, Lloyd and Peggy Watkins 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 Lloyd and Peggy Watkins 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;

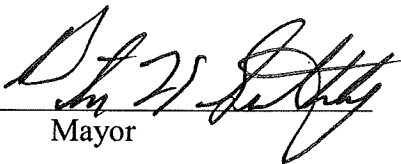
WHEREAS, the City has elected to establish zoning for the Property prior to the completion of the annexation pursuant to KRS 100.209 as described in Ordinance 1013-2018, a copy of which is attached hereto as Exhibit "C";

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.

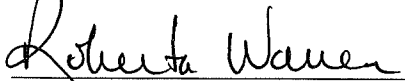
This Ordinance shall take effect upon adoption, execution and publication.

FIRST READING

DATED: April 9, 2018

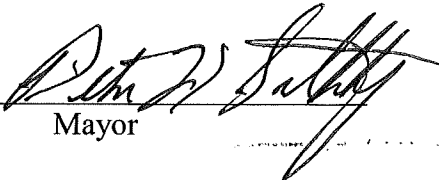

Mayor

ATTEST:

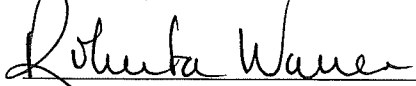

City Clerk

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 Chandie Adams

1015-2018

SUMMARY OF ORDINANCE

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION INTO THE CITY OF NICHOLASVILLE, KENTUCKY FOR APPROXIMATELY 63.69 ACRES OF LAND LOCATED AT 2045 SHUN PIKE (PVA PARCEL #047-00-00-022.00) AND 2121 SHUN PIKE (PVA PARCEL #047-00-00-023.00), NICHOLASVILLE, KENTUCKY 40356

This ordinance establishes a decree of annexation of the property located at 2045 Shun Pike and 2121 Shun Pike, for approximately 63.69 acres into the City of Nicholasville, Kentucky.

**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 1015-2018: AN ORDINANCE ESTABLISH-**

ING A DECREE OF ANNEXATION INTO THE CITY OF NICHOLASVILLE, KENTUCKY FOR APPROXIMATELY 63.69 ACRES OF LAND LOCATED AT 2045 SHUN PIKE (PVA PARCEL #047-00-00-022.00) AND 2121 SHUN PIKE (PVA PARCEL #047-00-00-023.00), NICHOLASVILLE, KENTUCKY 40356. (This ordinance establishes a decree of annexation of the property located at 2045 Shun Pike and 2121 Shun Pike, for approximately 63.69 acres into the City of Nicholasville, Kentucky.)

Roberta Warren, City Clerk
April 26, 2018

EXHIBIT A

PROPERTY DESCRIPTION

(Attached hereto)

EXHIBIT B

MEMORANDUM OF AGREEMENT

(Attached hereto)

MEMORANDUM AND AGREEMENT

This Memorandum and Agreement ("Memorandum") is entered into on this 23rd day of April, 2018, by and between **Lloyd and Peggy Watkins**, husband and wife, 33 Avenue of Champions, Nicholasville, Kentucky 40356 (together with their respective successors and assigns, collectively, "**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 sixty-three and 69/100 (63.69) acres located on Shun Pike, 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 R-1D (City) single family residential 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 5(a) 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 residential unit, which amount shall be due and payable at the time of application for a building permit with respect to each residential unit on the Property.

In the event any portion of 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, less the amount of any incentive fees paid with respect to any residential development on said portion prior to any such rezoning, which amount shall be due and payable at the time of application for a building permit with respect to each commercial 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:

Living space per residential dwelling unit constructed on the Property shall be a minimum of 1,700 square feet for a single story home and 2,000 square feet for two-story home. 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.

The front of any residential dwelling constructed on the Property shall be comprised of one hundred percent (100%) brick or stone, exclusive of dormers. The sides of any residential dwelling constructed on the Property shall be comprised of at least seventy-five percent (75%) brick or stone. The rear of any residential dwelling constructed on the Property shall be comprised of at least thirty percent (30%) brick or stone. 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 constructed on the Property shall have an attached two-car garage. 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 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 construction commences 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/or a Nicholasville Code Enforcement Officer.

