

ORDINANCE 138-1987

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

Be it ordained that inasmuch as KRS 81A.420 provided for the annexation of unincorporated territory by Cities, and the City of Nicholasville by and through its Board of Commissioners deem it desirable to annex all of the property known and described herein as Exhibit "A", do hereby adopt this Ordinance and 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 resident voters or owners of real estate within the limits of the property described in Exhibit "A", then a Final Ordinance will be presented to the legislative body whereupon the enactment of annexation shall be final.

FIRST READING

DATED: January 27, 1987

ATTEST: Bonnie Dean
CITY CLERK

James C. Mason
MAYOR

SECOND READING

DATED: February 10, 1987

ATTEST: Bonnie Dean
CITY CLERK

James C. Mason
MAYOR

this _____ day of _____, 1981, by and between
BETSY SIMPSON ENNIS and ROBERT FRANKLIN ENNIS, her husband, and
ROBERT E. FRISCH, as Trustee under Trust Agreement dated November 14,
1974 for benefit of Robert F. Ennis, Jr., John Cameron Ennis,
Wynne S. Ennis and Elizabeth M. Ennis, parties of the first part,
and J. NORWOOD HODGE and JOHN D. BENTLEY, as Trustees for CALVARY
INDEPENDENT BAPTIST CHURCH of Nicholasville, Kentucky, a religious
organization, whose mailing address is 105 Shun Road, Nicholasville,
Kentucky, parties of the second part;

W I T N E S S E T H :

That first parties, for and in consideration of the
sum of Fifty Thousand (\$50,000.00) Dollars, of which \$14,500.00 is
cash in hand paid, receipt of which is hereby acknowledged and
balance of \$35,500.00 is evidenced by a promissory note executed
by second parties in favor of first parties bearing interest at
the rate of money market certificates at The Farmers Bank, Nicholas-
ville, Kentucky and being due not later than December 31, 1984,
but no lien of any kind is reserved against the hereinafter described
property to secure the payment of said note;

DO HEREBY SELL, GRANT AND CONVEY unto the parties of
the second part, J. NORWOOD HODGE and JOHN D. BENTLEY, as Trustees
for CALVARY INDEPENDENT BAPTIST CHURCH of Nicholasville, Kentucky,
a religious organization, its successors and assigns forever, in
fee simple, the following described real estate, to-wit:

A certain parcel of land lying and being
located in Jessamine County, Kentucky, on
the southwest intersection of West Maple
Street and Shun Pike and more particularly
described as follows:

BEGINNING at a fence post corner said corner
being 22.6' west of Shun Pike and 24.6' south
of West Maple Street extended. Thence with
West Maple Street extended N 81° 26' 40" E
733.10 to an iron pin said pin being 22.6'

to Betsy S. Ennis property. Thence with Ennis property S 25° 16' 30" W 227.13' to an iron pin corner. Thence S 68° 22' 22" E 703.54 to an iron pin. Said pin being 20.6 west of Shun Pike. Thence with Shun Pike N 25° 16' 30" E 393.28 to the point of BEGINNING, containing 5.0 acres as shown by plat of said property is recorded in Plat Cabinet 1, Page 156, of the Jessamine County Clerk's Office and subject to all easement right of ways of record or otherwise.

BEING a part of the same property that was conveyed to Ethel Simpson by deed of Smile D. Vince (same as Smile Simpson) and other recorded in Deed Book No. 23, Page 571, and part of same property that was devised to Ethyl S. Buford by the Last Will and Testament of Bess N. Simpson recorded in Will Book M, Page 273, in the office of the Jessamine County Clerk and a part of the same property that was conveyed to W. B. Buford and Ethel Buford by Deed of W. D. Simpson and wife dated August 16, 1920 and recorded in Deed Book No. 35, at Page No. 492, all of which instruments appear of record in the office of the clerk of the Jessamine County Court. Bess N. Simpson is the same person as Bessie Simpson. Ethyl S. Buford is the same person as Ethel S. Buford. Being a part of the same property conveyed to Bessie Simpson by Smile Vince and others dated March 11, 1909 and recorded in Deed Book 23, Page 569, in the office of the Jessamine County Court Clerk. Said property is also subject to an easement of Kentucky Hydro Electric Company (the successor of which is Kentucky Utilities) dated February 18, 1924 and recorded in Deed Book 34, Page 455, in the office of the Jessamine County Court Clerk. Ethel Simpson was the same person as Ethel S. Buford, Ethyl Buford and Ethyl S. Buford.

