ORDINANCE 018-2020

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF 127.04 ACRES OF REAL PROPERTY ADJACENT TO THE NORTHERLY TERMINUS OF LONE OAK DRIVE INTO THE CITY OF NICHOLASVILLE, KENTUCKY.

WHEREAS, on July 1, 2019 the City of Nicholasville by and through its Board of Commissioners passed an Ordinance of Intent to annex all of the property known and described herein as Exhibit "A";

WHEREAS, no protest or petition has been filed with the Mayor of the City of Nicholasville within the sixty (60) days after the date of the enactment of the Ordinance of Intent;

WHEREAS, the property described in Exhibit "A" was adjacent or contiguous to the city's boundaries at the time the annexation proceeding was begun;

WHEREAS, the property is urban in character or suitable for development for urban purposes without unreasonable delay;

WHEREAS, the City of Nicholasville is still desirous of extending its corporate city limits by annexing the property known and described herein as Exhibit "A" and it is deemed in the best interest of the City to annex same;

BE IT ORDAINED BY THE CITY OF NICHOLASVILLE that based on the findings in the aforesaid preambles which are incorporated by reference the property described herein as Exhibit "A" is annexed into the City Limits of the City of Nicholasville, Jessamine County, Kentucky and a map is attached hereto and identified as Exhibit "B", in accordance with KRS 81A.420.

This ordinance will take effect upon adoption, execution and publication.

FIRST READING (INTRODUCTION): July 13, 2020

SECOND READING AND ADOPTION: July 23, 2020

Pete Sutherland, Mayor

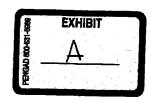
Attest:

Kathy Walker, City Clerk

RECEIVED AND FILED

DATE <u>September 4, 2020</u>

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kan die Hollman)



ORDINANCE 1053-2019

AN ORDINANCE OF INTENT OF THE CITY OF NICHOLASVILLE TO ANNEX PROPERTY

Be it ordained by the City of Nicholasville, that inasmuch as KRS 81A.420 provides for the annexation of unincorporated territory by Cities, and the City of Nicholasville, by and through its Board of Commissioners, deems it desirable to annex all of the property known and described herein as Exhibit "A", does hereby adopt this Ordinance with intention to annex same.

If no Petition has been filed with the Mayor within 60 days after the date of enactment of this Ordinance, wherein 50% of the residents voters or owners of real estate within the limits of the property described in Exhibit "A" petition in opposition to the proposal, then a Final Ordinance will be presented to the legislative body whereupon the enactment of the annexation shall be final.

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

FIRST READING		A a Oh
Dated:	June 10, 2019	At BY to
Attest: <u>W</u>	Hly Malher y Creek	Mayor
SECOND RI	EADING July 1, 2019	Date It
Attest:	Hyphalher v Clerk	Mayor

ANNEXATION BOUNDARY LONE OAK GOLF COURSE, LLC PROPERTY PLAT CABINET 8, SLIDE 462

All that tract or parcel of land being situated northerly of and adjacent to the northerly terminus of Lone Oak Drive and being more particularly described as follows, TO WIT:

Beginning at a point on the existing corporate limits of Nicholasville, Kentucky (KRS 81.045 Filing, 1980), said point being the intersection of the southerly property line of subject property and the existing corporate limits, thence with the southerly property line of subject property and the existing corporate limits of Nicholasville, Kentucky, N 75°53'20" W - 42.77' to an existing iron pin, no cap, thence N 30°19'02" W - 1153.94' to an existing iron pin, no cap, thence N 74°20'21" W - 306.62' to an existing iron pin, no cap, thence N 74°26'10" W - 260.17' to an existing iron pin and cap (#2053), thence N 74°25'07" W - 300.28' to an existing iron pin, no cap, thence N 74°25'53" W - 364.34' to an existing iron pin, no cap, thence N 74°14'27" W - 796.05' to an existing PK Nail in fence post, thence leaving the existing corporate limits of the Nicholasville, Kentucky and continuing with the westerly property line of subject property, N 23°23'58" E - 124.13' to a point, said line passing through an existing iron pin, no cap at 119.13', thence N 15°01'55" W - 36.47' to an existing iron pin and cap (#2687), thence N 33°38'06" W - 163.43' to a set iron pin and cap (#3848), thence S 81°29'50" W - 40.49' to a set iron pin and cap (#3848), thence N 07°44'22" W -89.75' to an existing iron pin, no cap, thence N 06°58'46" E - 43.95' to an existing iron pin, no cap, thence N 35°28'45" E - 58.65' to an existing iron pin, no cap, thence N 22°36'33" E - 193.06' to a set iron pin and cap (#3848), thence N 88°39'41" W -25.01' to a set iron pin and cap (#3848), thence N 02°51'41" W - 33.01' to an existing iron pin, no cap, thence N 59°13'54" W - 119.11' to an existing iron pin and cap (#2687), thence N 03°55'59" E - 199.08' to a point, thence N 16°52'12" E - 145.21' to a set iron pin and cap (#3848), said line passing through an existing iron pin, no cap at 1.00', thence N 05°07'19" E - 149.27' to an existing fence post, thence N 42°19'34" E -9.69' to a point, thence N 50°39'39" E - 102.79' to an existing iron pin, no cap, said line passing through an existing iron pin and cap (#2687) at 0.50', thence leaving the westerly property line of subject property and continuing with the northerly property line of subject property, S 83°41'34" E - 812.45' to a set iron pin and cap (#3848), thence S 83°51'18" E - 1161.56' to an existing iron pin, no cap, said point being on the existing corporate limits of Nicholasville, Kentucky (KRS 81.045 Filing, 1980), thence continuing with the northerly property line of subject property and the existing corporate limits of Nicholasville, Kentucky, S 45°12'16" E - 1523.59' to a point, thence S 66°44'49" E -611.03' to a point, thence leaving the northerly property line of subject property and continuing with the easterly property line of subject property and the existing corporate limits of Nicholasville, Kentucky, S 14°01'17" W - 1536.41' to a point, thence leaving the

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The above described property being a portion of that property as shown on plat of record lodged in Plat Cabinet 8; Slide 462 in the Jessamine County Clerk's office. Title to property currently held by Lone Oak Golf Course, LLC as per Deed Book 652; Page 280 lodged in the Jessamine County Clerk's office.



CERTIFICATION OF NOTICE(S) MAILED INTENT TO ANNEX ORDINANCE 1053-2019

I, Kathy Walker, City Clerk for the City of Nicholasville, Kentucky do hereby certify that the attached Notice of Special Called Meeting of the Board of Commissioners of the City of Nicholasville to be held on July 1, 2019 at 5:00 P.M. at the Jessamine County Courthouse, Circuit Courtroom, 2nd Floor, North Main Street; Nicholasville, Kentucky 40356, at which the second reading of Ordinance 1053-2019; an Ordinance of Intent of the City of Nicholasville to Annex Property is to be considered, was sent on the date indicated to the following list of Property Owners:

Lone Oak Golf Course LLC 44 Club Drive Nicholasville, KY 40356 Property ID: 045-00-00-097.00

Property Address: 140 Lone Oak Drive

Letter mailed: June 14, 2019

Witness, my hand and the Seal of the City of Nicholasville, this 15th day of June, 2019.

Kathy Walke City Clerk

Nicholasville

June 14, 2019

Lone Oak Golf Course LLC 44 Club Drive Nicholasville, KY 40356

RE: Notice of Intent to Annex Property

This is to notify you as owner of certain property, further described in Ordinance 1053-2019, that there will be a special called meeting of the Nicholasville City Commission in the Jessamine County Courthouse, Circuit Courtroom, 2nd Floor, North Main Street, Nicholasville, Kentucky on July 1, 2019 at 5:00 p.m. EST to consider second reading and adoption of Ordinance 1053-2019: AN ORDINANCE OF INTENT OF THE CITY OF NICHOLASVILLE TO ANNEX PROPERTY.