Owners hereby agree to improve, at Owners' sole cost and expense, that portion of Shun Pike which borders the Property such that the total pavement width from the center line of the existing road to the Property boundary is increased to twenty-one feet (21'). Owners further agree to dedicate, at no cost to the City, an additional portion of the Property to meet the minimum required right-of-way width for collector streets as set forth in the Subdivision Regulations for the City of Nicholasville. Owners further agree to grant, at no cost to the City, a sidewalk access easement which extends an additional five feet (5') in width from and runs parallel to said right-of-way.

(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 and/or disputed.

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 33 Avenue of Champions, 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 5(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 5(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 23RD day of April, 2018.

CITY OF NICHOLASVILLE

OWNERS:

BY: *Peter H. Sutherland*
MAYOR

Lloyd B. Watkins
LLOYD WATKINS

ATTEST
BY: *Roberta Warren*
CITY CLERK

Peggy D. Watkins
PEGGY WATKINS

COMMONWEALTH OF KENTUCKY

COUNTY OF JESSAMINE, SCT...

Subscribed, sworn to and acknowledged before me this 23RD 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 23, 2018.

My Commission expires: MAY 30, 2020

Kathy Walker, ID #550353
NOTARY PUBLIC

COMMONWEALTH OF KENTUCKY

COUNTY OF JESSAMINE, SCT...

Subscribed, sworn to and acknowledge before me on this 18 day of April, 2018, by Lloyd Watkins and Peggy Watkins.

My Commission expires: 5-18-2020

Catherine M. De Carlo # 551274
NOTARY PUBLIC

EXHIBIT C

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

(Attached hereto)

ORDINANCE 1014-2018

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) TO R-1D (CITY) FOR APPROXIMATELY 63.69 ACRES OF LAND LOCATED AT 2045 SHUN PIKE (PVA PARCEL #047-00-00-022.00) AND 2121 SHUN PIKE (PVA PARCEL #047-00-00-023.00), NICHOLASVILLE, KENTUCKY 40356

WHEREAS, the Nicholasville Planning Commission held a public hearing on March 26, 2018, concerning an application for amendment of the Official Zoning Map for the City of Nicholasville submitted by Lloyd & Peggy Watkins for approximately 63.69 acres of property located at 2045 Shun Pike (PVA PARCEL #047-00-00-022.00) and 2121 Shun Pike (PVA PARCEL #047-00-00-023.00) (collectively, the "Property");

WHEREAS, the Nicholasville Planning Commission recommended to disapprove said zone change application;

WHEREAS, the City Commission of the City of Nicholasville has reviewed the record made before the Nicholasville Planning Commission and has determined from that evidence adjudicative facts which differ from those found by the Nicholasville Planning Commission;

NOW THEREFORE BE IT ORDAINED by the City Commission of the City of Nicholasville as follows:

Based upon evidence and testimony presented at the public hearing before the Nicholasville Planning Commission, the existing zones surrounding the subject property, the existing housing alternatives available to the residents of Nicholasville, the past experiences of the City with residential and non-residential development within city limits, and the findings, goals and objectives expressed in the text of the current Comprehensive Plan, the City Commission of the City of Nicholasville hereby finds as follows:

1. Increased residential density within city limits is necessary to accommodate the significant projected population growth. (p. 29 of the Comprehensive Plan)
2. The requested zone change will supply land to accommodate the housing needs of the City, which is a stated objective in the Comprehensive Plan. (p. 13 of the Comprehensive Plan)
3. The requested zone change will supply lots which differ in size from existing residential developments in the City, enhancing the range of housing alternatives for residents with diverse needs and income levels, which is a stated objective in the Comprehensive Plan. (p. 12 of the Comprehensive Plan)
4. Between 25% and 30% of homeowners in the City have excessive housing costs. (p. 48 of the Comprehensive Plan)