Upon the death of the above mentioned W. B. Buford, which occurred testate on June 17, 1945, all of his interest in the above described property was devised to his wife, Ethel S. Buford, under the terms of his Last Will and Testament which was probated in the Jessamine County Court on August 10, 1945 and now appears of record in Will Book N, at Page No. 414, in the office of the clerk of the Jessamine County Court. Upon the death of said Ethel S. Buford testate on the 16th day of November, 1956 said property was devised to John W. Simpson under the terms of the Last Will and Testament which was probated in the Jessamine County Court on the 23rd day of November, 1956 and now appears of record in Will Book O, at Page No. 130, in the office of the clerk of the Jessamine County Court. The afore-mentioned John W. Simpson was the owner of the entire interest in all of the above described property at the time of his death intestate on the 4th day of December, 1961 at which time said property descended to and vested in his widow, Bess C. Simpson and his daughter, Betsy Simpson Ennis, as his only

child and heir-at-law, for which see Affidavit of Descent which appears of record in Deed Book No. 77, at Page No. 193, in the office of the clerk of the Jessamine County Court.

The interest of Bess C. Simpson was conveyed to Betsy Simpson Ennis by deed dated August 8, 1963 and recorded in Deed Book 80, Page 467, in the office of the Jessamine County Court Clerk. John Simpson acquired title from William Simpson and others by (1) deed dated December 22, 1875 and recorded in Deed Book Y, Page 332, and deed dated August 25, 1871 and recorded in Deed Book W, Page 654, in the office of the Jessamine County Court Clerk and by Will of William Simpson recorded in Will Book K, Page 508, in the office of Jessamine County Court Clerk.

BEING part of the same property conveyed to John Simpson (same person as John W. Simpson) by deed of W. D. Simpson and Blanche Simpson, his wife, dated June 22, 1933 and recorded in Deed Book 43, Page 495, in the office of the Jessamine County Court Clerk. Being a part of the same property conveyed to John Simpson (same person as John W. Simpson) by deed of Smile D. Vince and others dated March 11, 1909 and recorded in Deed Book 23, Page 573, in the office of the Jessamine County Court Clerk. The real estate of John W. Simpson (who was same person as John Simpson) upon death vested solely in Bess C. Simpson and Betsy Simpson Ennis as his sole heirs-at-law as set forth in Affidavit of Descent recorded in Deed Book 77, Page 193, in the office of the Jessamine County Court Clerk. The interest of Bess C. Simpson in said real estate of John W. Simpson was devised to Betsy Simpson Ennis under Will of Bess C. Simpson recorded in Will Book R, Page 265, in the office of the Jessamine County Court Clerk. John Simpson died intestate leaving Smile D. Vince, his widow, William D. Simpson, Bess N. Simpson, Ethel S. Buford and John W. Simpson as his sole heirs-at-law. See Affidavit of Descent recorded in Deed Book 140, Page 163, in the office of the Jessamine County Court Clerk. William D. Simpson was same person as W. D. Simpson.

BEING also a part of the same property conveyed to Robert E. Frisch as trustee under trust agreement dated November 14, 1974 for the benefit of Robert F. Ennis, Jr., John Cameron Ennis, Wynne S. Ennis and Elizabeth M. Ennis as follows:

- (1) Deed dated January 8, 1975 and recorded in Deed Book 132, page 43, recorded in the office of the Jessamine County Court Clerk;
- (2) Deed dated December 26, 1974 and recorded in Deed Book 131, page 618, in said clerk's office;
- (3) and Deed dated December 20, 1976 and recorded in Deed Book 143, page 246, in said clerk's office.

The property is subject to all restrictions, easements and covenants of record. The property is subject to all existing utility lines or service now located on the property.

the property in the names of the Church's Trustees, said Church not being incorporated, thereby correcting that deed of record in Deed Book 167, page 185, in the Jessamine County Court Clerk's Office.

TO HAVE AND TO HOLD the same together with all the rights, privileges and appurtenances thereunto belonging or in anyway appertaining unto the parties of the second part, J. NORWOOD HODGE and JOHN D. BENTLEY, as Trustees for CALVARY INDEPENDENT BAPTIST CHURCH of Nicholasville, Kentucky, a religious organization, its successors and assigns forever, in fee simple, and parties of the first part COVENANT to and with the parties of the second part that they are lawfully seized of the property described herein, with good and perfect right to sell and convey the same as herein done, and that the title thereto is free and clear from all encumbrances of record, except as herein provided; and that they will WARRANT GENERALLY the title thereto.

IN TESTIMONY WHEREOF, witness the hands of the parties of the first part the day and date first above written.

Betsy Simpson Ennis
BETSY SIMPSON ENNIS

Robert Franklin Ennis
ROBERT FRANKLIN ENNIS

Robert E. Frisch
ROBERT E. FRISCH, AS TRUSTEE

STATE OF NEW YORK)
COUNTY OF NEW YORK), SCT...

I, WALTER R. BAILEY Notary Public, do hereby certify that the foregoing Deed of Correction from BETSY SIMPSON ENNIS and others to J. NORWOOD HODGE and JOHN D. BENTLEY, as Trustees for CALVARY INDEPENDENT BAPTIST CHURCH of Nicholasville, Kentucky, was on this day produced to me in said State and County