This notice is being sent pursuant to KRS 81A.425.

Respectfully,

Kathy J. Walker

City Clerk

NOTICE OF ENACTMENT
OF ORDINANCE
Notice is hereby given that the Nicholasville City Commission on July 1, 2019 enacted an ordinance, the full text of which is available for inspection in the office of the City Clerk, 517 North Main Street, Nicholasville, KY. The ordinance by title and summary: ORDINANCE 1053-2019: AN ORDINANCE OF INTENT OF THE CITY OF NICHOLASVILLE TO ANNEX PROPERTY. (This ordinance indicates the intent of the City of Nicholasville to annex the property owned by Tail Oaks, LLC, 1151 Jessamlne Station, Nicholasville, Kentucky 40356, for approximately 127.04 acres of property with a mailing address of 44 Club Drive, Nicholasville, Kentucky 40356 and a physical address per Jessamlne County PVA of 140 Lone Oak Drive Nicholasville, Kentucky 40356.) Kathy Walker, City Clerk

Affidavit of Publication

The Advocate Messenger, The Winchester Sun, The Interior Journal, The Jessamine Journal
BLUEGRASS NEWSMEDIA, LLC
The affiant Terah Hatton states that he/she is a Customer Service
Representative at Bluegrass NewsMedia, LLC
The Jessamine Journal) of general circulation published in
Nicholasville, Jessamine County, Kentucky.
He/she states that an advertisement of <u>Ordinances 1053-2019</u> \$ 1054-2019
Tiersite states that an advertisement of Managers 1000-2014 \$ 1004-2011
for City of Nichobsville
was published in The Jessamine Journal
on July 3, 2019
Customer Service Representative Bluegrass NewsMedia, LLC
Subscribed and sworn before me this 2 day of August, 2019.
Dale Halton 605966 Notary Public State-At-Large Kentucky
My Commission expires $8-2-22$

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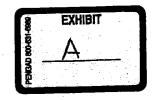
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ANNEXATION BOUNDARY TALL OAK, LLC PROPERTY PLAT CABINET 8; SLIDE 462

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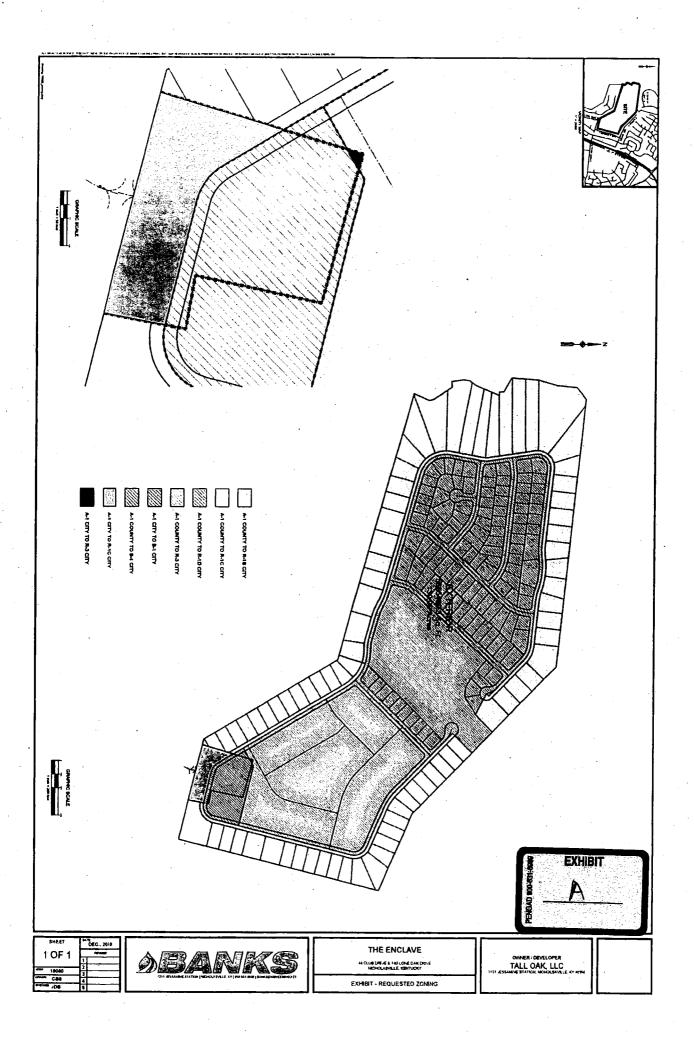
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Publisher's Certificate of Publication