5. Excessive housing costs prevent residents from spending money elsewhere in the community, thereby negatively impacting the local economy.
6. The requested zone change will provide more affordable housing alternatives than the Low and Medium Residential zones proposed on the future land use map, and will be less likely to increase the percentage of homeowners with excessive housing costs in the City.
7. The subject property is adjacent to PVA Parcel #047-00-00-35.01, which consists of approximately 79.22 acres zoned I-1 (City) (the "Industrial Tract").
8. The Industrial Tract was zoned A-1 (County) at the time the current Comprehensive Plan was adopted.
9. The zone change of the Industrial Tract from A-1 (County) to I-1 (City) was not anticipated at the time the Comprehensive Plan was adopted as the Industrial Tract was labeled Low Residential on the future land use map at the time the Comprehensive Plan was adopted.
10. The re-zoning of the Industrial Tract from A-1 (County) to I-1 (City) substantially altered the basic character of the area by introducing industry to the area, which alters the marketability of homes in the area.
11. The requested zone change will provide an appropriate transition from the Industrial Tract to the future Low to Medium Residential zones indicated on the future land use map beyond the boundaries of the Property.
12. Land in Jessamine County tends to be less highly desirable for agricultural uses than that of surrounding areas due to soil quality. (P. 28 of the Comprehensive Plan)
13. The agriculture industry continues to employ only a small portion of Jessamine County workers, and generally at a very low income level, which is in direct contravention to the stated goal of providing quality employment opportunities for residents in the Comprehensive Plan. (Pgs. 11 & 37 of the Comprehensive Plan)

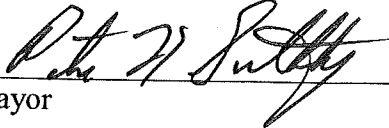
From the foregoing findings of fact, it is hereby concluded that the map amendment is in agreement with the goals and objectives stated in the text of the adopted Comprehensive Plan; that the existing zoning classification of A-1 (County) Agricultural District is inappropriate and that the requested zone classification of R-1D (City) Single Family Residential District is appropriate; and that the re-zoning of the Industrial Tract constitutes a major change of an economic, physical, and social nature within the area involved which was not anticipated in the adopted Comprehensive Plan and which has substantially altered the basic character of such area.

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 findings and conclusions of the City Commission.

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

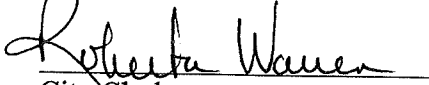
FIRST READING

DATED: April 9, 2018



Mayor

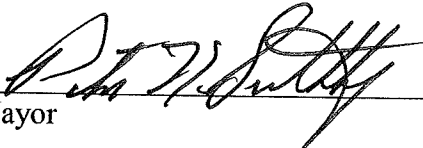
ATTEST:



City Clerk

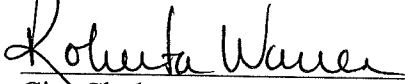
SECOND READING

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 1014-2018: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) TO R-1D (CITY) FOR APPROXIMATELY 63.69 ACRES OF LAND LOCATED AT 2045 SHUN PIKE (PVA PARCEL #047-00- 00-022.00) AND 2121 SHUN PIKE (PVA PARCEL #047-00-00-023.00), NICHOLASVILLE, KENTUCKY 40356.** (This ordinance amends the Official Zoning Map of the City of Nicholasville to approve the zone change request submitted by Lloyd & Peggy Watkins from A-1 (County) Agriculture District to R-1D (City) Single Family Residential District for approximately 63.69 acres of property located at 2045 Shun Pike (PVA Parcel #047-00- 00-022.00) and 2121 Shun Pike (PVA Parcel #047-00- 00-023.00), Nicholasville, Kentucky 40356.)

Roberta Warren, City Clerk
April 26, 2018

1014-2018

SUMMARY OF ORDINANCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) TO R-1D (CITY) FOR APPROXIMATELY 63.69 ACRES OF LAND LOCATED AT 2045 SHUN PIKE (PVA PARCEL #047-00-00-022.00) AND 2121 SHUN PIKE (PVA PARCEL #047-00-00-023.00), NICHOLASVILLE, KENTUCKY 40356

This ordinance amends the Official Zoning Map of the City of Nicholasville to approve the zone change request submitted by Lloyd & Peggy Watkins from A-1 (County) Agriculture District to R-1D (City) Single Family Residential District for approximately 63.69 acres of property located at 2045 Shun Pike (PVA Parcel #047-00-00-022.00) and 2121 Shun Pike (PVA Parcel #047-00-00-023.00), Nicholasville, Kentucky 40356.

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

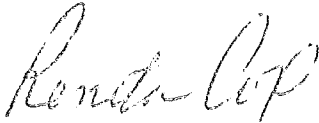
2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

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 # 491780

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 1014-2018: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE FROM A-1 (COUNTY) TO R-1D (CITY) FOR APPROXIMATELY 63.69 ACRES OF LAND LOCATED AT 2045 SHUN PIKE (PVA PARCEL #047-00-00-022.00) AND 2121 SHUN PIKE (PVA PARCEL #047-00-00-023.00), NICHOLASVILLE, KENTUCKY 40356.** (This ordinance amends the Official Zoning Map of the City of Nicholasville to approve the zone change request submitted by Lloyd & Peggy Watkins from A-1 (County) Agriculture District to R-1D (City) Single Family Residential District for approximately 63.69 acres of property located at 2045 Shun Pike (PVA Parcel #047-00-00-022.00) and 2121 Shun Pike (PVA Parcel #047-00-00-023.00), Nicholasville, Kentucky 40356.)

Robertta 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.

(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

PUBLIC NOTICE NOTICE OF ENACTMENT OF ORDINANCE

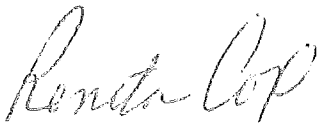
Notice is hereby given that the Nicholasville City Commission on April 23, 2018 enacted an ordinance, the full text of which is available for inspection in the office of the City Clerk, 517 N. Main Street, Nicholasville, KY. The ordinance by title and summary: **ORDINANCE 1015-2018: AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION INTO THE CITY OF NICHOLASVILLE, KENTUCKY FOR APPROXIMATELY 63.69 ACRES OF LAND LOCATED AT 2045 SHUN PIKE (PVA PARCEL #047-00-00-022.00) AND 2121 SHUN PIKE (PVA PARCEL #047-00-00-023.00), NICHOLASVILLE, KENTUCKY 40356.** (This ordinance establishes a decree of annexation of the property located at 2045 Shun Pike and 2121 Shun Pike, for approximately 63.69 acres into the City of Nicholasville, Kentucky.)

Roberta Warren, City Clerk
April 26, 2018



Mike Caldwell, publisher

Subscribed and sworn to before me this
26th Day of April, 2018



Renita Cox
3/10/2018,

Account #
Ad # 491818

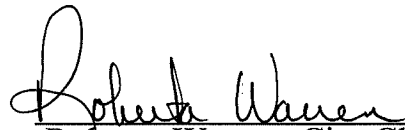
CITY OF NICHOLASVILLE
P.O. BOX 450
517 NORTH MAIN STREET
NICHOLASVILLE KY 40340



Nicholasville

I certify I am the duly qualified City Clerk of the City of Nicholasville, Kentucky and the foregoing twenty (20) pages of Ordinance 1015-2018 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
LLOYD B. & PEGGY D. WATKINS PROPERTIES
2045 AND 2121 SHUN PIKE

REQUESTED ZONE CHANGE ZONE A-1 (COUNTY) TO ZONE R-1D (CITY)

Beginning at a point in the centerline of Shun Pike, common corner to Larry Scott Wiley (D.B. > 146; P. 138, D.B. 185; P. 567, D.B. 538; P. 133, P.C. 9; Sl. 259), thence with the centerline of Shun Pike, S 17°38'41" W – 228.83' to a point, thence S 18°38'50" W – 107.02' to a point, thence S 19°44'32" W – 62.53' to a point, thence S 16°40'13" W – 512.12' to a point, common corner to Donna Gail Smith and Debra Diane O'Hair (D.B. 544; P. 198, P.C. 8; Sl. 16), thence leaving the centerline of Shun Pike and continuing with the common line of Smith and O'Hair, N 86°48'38" W – 546.13' to a point, common corner to John W. and Gina R. Branscum (D.B. 663; P. 375, P.C. 8; Sl. 30), thence leaving the common line of Smith and O'Hair and continuing with the common line of Branscum, S 65°15'14" W – 520.42' to a point, thence S 18°36'58" E – 154.89' to a point and S 09°54'14" E – 222.53' to the centerline of Shun Pike, thence leaving the common line of Branscum and continuing with the centerline of Shun Pike, S 83°26'57" W – 460.24' to a point, thence S 81°23'52" W – 214.05' to a point and S 84°14'52" W – 133.09' to a point, common corner to Jessica Renne' Jasper (By Will, P.C. 8; Sl. 153), thence leaving the centerline of Shun Pike and continuing with the common line of Jasper, N 06°13'43" W – 600.71' to a point, thence S 81°26'17" W – 410.16' to a point, thence N 05°08'15" W – 572.38' to a point, thence N 00°46'04" E – 545.15' to a point, common corner to Wiley, thence leaving the line of Jasper and continuing with the line of Wiley, S 87°18'18" E – 1070.99' to a point and S 86°48'38" E – 1450.26' to the beginning and containing 63.69 acres, more or less.