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:

08/01/20, 08/02/20, 08/03/20, 08/04/20, 08/05/20, 08/06/20

- 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 advan-tage, gain or profit accrued to said officer or attorney

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NOTICE OF ENACTMENT OF ORDINANCE

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Kathy Walker, City Clerk August 6, 2020

Mike Caldwell, publisher

Subscribed and sworn to before me this 6th Day of August, 2020

Dale Halto

Dale Hatton 605969

Commission Expires 8-2-2022

Account # Ad # 1084442

CITY OF NICHOLASVILLE PO BOX 41482 NICHOLASVILLE KY 40356

ORDINANCE 018-2020 SUMMARY

AN ORDINANCE ESTABLISHING A DECREE OF ANNEXATION OF 127.04 ACRES OF REAL PROPERTY ADJACENT TO THE NORTHERLY TERMINUS OF LONE OAK DRIVE INTO THE CITY OF NICHOLASVILLE, KENTUCKY.

This ordinance finalizes the intent to annex of 127.04 acres of real property adjacent to the northerly terminus of Lone Oak Drive into the City of Nicholasville, Kentucky.



CERTIFICATION OF ORDINANCE

ORDINANCE 018-2020

I, Kathy Walker, certify I am the duly qualified City Clerk of the City of Nicholasville, Kentucky and the foregoing fifteen (15) pages of Ordinance 018-2020 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on July 23, 2020 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 September, 2020.