STATE of KENTUCKY
JASON D.
BANKS
3848
LICENSED
PROFESSIONAL
LAND SURVEYOR

9-18-18

PVA #047-00-00-019.00
LARRY SCOTT WILEY
D.B. 146; P. 138
D.B. 185; P. 567
D.B. 538; P. 133
P.C. 9; SL. 259

COUNTY ZONE A-1

POINT OF BEGINNING
N:3838924.9083
E:5254651.6603
(KY. SINGLE ZONE)

PVA #047-00-00-007.00
JESSICA RENEE' JASPER
W.B. 23; P. 697
P.C. 9; SL. 251

COUNTY ZONE A-1

PVA #047-00-00-023.01
JESSICA RENEE' JASPER
BY WILL
P.C. 8; SL. 153

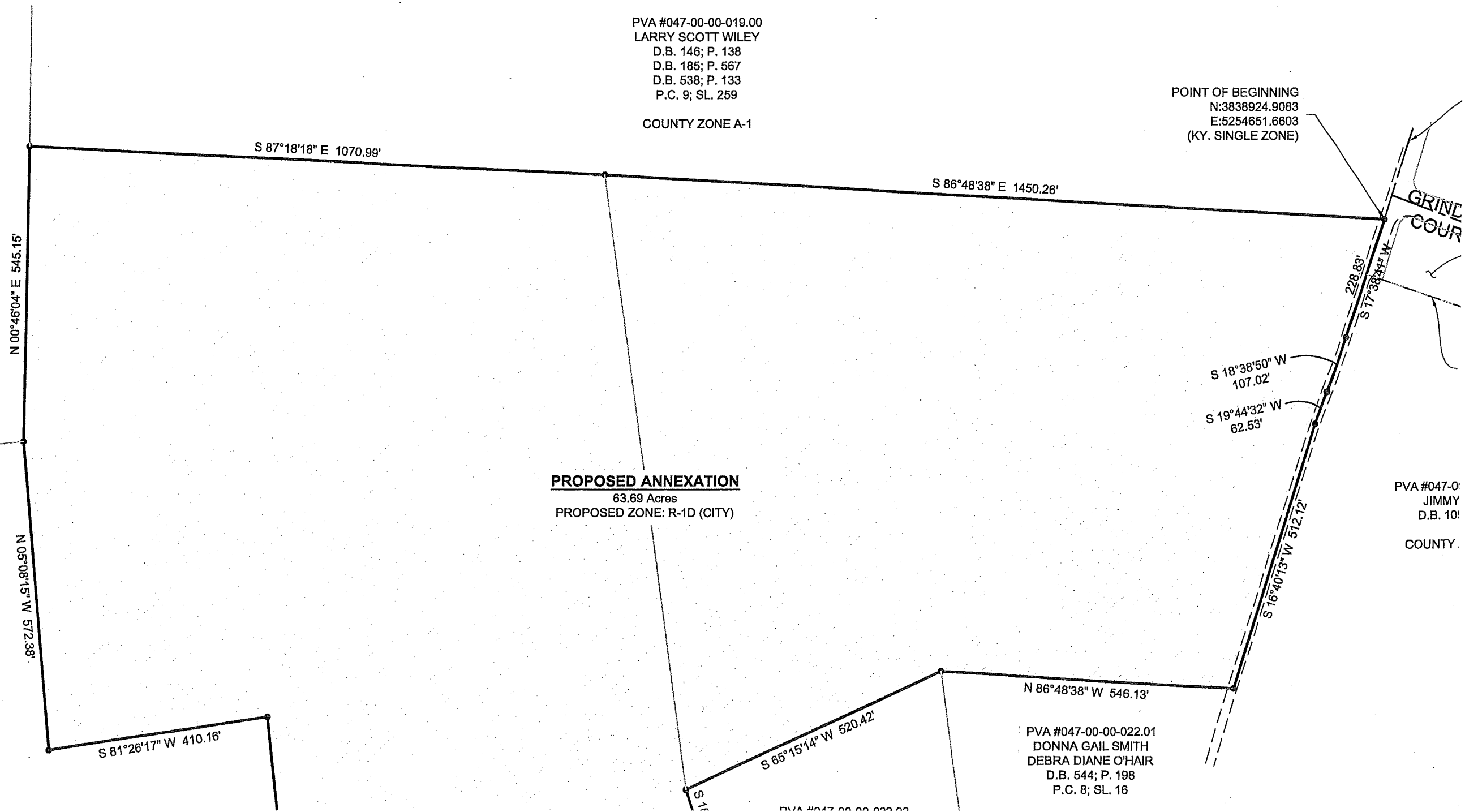
COUNTY ZONE A-1

PROPOSED ANNEXATION
63.69 Acres
PROPOSED ZONE: R-1D (CITY)

PVA #047-0
JIMMY
D.B. 10

COUNTY

PVA #047-00-00-022.01
DONNA GAIL SMITH
DEBRA DIANE O'HAIR
D.B. 544; P. 198
P.C. 8; SL. 16



PVA #047-00-00-019.00
 LARRY SCOTT WILEY
 D.B. 146; P. 138
 D.B. 185; P. 567
 D.B. 538; P. 133
 P.C. 9; SL. 259

COUNTY ZONE A-1

POINT OF BEGINNING
 N:3838924.9083
 E:5254651.6603
 (KY. SINGLE ZONE)

EXISTING CORPORATE
 LIMITS (KRS 81.045
 FILING, 08/21/1980)

PVA #047-30-13-001.00
 SGM GROUP LLC
 D.B. 638; P. 146
 P.C. 11; SL. 124

CITY ZONE R-1T

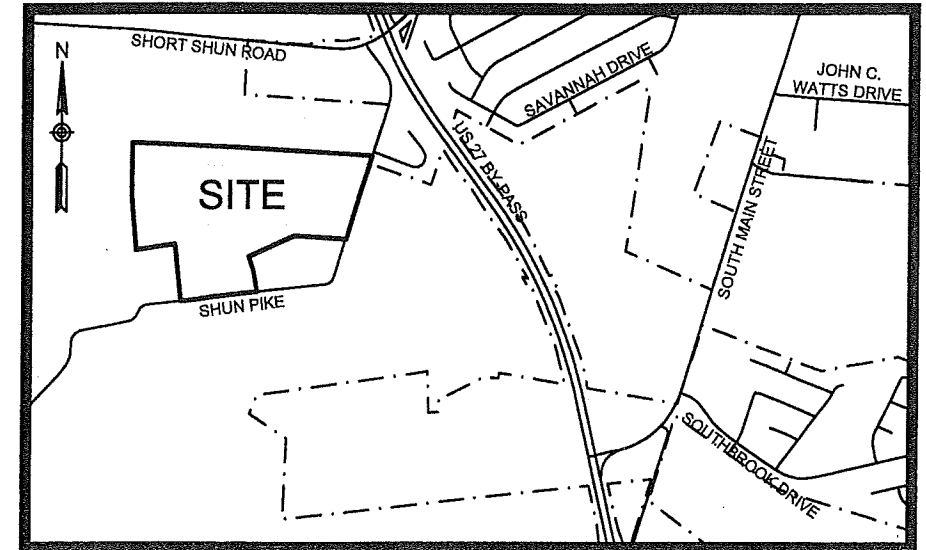
EXISTING CORPORATE
 LIMITS (KRS 81.045
 FILING, 08/21/1980)

PVA #047-00-00-020.00
 JIMMY PEEL
 D.B. 109; P. 96

COUNTY ZONE A-1

PVA #047-00-00-022.01
 DONNA GAIL SMITH
 DEBRA DIANE O'HAIR
 D.B. 544; P. 198
 P.C. 8; SL. 16

PROPOSED ANNEXATION
 63.69 Acres
 PROPOSED ZONE: R-1D (CITY)



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 4-18-18
 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 63.69 ACRES AND FURTHER BEING KNOWN AS TRACT 2-A AS SHOWN ON PLAT OF RECORD LODGED IN PLAT CABINET 8; SLIDE 153 AND TRACT 3 AS SHOWN ON PLAT OF RECORD LODGED IN PLAT CABINET 8; SLIDE 30, BOTH OF RECORD IN THE OFFICE OF THE JESSAMINE COUNTY CLERK.