Kathy Walker

Seal

ANNEXATION BOUNDARY TALL OAK, LLC PROPERTY PLAT CABINET 8; SLIDE 462

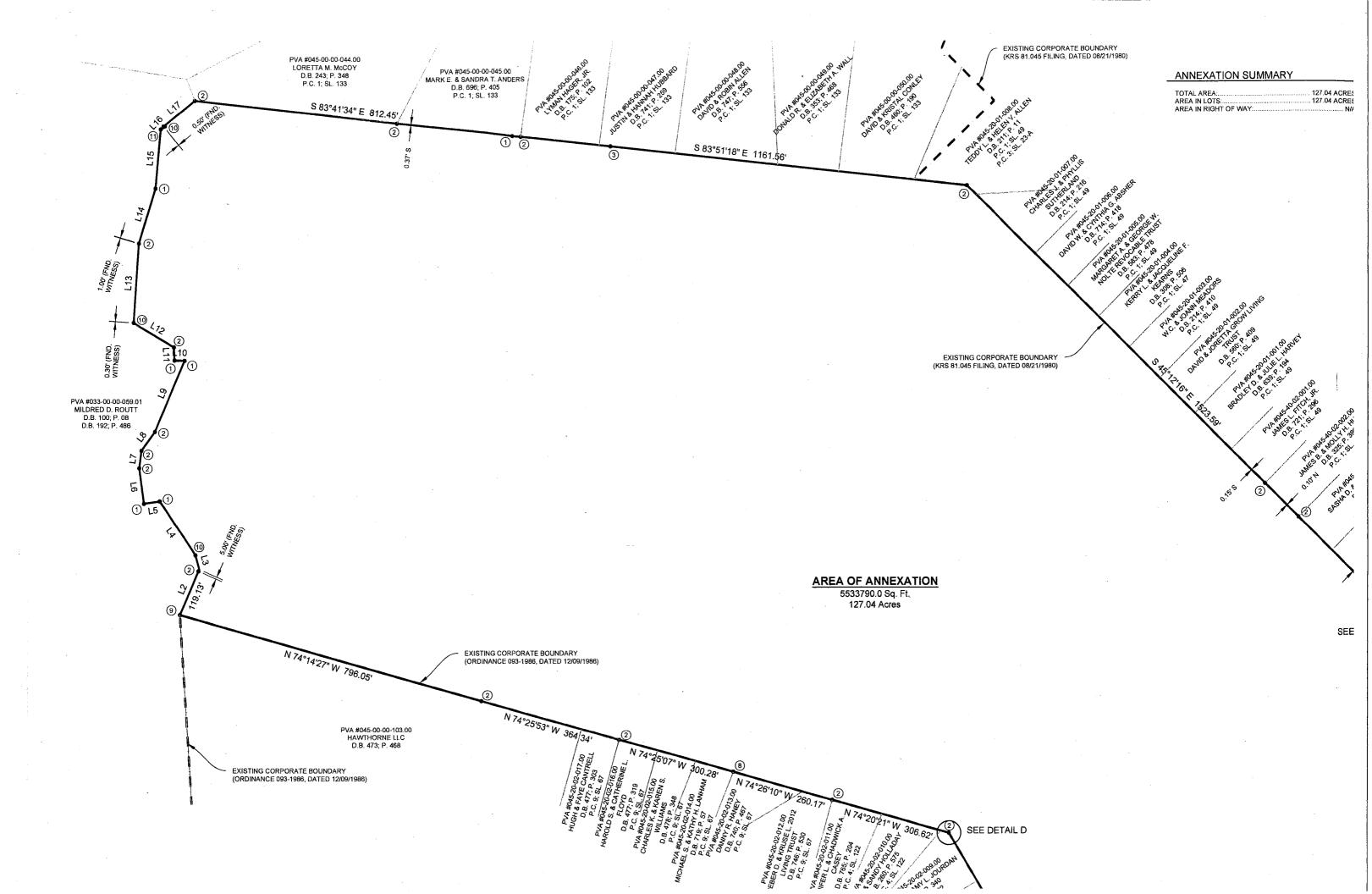
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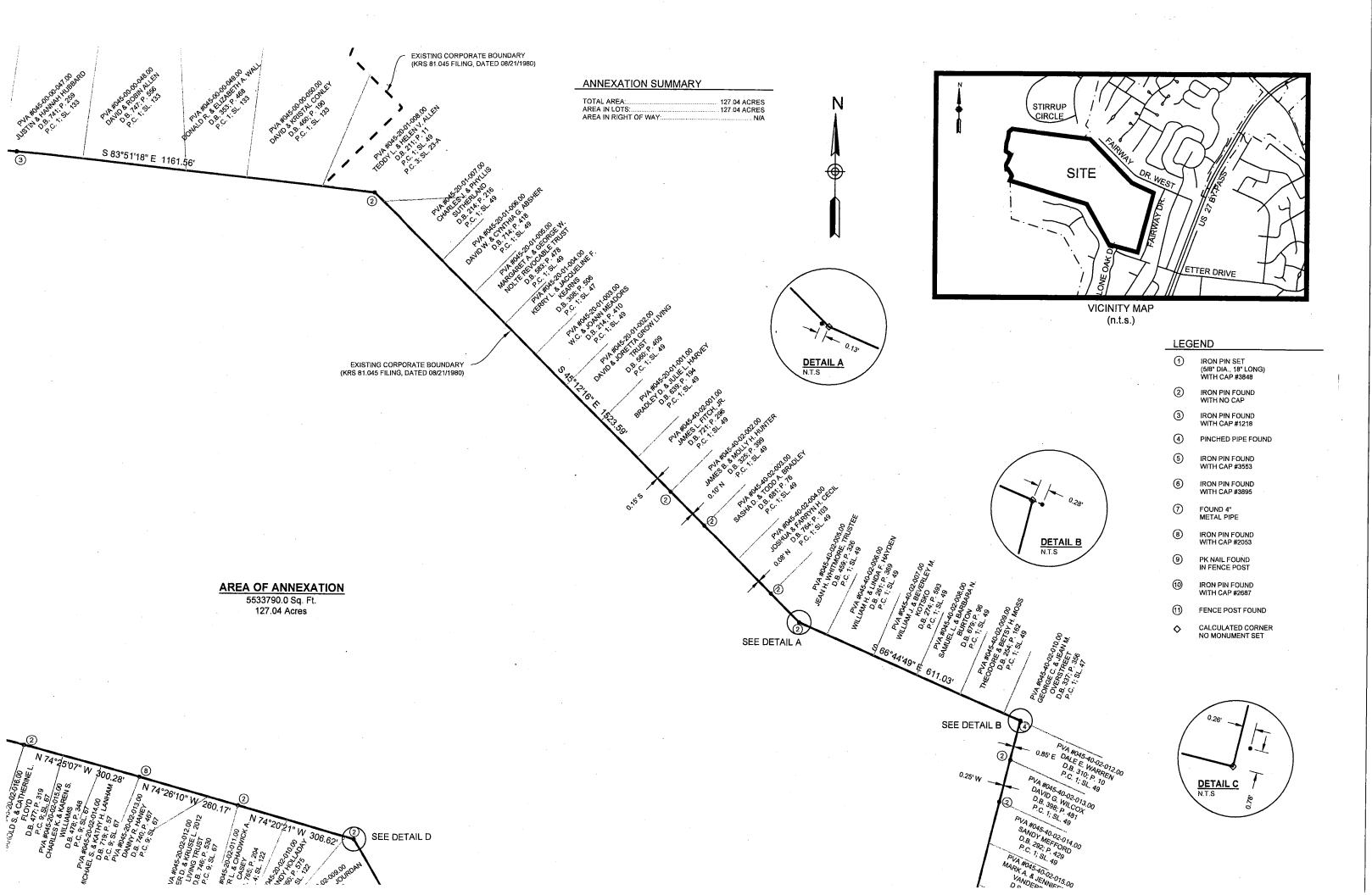
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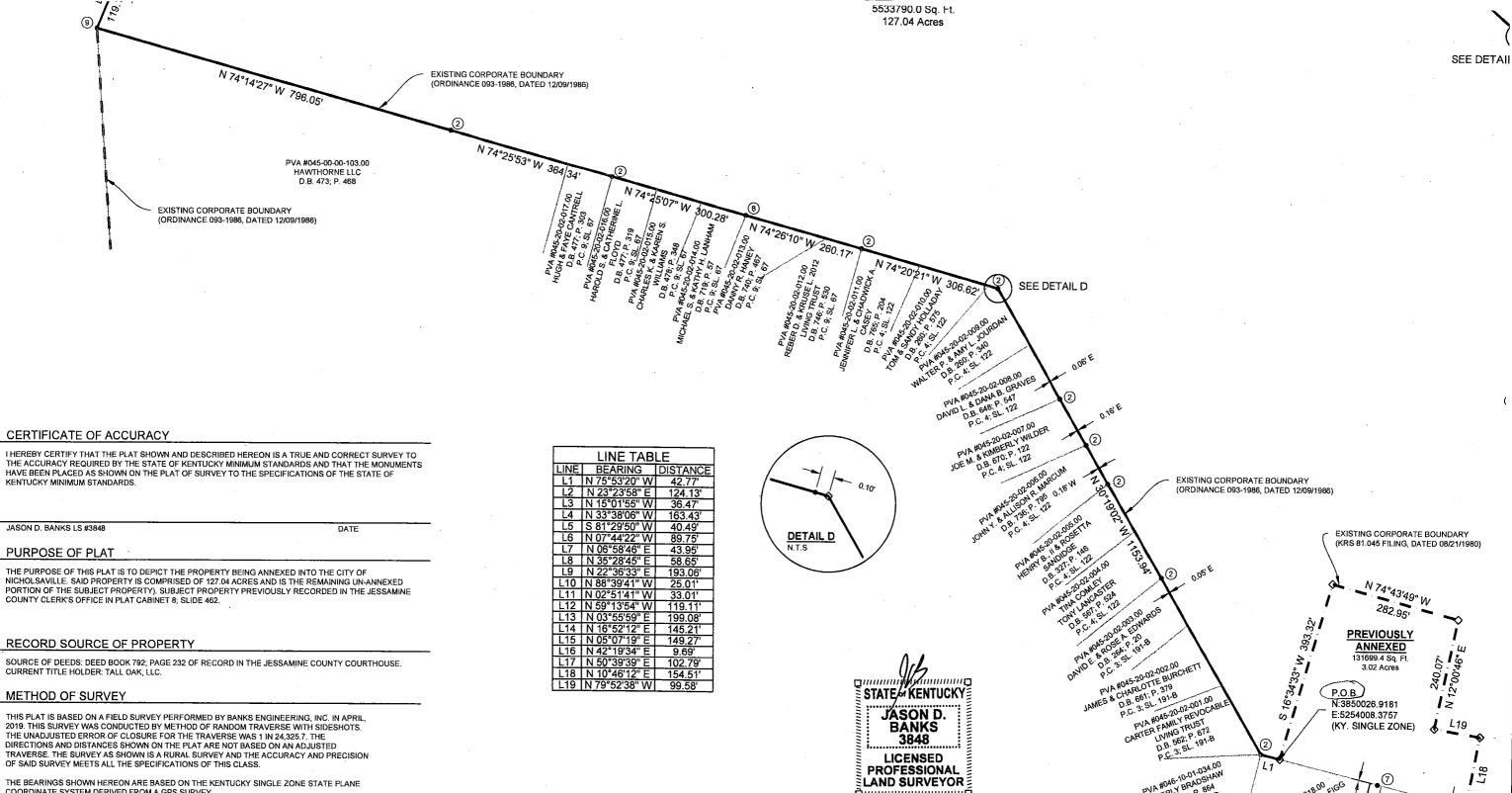
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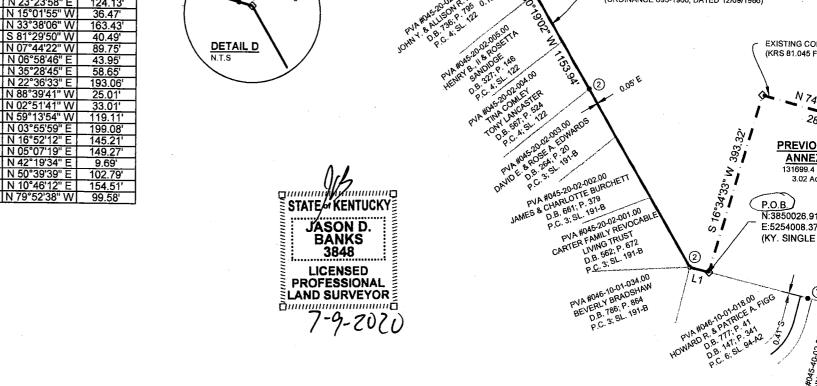
SOURCE OF DEEDS: DEED BOOK 792; PAGE 232 OF RECORD IN THE JESSAMINE COUNTY COURTHOUSE. CURRENT TITLE HOLDER: TALL OAK, LLC.

METHOD OF SURVEY

2019. THIS SURVEY WAS CONDUCTED BY METHOD OF RANDOM TRAVERSE WITH SIDESHOTS. THE UNADJUSTED ERROR OF CLOSURE FOR THE TRAVERSE WAS 1 IN 24,325.7. THE DIRECTIONS AND DISTANCES SHOWN ON THE PLAT ARE NOT BASED ON AN ADJUSTED TRAVERSE. THE SURVEY AS SHOWN IS A RURAL SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL THE SPECIFICATIONS OF THIS CLASS.

THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY SINGLE ZONE STATE PLANE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY.

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



PROJECT: 19080 DRAWN BY: CBS DRAWING: 19080_Annexation.dwg **GRAPHIC SCALE**

1 inch = 200 feet