RECORD SOURCE OF PROPERTY

SOURCE OF DEEDS: DEED BOOK 761; PAGE 303, PLAT CABINET 8; SLIDE 153, DEED BOOK 768; PAGE 508, PLAT CABINET 8; SLIDE 30, ALL OF RECORD IN THE JESSAMINE COUNTY COURTHOUSE.
 CURRENT TITLE HOLDER: LLOYD B. & PEGGY D. WATKINS

METHOD OF SURVEY

THIS PLAT IS BASED ON A FIELD SURVEY PERFORMED BY BANKS ENGINEERING, INC. IN MARCH, 2018. 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.

ANNEXATION SUMMARY

PROPOSED ANNEXATION
63.69 Acres
PROPOSED ZONE: R-1D (CITY)

PVA #047-00-00-020.00
JIMMY PEEL
D.B. 109; P. 96
COUNTY ZONE A-1

PVA #047-00-00-023.01
JESSICA RENEE JASPER
BY WILL
P.C. 8; SL. 153
COUNTY ZONE A-1

N 05° 08' 15" W 572.38'

S 81° 26' 17" W 410.16'

PVA #047-00-00-023.01
JESSICA RENEE JASPER
BY WILL
P.C. 8; SL. 153
COUNTY ZONE A-1

N 06° 13' 43" W 600.71'

S 84° 14' 52" W
133.09'

S 81° 23' 52" W 214.05'

PVA #047-00-00-021.00
JOHN HUNT McMURTRY
CYNTHIA PARKER
D.B. 556; P. 132
COUNTY ZONE A-1

S 83° 26' 57" W 460.24'

SHUN PIKE

S 18° 36' 58" E 154.89'
S 09° 54' 14" E 222.53'

PVA #047-00-00-022.02
JOHN W. & GINA R.
BRANSCUM
D.B. 663; P. 375
P.C. 8; SL. 30
COUNTY ZONE A-1

S 65° 15' 14" W 520.42'

N 86° 48' 38" W 546.13'

PVA #047-00-00-022.01
DONNA GAIL SMITH
DEBRA DIANE O'HAIR
D.B. 544; P. 198
P.C. 8; SL. 16
COUNTY ZONE A-1

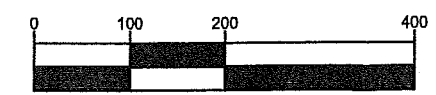
S 19° 44' 32" W
62.53'

S 16° 40' 13" W 512.12'

JDB
STATE OF KENTUCKY
JASON D. BANKS
3848
LICENSED PROFESSIONAL LAND SURVEYOR

4-18-18

GRAPHIC SCALE



1 inch = 200 feet

METHOD OF SURVEY

THIS PLAT IS BASED ON A FIELD SURVEY PERFORMED BY BANKS ENGINEERING, INC. IN MARCH, 2018. 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.

ANNEXATION SUMMARY

TOTAL AREA:..... 63.69 ACRES
AREA IN LOTS:..... 63.69 ACRES
AREA IN RIGHT OF WAY:..... N/A

PVA #047-00-00-020.00
JIMMY PEEL
D.B. 109; P. 96

COUNTY ZONE A-1

N 86°48'38" W 546.13'

PVA #047-00-00-022.01
DONNA GAIL SMITH
DEBRA DIANE O'HAIR
D.B. 544; P. 198
P.C. 8; SL. 16

COUNTY ZONE A-1

PVA #047-00-00-022.02
JOHN W. & GINA R.
BRANSCUM
D.B. 663; P. 375
P.C. 8; SL. 30

COUNTY ZONE A-1

JB
STATE OF KENTUCKY
JASON D. BANKS
3848
LICENSED PROFESSIONAL LAND SURVEYOR

9-18-18

ANNEXATION EXHIBIT

LLOYD WATKINS PROPERTY

2045 & 2121 Shun Pike
Nicholasville, Jessamine County, Kentucky

Client and Property Owner of Record:

Lloyd B. Watkins
Peggy D. Watkins

33 Avenue of Champions
Nicholasville, KY 40356

BANKS

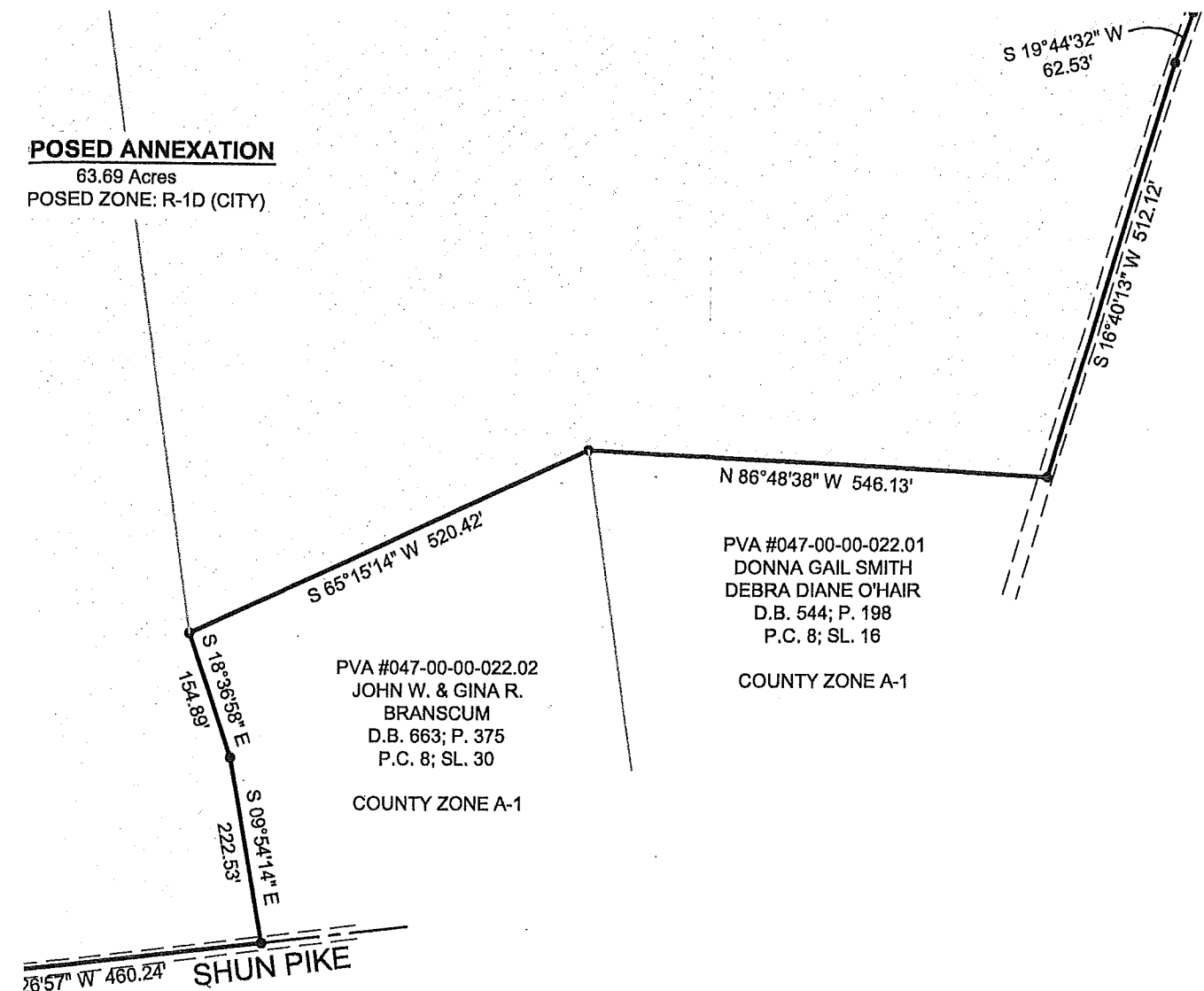
Engineering, Inc.

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

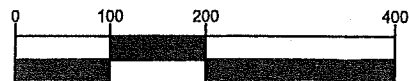
This plat does not represents a boundary survey
and is not intended for land transfer

March, 2018

POSED ANNEXATION
63.69 Acres
POSED ZONE: R-1D (CITY)



GRAPHIC SCALE



1 inch = 200 feet

.00
TRY
R

-1